WILSON, Mr. DULSKI, Mr. MCKINNEY, Mr. STEELE, Mr. KEITH, Mr. ANDERSON of California, Mr. VAN DEERLIN, Mr. DELLUMS, Mr. EDWARDS of California, Mr. BELL, Mr. LEGGETT, and Mr. DIGGS):

H.R. 15608. A bill to provide for a 6-month extension of the emergency unemployment compensation program; to the Committee on Ways and Means.

By Mr. GRAY (for himself, Mr. PEPPER, Mr. MATSUNAGA, Mr. ANDERSON of Tennessee, Mr. SMITH of California, Mr. O'NEILL, Mr. ANDERSON of Illinois, Mr. MARTIN, Mr. QUILLEN, Mr. LATTA, Mr. ABERNETHY, Mr. WHITTEN, Mr. GRIFFIN, Mr. MADDEN, Mr. MONTGOMERY, Mr. DELANEY, Mr. BOLLING, Mr. SISK, and Mr. YOUNG of Texas):

H.R. 15609. A bill to provide that the Federal building to be constructed in Hattiesburg, Miss., shall be named the "William M. Colmer Federal Building"; to the Committee on Public Works.

By Mr. GUBSER:

H.R. 15610. A bill to amend the Internal Revenue Code of 1954 to provide income tax simplification, reform, and relief for small business; to the Committee on Ways and Means.

By Mr. HANSEN of Idaho:

H.R. 15611. A bill to establish a system of wild areas within the lands of the national forest system; to the Committee on Agriculture.

By Mr. HOGAN (for himself, Mr. SARBANES, Mr. DELLUMS, Mr. COUGHLIN, Mr. GUDE, Mr. MCKINNEY, Mr. SCHWENGEL, Mr. BROYHILL of Virginia, and Mr. MITCHELL):

H.R. 15612. A bill to amend the Washington Area Transit Authority compact to require the inclusion of rail commuter service in the mass transit plan, and for other purposes; to the Committee on the District of Columbia.

By Mr. KOCH:

H.R. 15613. A bill to amend title 5, United States Code, to provide that persons be apprised of records concerning them which are maintained by Government agencies; to the Committee on Government Operations.

By Mr. MARTIN:

H.R. 15614. 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 Mr. RAILSBACK:

H.R. 15615. A bill to improve the private retirement system by allowing individuals to establish their own pension plans; to the Committee on Ways and Means.

By Mr. SCHWENGEL:

H.R. 15616. A bill granting the consent and approval of Congress to an agreement between the States of Illinois and Iowa relating to the establishment by certain of their political subdivisions of a regional air pollution control board; to the Committee on the Judiciary.

By Mr. RAILSBACK:

H. Res. 1022. Resolution amending the rules of the Houes 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. HAMMERSCHMIDT:

H.R. 15617. A bill for the relief of Lucie Stein; to the Committee on the Judiciary.

By Mr. WRIGHT:

H.R. 15618. A bill for the relief of Cornelia Lydia Holder Littlejohn; to the Committee on the Judiciary.

SENATE—*Tuesday, June 20, 1972*

The Senate met at 9 a.m., on the expiration of the recess, and was called to order by Hon. HARRY F. BYRD, JR., a Senator from the State of Virginia.

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Almighty God, before whom the generations rise and pass away, we thank Thee for days that are past and work that is done. We thank Thee now for the new day and for work yet to be done. By Thy strength and in Thy wisdom help us to undertake our tasks as did our forefathers, holding firmly to truth and justice, striving for the better world that is yet to be—

"March on, O soul, with strength,
As strong the battle rolls,
Gainst lies and lusts and wrongs,
Let courage rule our souls:
In keenest strife, Lord, may we stand
Upheld and strengthened by Thy hand."
—GEORGE T. COSTER.

We pray in the Redeemer's name. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. ELLENDER).

The second assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., June 20, 1972.

To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. HARRY F. BYRD, JR., a Senator from the State of Virginia, to perform the duties of the Chair during my absence.

ALLEN J. ELLENDER,
President pro tempore.

Mr. HARRY F. BYRD, JR., thereupon took the chair as Acting President pro tempore.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Journal of the proceedings of Monday, June 19, 1972, be approved.

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

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees may be authorized to meet during the session of the Senate today.

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

DEFENSE PRODUCTION ACT OF 1950

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 829, S. 3715.

The ACTING PRESIDENT pro tempore. The bill will be stated by title.

The legislative clerk read as follows:

S. 3715, to amend and extend the Defense Production Act of 1950.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 3715

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 303(b) of the Defense Production Act of 1950, as amended (50 U.S.C. App. 2093(b)), is amended by striking out "June 30, 1975" and inserting in lieu thereof "June 30, 1985".

SEC. 2. The first sentence of section 717(a) of the Defense Production Act of 1950, as amended (50 U.S.C. App. 2166(a)), is amended by striking out "June 30, 1972" and inserting in lieu thereof "June 30, 1974".

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 92-868), explaining the purposes of the measure.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The bill would extend the Defense Production Act of 1950 for 2 years—from the present expiration date of June 30, 1972, to June 30, 1974. The bill would also amend the Defense Production Act by extending from June 30, 1975, to June 30, 1985, the time in which purchase and sales contracts may be entered into concerning materials in the Defense Production Act inventory.

GENERAL STATEMENT

The bill would extend for 2 additional years, through June 30, 1974, the remaining temporary powers of the President under the Defense Production Act of 1950. These include power to establish priorities for defense contracts; power to allocate materials for defense purposes; authority to guarantee loans made in connection with defense contracts; authority to make loans and purchases to build up our defense capacity and assure supplies of defense materials and to carry out existing contracts; authority to employ without compensation and when actually employed employees, including advisers and consultants; and pro-

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

vision for the establishment of a reserve of trained executives to fill Government positions in time of mobilization. The Act also establishes the Joint Committee on Defense Production.

These powers are scheduled to expire on June 30, 1972. They must be extended. Some of the powers are needed now to maintain production schedules on missiles and all other defense contracts; others are needed for longer range preparedness programs; and other powers must be maintained in readiness for immediate use in possible future emergencies.

The bill would also amend section 303(b) of the act to extend from June 30, 1975, to June 30, 1985, the authority to enter into commitments to purchase materials for the Defense Production Act inventory and sell materials already contained in that inventory. The extension of this restriction is important not only from the standpoint of new purchases which might be contemplated, but it is critical from the standpoint of ongoing disposal programs for the sale of excess Government contracts which would extend beyond 1975. The bulk of the remaining Defense Production Act inventory consists of materials which can best be disposed of through long-term contracts which permit introduction of these materials into markets with minimum disruption. The General Services Administration would be precluded from entering into favorable long-term agreement for the disposal of such excess materials unless this extension is made. The most recent amendment of this section was contained in Public Law 88-343, approved June 30, 1964, which extended from June 30, 1965, through June 30, 1975, the maximum period which these sales could be made.

Hearings were held on two bills to amend the Defense Production Act, S. 669 and S. 1901, on April 12 and 13, 1972. Testimony was received from Gen. George A. Lincoln, Director of the Office of Emergency Preparedness, Hon. Elmer B. Staats, Comptroller General of the United States, and other interested persons. The committee voted unanimously to report this committee bill to the Senate.

PREVIOUS LEGISLATION

The Defense Production Act of 1950 (Public Law 774, 81st Congress, 64 Stat. 799, 50 app., U.S.C. 207) was approved September 8, 1950. The original act contained seven titles:

Title I. Priorities and allocations.

Title II. Authority to requisition.

Title III. Expansion of productive capacity and supply.

Title IV. Price and wage stabilization.

Title V. Settlement of labor disputes.

Title VI. Control of consumer and real estate credit.

Title VII. General provisions.

The various titles of the act were amended, extended, or terminated by the following public laws:

Public Law 69, 82d Congress, approved June 30, 1951 (65 Stat. 110).

Public Law 96, 82d Congress, approved July 31, 1951 (65 Stat. 131).

Public Law 429, 82d Congress, approved June 30, 1952 (66 Stat. 296).

Public Law 94, 83d Congress, approved June 30, 1953 (67 Stat. 121).

Public Law 95, 83d Congress, approved June 30, 1953 (67 Stat. 129).

Public Law 94, 84th Congress, approved June 28, 1955 (69 Stat. 180).

Public Law 119, 84th Congress, approved June 30, 1955 (69 Stat. 225);

Public Law 295, 84th Congress, approved August 9, 1955 (69 Stat. 580).

Public Law 632, 84th Congress, approved June 29, 1956 (70 Stat. 408).

Public Law 85-471, approved June 28, 1958 (72 Stat. 241).

Public Law 86-560, approved June 30, 1960 (74 Stat. 282).

Public Law 87-305, approved September 26, 1961 (75 Stat. 667).

Public Law 87-505, approved June 28, 1962 (76 Stat. 112).

Public Law 88-343, approved June 30, 1964 (78 Stat. 235).

Public Law 89-348, approved November 8, 1965 (79 Stat. 1310).

Public Law 89-482, approved June 30, 1966 (80 Stat. 235).

Public Law 90-370, approved July 1, 1968 (82 Stat. 279).

Public Law 91-151, approved December 23, 1969 (82 Stat. 856).

Public Law 91-300, approved June 30, 1970 (84 Stat. 367).

Public Law 91-371, approved August 1, 1970 (84 Stat. 694).

Public Law 91-379, approved August 15, 1970 (84 Stat. 796).

Public Law 92-15, approved May 18, 1971 (85 Stat. 38).

Titles II and VI terminated June 30, 1953. Titles IV and V terminated April 30, 1953. The remaining powers of titles I (except section 104), title III, and title VII (except sections 708, 714, and 719) under present law will terminate June 30, 1972.

RECORDS OF EMERGENCY LOAN GUARANTEE BOARD

During the hearings on S. 699 and S. 1901, the Comptroller General testified about access to information on the Lockheed loan guarantee. The Comptroller General indicated that while the GAO has received all the data it has requested from Lockheed Aircraft Corp., his office has not been able to obtain certain records of the Emergency Loan Guarantee Board established by the Emergency Loan Guarantee Act (Public Law 92-70). These records involve the information on which the Board relied in approving a $250 million loan guarantee for the Lockheed Aircraft Corp., including several credit analyses of the company prepared by the New York Federal Reserve Bank. The Act requires the Board to make certain statutory findings before approving a loan guarantee, including a finding that the prospective earning power of a loan guarantee applicant furnishes reasonable assurance that the loan will be repaid.

The Comptroller General has testified that the chairman of the Emergency Loan Guarantee Board has clearly violated the Budget and Accounting Act of 1921, as well as other statutes in not giving the GAO access to the aforementioned records of the Emergency Loan Guarantee Board. On the other hand, the General Counsel of the Treasury has written that the Board is not legally required to make such information available to the General Accounting Office.

This committee does not wish to referee a legal dispute between the Comptroller General and the Emergency Loan Guarantee Board. However, there are certain overriding questions of public policy which transcend the legal arguments involved. In view of the highly controversial nature of the Lockheed loan guarantee and the size of the U.S. financial commitment, this committee believes the Emergency Loan Guarantee Board should cooperate fully with the GAO in making its records available. In passing the Emergency Loan Guarantee Act, the committee does not believe that Congress intended to deny to the GAO any information of a type which it has customarily collected in the past from other Government agencies, or authorize GAO access to records which it has not customarily collected in the past from other Government agencies.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. The distinguished Republican leader is now recognized.

Mr. SCOTT. Mr. President, I yield back my time.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the distinguished Senator from New York (Mr. JAVITS) is now recognized for not to exceed 15 minutes.

THE ISSUE OF CONGRESSIONAL AUTHORITY AND THE SALT AGREEMENTS

Mr. JAVITS. Mr. President, the SALT agreements now before the Congress represent probably the most important international accords presented for congressional approval since the Versailles Treaty following World War I. I think it is highly significant that the President himself made this analogy, in his remarks to Members of Congress at the White House on June 15. It is an analogy which highlights the authority and responsibility of Congress with respect to these agreements—and the life and death issues they deal with. The SALT agreements are easily the most outstanding achievement of President Nixon's administration—an administration which already had a number of outstanding diplomatic accomplishments to its credit.

Thus far, the role of the executive branch has been primary with respect to these agreements; and its conduct of the complex negotiations leading to the SALT agreements has been excellent. Within the spectrum of the negotiating possibilities, the results must be judged a maximal rather than a minimal achievement.

But, the focus of attention now has shifted to the Congress, and particularly the Senate. In my judgment, the Senate already has played a very important role in success of the SALT negotiations. The great Senate debates of 1968, 1969, and 1970 on strategic arms issues helped importantly to guide the executive branch of our Government and the Soviet Government—for we know that the Soviets avidly read the Senate debates. The issues and the principles which were established and clarified in the Senate debates have now found expression in the SALT agreements.

I urge the President to accelerate the pace of negotiations with the Soviet Union to limit these weapons systems which might be pursued by each as "bargaining chips," so that both sides can avoid expenditures and obligations for new weapons systems which could be justified only as "bargaining chips." The relationship established with the Soviet Union should now be such as to make this entirely feasible.

As the primary role with respect to the SALT agreements now passes to Congress we should consider at the same time Congress role with respect to the vital issues involved in these particular agreements, and the constitutional question of the relationship of congressional and Executive authority on arms agreement and warmaking powers.

I believe that President Nixon by untying our hands on the new offensive weapons systems has consciously created an opportunity for us jointly to restore a good measure of the proper constitutional balance between the Executive

and the Congress in national security affairs and thus to reduce the strain which has resulted from the constitutional imbalance which reached crisis proportions with respect to the Vietnam war.

In his June 1 report to the Congress at the conclusion of his trip to the Soviet Union, President Nixon said:

We can undertake agreements as important as these only on a basis of full partnership between the executive and legislative branches of our Government.

This statement, together with the very act of making an immediate report to a joint session of Congress, represents a marked departure from the approach contained in President Nixon's April 26 and May 8 speeches in which he took the position that the strength and authority of the office of the President is the keystone to our national security and morality.

On June 15, in quite a different vein, President Nixon told Members of Congress:

I think that the hearings that you will conduct must be searching because only in that way will you be able to be convincing to yourselves and only in that way will the Nation also be convinced . . . What we are asking for here, in other words, is cooperation and not just rubber-stamping by the House and the Senate. That is essential because there must be follow-through on this and the members of the House and Senate, it seems to me, must be convinced that they played a role as they have up to this point, and will continue to play a role in this very, very important field of arms control.

In the same spirit, on June 19 Secretary Rogers told the Senate Foreign Relations Committee:

We are pleased to know that the Congress plans full consideration of these two documents, both with officials of the Executive branch and with the public. This is a process that is fundamental to our American system.

This new spirit in the executive branch respecting the authority and responsibility of Congress in national security matters could lead to enactment of a war powers bill, settle vexing questions of the invocation of executive privilege and overclassification of documents, and limit the use of executive agreements without congressional consent. It could in this way signal an important transformation in the politics of our Nation and help significantly to restore unity and concord within our deeply divided society. Healing the wounds of Vietnam is an overriding challenge and a necessity to our well-being as a nation.

As the President himself has said in a spirit of respect—cooperation by the Congress does not mean "rubberstamping"—if the Congress is to fulfill its own responsibilities. With respect to the SALT agreements the President has thereby facilitated a responsible and independent role for Congress. The main issue before the Nation is not ratification of the SALT agreements. The treaty and agreement, quite rightly, enjoy overwhelming support in the Congress and will certainly be approved, but the key question is what the United States should do respecting new offensive strategic weapons systems not prohibited by the SALT agreements. What is there to the bargaining chip arguments as to induce Congress to authorize major weapons systems as bargaining chips?

President Nixon and Dr. Kissinger, quite properly, have forcefully stated the sincere view of the executive branch that rapid development of such new offensive strategic systems as the B–1 bomber and the Trident/ULMS submarine system are needed for national security—and especially as "bargaining chips" for the next round of SALT negotiations.

But quite significantly, Dr. Kissinger, speaking for the President respecting the relationship between the SALT agreements and the new arms requests, said:

Our position is that we are presenting both of these programs on their merits. We are not making them conditional. We are saying that the treaty is justified on its merits, but we are also saying that the requirements of national security impel us in the direction of the strategic programs, and we hope that the Congress will approve both of these programs as it examines each of them on its merits.

In this respect, the President has left us free by untying our hands on the new weapons systems issue for the next 5 years. It is a tribute to the President, as well as to the Congress that he has chosen to do this, without of course sacrificing his own right of advocacy and persuasion.

Together with some of my colleagues, I approach the need as well as the prudence of pushing ahead with expensive new offensive strategic weapons systems with concern and doubt. I shall, of course, reserve final judgment on each system respectively pending full investigation of all the pertinent considerations respecting each system.

The reasons for my skepticism concerning the need to push ahead now with new offensive weapons systems, as well as my concern regarding the efficacy of such measures as "bargaining chips" for SALT II, found expression in Dr. Kissinger's own extraordinary briefing of June 15. On that occasion, Dr. Kissinger told us:

But to the extent that balance of power means constant jockeying for marginal advantages over an opponent, it no longer applies. The reason is that the determination of national power has changed fundamentally in the nuclear age . . . now both we and the Soviet Union have begun to find that each increment of power does not necessarily represent an increment of usable political strength. With modern weapons, a potentially decisive advantage requires a change of such magnitude that the mere effort to obtain it can produce disaster. The simple tit-for-tat reaction to each other's programs of a decade ago is in danger of being overtaken by a more or less simultaneous and continuous process of technological advance, which opens more and more temptations for seeking decisive advantage. . . . In other words, marginal additions of power cannot be decisive. . . . There was reason to believe that the Soviet leadership might also be thinking along similar lines as the repeated failure of their attempts to gain marginal advantage in local crises or in military competition underlined the limitation of old policy approaches.

Later on in his briefing, Dr. Kissinger told us:

As long as it—ABM Treaty—lasts, offensive missile forces have, in effect, a free ride to their targets. Beyond a certain level of sufficiency, differences in numbers are therefore not conclusive.

Dr. Kissinger also told us:

The quality of the weapons must also be weighed. We are confident we have a major advantage in nuclear weapons technology and in warhead accuracy. Also, with our MIRV's we have a two-to-one lead today in numbers of warheads and this lead will be maintained during the period of the agreement, even if the Soviets develop and deploy MIRV's of their own.

It is evident that the issue resolves down to the question of basic judgments respecting the best way to enhance our national security and strengthen the structure of world peace. As a Senator and member of the Foreign Relations Committee, I am deeply gratified by the approach taken by President Nixon in the SALT agreements and in his attitude of partnership with the Congress.

It is the duty of Congress to reciprocate and to join with the President in finding the best means to protect our security. Equally, we must respond to the offer of partnership by seeking a new stability of relationship between Congress and the Executive on national security issues. I hope the new partnership can be consummated by enacting, with Presidential concurrence, the War Power Act recently adopted by the Senate.

COMPREHENSIVE HEADSTART, CHILD DEVELOPMENT, AND FAMILY SERVICES ACT OF 1972

The ACTING PRESIDENT pro tempore (Mr. HARRY F. BYRD, JR.). Under the previous agreement, the Chair lays before the Senate S. 3617, which the clerk will report.

The legislative clerk read as follows:

Calendar No. 760 (S. 3617), a bill to strengthen and expand the Headstart program, with priority to the economically disadvantaged, to amend the Economic Opportunity Act of 1964, and for other purposes.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. The pending question is on agreeing to the amendment of the Senator from Colorado (Mr. DOMINICK), which the clerk will report.

The legislative clerk read as follows:

On page 16, lines 5 and 6, beginning with the word "which" strike all through the word "sponsor" in line 6.

On page 18, line 8, beginning with the word "except" strike out through line 10.

On page 20, between lines 3 and 4, insert the following new paragraph:

"(2) In the event that a state has submitted a prime sponsorship plan under subsection (a) of this section to serve a geographical area covered by the plan of an applicant under paragraphs (2), (3), or (4) of subsection (a), the Secretary shall designate to serve such area the applicant which he determines has the capability of more effectively carrying out the purposes of this title with respect to such area."

On page 20, line 4, strike out "(2)" and insert in lieu thereof "(3)".

The ACTING PRESIDENT pro tempore. The Chair will state that debate on this amendment is limited to 1 hour, to be equally divided and controlled by the Senator from Colorado (Mr. DOMI-

NICK) and the Senator from Wisconsin (Mr. NELSON) or his designee.

Who yields time?

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum. I ask unanimous consent that the time be equally charged against both sides of the bill.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears no objection, and it is so ordered.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 1251

Mr. DOMINICK. Mr. President, I yield myself 15 minutes and call up my amendment No. 1251.

The ACTING PRESIDENT pro tempore. The clerk will read the amendment.

The legislative clerk read the amendment (No. 1251) as follows:

On page 16, lines 5 and 6, beginning with the word "which" strike all through the word "sponsor" in line 6.

On page 18, line 8, beginning with the word "except" strike out through line 10.

On page 20, between lines 3 and 4, insert the following new paragraph:

"(2) In the event that a State has submitted a prime sponsorship plan under subsection (a) of this section to serve a geographical area covered by the plan of an applicant under paragraph (2), (3), or (4) of subsection (a), the Secretary shall designate to serve such area the applicant which he determines has the capability of more effectively carrying out the purposes of this title with respect to such area."

On page 20, line 4, strike out "(2)" and insert in lieu thereof "(3)".

Mr. DOMINICK. Mr. President, the committee, in drafting the legislation which we have before us, foresaw and provided for the possibility of two or more local applicants seeking designation as the prime sponsor to serve the same area, insofar as the child development facilities may be concerned. What they did not do, however, was to make any determination, except by implication, as to what should be done where a State and local applicant also applied to be the prime sponsor in any given geographical area.

It strikes me that, instead of setting up a predetermination, which the committee bill has in fact done, to see that whenever there is an application by a local sponsor for a geographic area and by the State which would cover the same area, the local sponsor would succeed in this, what we really should do is give the Secretary the discretion to select, from among competing applicants, the one which he determines has the capability of more effectively carrying out the purposes of the title. This amendment reaches that result.

If my distinguished friends from Minnesota and Wisconsin will follow the amendment, they will see that what we have stricken is the material which would give at least an implied priority to the local sponsor—material which really does not give the Secretary any discretion because of the use of the key words within those lines and which in effect say that the Secretary will have to move forward with a local application regardless of whether it happens to be the most effective person or group to sponsor the child development programs within that area.

What we have done, therefore, is to say that the State is going to be the last one that will be really considered; that a local applicant will probably be chosen, in case there is a conflict between the State and the local applicant; and in fact that, if there is a conflict between two local applicants, the probability is that the first one in will be the first one chosen regardless of whether that local applicant happened to be the most effective or not.

Mr. President, the bill in its present form mandates the selection of local applicants over State applicants if the Secretary determines that the local applicant has the capability of carrying out comprehensive programs and has submitted a satisfactory plan.

The word "capability" is, to say the least, a word of considerable ambiguity. Someone may have capability to do something but never, as the Senator from Wisconsin and the Senator from Minnesota were saying yesterday, develop the potential to carry it out. They can have capability to do all kinds of things, but they may not have the potential for actually carrying out that capability.

In addition to all this, it operates to the exclusion of State applicants, which cannot be designated as prime sponsors if the area is "otherwise served by a prime sponsor" or if the local applicants "are or will be otherwise designated" as prime sponsors for the area.

The clear implication is that local prime sponsors must be selected if they satisfy minimum requirements described in such terms as "capability" and "satisfaction."

As I said, Mr. President, "capability" to my mind is a hazardous guess at best from the children's point of view; and "satisfactory" is a standard which I would neither urge nor accept against which child development should be judged.

We are talking about legislation which authorizes an expenditure level of $2.95 billion over 3 years—even more than the level of expenditure of the bill that was vetoed by the President last year. It seems to me that if we are going to move forward in terms of expenditures of this magnitude, we should put into the bill more than just the question of whether programs are satisfactory in order to give the Secretary the discretion to determine which sponsor, in case of competing applications, can be more effective. This discretion, as I have stated, is not given to him at the present time, particularly if the State happens to have applied.

I want to make it clear that I am not advocating a complete system of State prime sponsorship; indeed, Secretary Richardson testified that he had no such intention. Certainly some areas will best be served by local prime sponsors, and others, because of the scope and comprehensiveness of the services envisioned, would require State prime sponsorship, so that the State agencies can fit together the various services which they already have within their areas. What I am advocating is that the Secretary be allowed to translate that $2.9 billion into the maximum benefit possible to serve the purposes for which the bill was intended.

The thrust of this amendment, therefore, is to allow the Secretary to make the quality of the programs and the maximization of benefits to the children the criteria against which prime sponsors will be designated. To do otherwise is to allow unfounded preconceptions and conjecture to distort a judgment which should only be based on program and quality and delivery ability.

The same logic which impelled the committee to this conclusion with regard to competing local prime sponsors should persuade the Senate now to an identical conclusion with regard to local prime sponsors and the State competing for prime sponsorship. If we are going to do it in the first case, then the logic which led the committee to provide for that should also lead the committee and the Senate to do the same in the case of competing State and local prime sponsors.

Mr. President, how much time do I have left of my 15 minutes?

The ACTING PRESIDENT pro tempore. The Senator from Colorado has 4 minutes remaining.

Mr. DOMINICK. Of the 15?

The ACTING PRESIDENT pro tempore. Of the 15.

Mr. DOMINICK. I withdraw that time, and reserve the remainder of my time.

The ACTING PRESIDENT pro tempore. Who yields time?

Mr. NELSON. Mr. President, I yield the Senator from Minnesota whatever time he may require.

Mr. MONDALE. Mr. President, the committee, by a very strong bipartisan margin of 14 to 3, rejected this same amendment when it was proposed in committee.

It is the view of the committee, and it was the view of the Senate the last time we acted on this measure, that to the fullest extent possible these child development programs should be locally controlled with a strong voice from parents whose children are in the program.

The measure as it is now before us gives priority to local prime sponsors provided that the population is at least 25,000. The pending amendment would effectively repeal that description and, in the light of the record, threaten to turn this program into a State-administered program under the control of the welfare departments of the various States—a development which the committee considers would be a serious error.

The present proposed statutory system recommended by the committee provides, in effect, that an applying local prime sponsor must have an adequate program. An applying local prime sponsor does not qualify for funding unless the applicant has shown the capability of effectively carrying out the comprehensive programs under this act, a determination which the Secretary of HEW makes. So there is no question about requiring the adequacy and the competency of the local prime sponsor, or of the

power of the Secretary to make that determination.

The administration, in testifying, has repeatedly and clearly stated its preference for State administration of these programs. The administration does not want local control. It has repeatedly opposed it. The administration's position suggests that this amendment could result in the naming of 50 States to be prime sponsors, of all these programs, with the possible exception of those in communities of 500,000 or more—because the administration representatives have said on several occasions that communities of 500,000 or more are capable of handling their own programs, and those below that population are not—a conclusion which I think is utterly without support in the record or in the experience of the Headstart program. In fact, I think a much stronger case can be made for turning it just the **other way around.**

The other point to be made, which was made, I thought, very impressively by the Senator from New York (Mr. JAVITS) the last time we debated this bill in committee, was that the proposed amendment would create a political nightmare for any administration. It would mean that every program could be fought over by applicants at the local level and by State applicants, and the result would be that, without any criteria at all except the words "more effective," Federal Administrators would be left in the middle, trying to decide which of the two or more applicants should be awarded the program. This would be, I think, an absolutely impossible administrative situation, and for that reason as well, the amendment should be rejected.

Finally, it seems to me that Congress has a duty to accept its own responsibilities here, not to try to duck out of the issue of whether we want locally controlled programs or not, and to say as distinctly as it can what it expects the administrative apparatus to be.

That is what the committee has done by an overwhelming margin. We have said that we want local control wherever it can be achieved, provided that the local applicant has established to the satisfaction of the Secretary that it has the capability of effectively carrying out comprehensive programs under this act. That is the issue which we threshed out on the Senate floor during the last debate, and the Senate repeatedly and overwhelmingly voted for local control.

The experience we have had with Headstart, and my own observations in looking at school programs and the rest, convince me that we should be for local control. The original bill as introduced would have permitted a community of any size to apply directly for funding. But in trying to meet some of the objections of the administration, we agreed to a much higher population figure—25,000—which reduces the number of potential applicants from approximately 7,000 under the vetoed bill to 2,000 applicants under this bill.

Therefore, for all these reasons, I am very hopeful that the pending amendment will be rejected.

Mr. NELSON. I yield myself whatever time I may need.

Mr. President, as the distinguished Senator from Colorado knows, we have made several changes in this child care bill since the President vetoed the first one a year ago. We did increase the requirement for population of a prime sponsor from 5,000 to 25,000.

We did one more thing that goes to the concern of the Senator from Colorado: We provided for a five-State demonstration program; that is, five States and not to exceed 5 percent of the population of the country.

It is my feeling that, after we have some experience with these five States in which the State has the total responsibility as a prime sponsor, we may very well then go the route of the State being the prime sponsor in all these programs.

As the Senator from Colorado knows, from a philosophical standpoint, I have no objection to that. I think it is very likely that, in 2, 3, or 4 years, that may very well be the way that Congress will go. But only after we have experience under the demonstration programs authorized in this bill and after the States have developed some expertise in that field, which a majority of the States have not yet done.

So it seems to me that for the purposes of this year and this bill, raising the population requirements from 5,000 to 25,000, the creation of five States, involving not to exceed 5 percent of the population, in which the State will be prime sponsor, is a long step in the direction that the distinguished Senator from Colorado has been advocating for quite some time.

I hope that this amendment will not be adopted and that we will go ahead with the program as agreed upon in the committee, and then reevaluate it again when the authorization period arrives for the next bill.

The ACTING PRESIDENT pro tempore. Who yields time?

Mr. DOMINICK. I yield 5 minutes to the Senator from Maryland.

Mr. BEALL. I thank the Senator for yielding.

I should like to speak to the point just raised by the Senator from Wisconsin. As the author of the amendment that gives the Secretary the discretion to pick five States and make them demonstration projects, I hesitate to enter into too much colloquy with the distinguished Senator, because I do not want to lose this part of the bill. But I think the point he makes really is a point in favor of the amendment offered by the Senator from Colorado.

It seems to me that if it is the desire of Congress eventually to have the States more actively involved in the administration of these programs, as I think they should be, then we had better do it now, before the bureaucracy is built up downtown that is going to resist any effort to get the States involved later. I think history has shown that with the involvement of the Federal Government in various programs at State and local levels, once the Federal role has been established, it is difficult to overcome the tremendous pressures of the bureaucracy with their vested interest in their own programs. It is difficult to reverse directions and, for example, turn over the administration of a program to the States even when the evidence indicates that programs are not being operated and administered as effective as they should be.

It seems to me that if we want to get the control of these programs in the hands of local people, so that we can minimize the redtape, improve program effectiveness, and get the Federal assistance to the areas where the problems are, we had better do it now and adopt an amendment such as that offered by the Senator from Colorado. Otherwise, we will never get the job done.

Mr. NELSON. I yield myself such time as I may require.

Mr. President, as the distinguished Senator from Maryland recognizes, we accepted his amendment in committee as a compromise position. If we accept the amendment of the Senator from Colorado, we do not need the amendment of the Senator from Maryland; because we all know the position of the administration and the Secretary. They would like to have the prime sponsor not be smaller than a city of 500,000. So we do not need the experimental program if we are going to give the Secretary the option to select between two competing prime sponsors, one of them a city of 25,000 or more and the other the State government, with the policy position of the Secretary being that he wants all prime sponsors all to be 5,000 or more, anyway.

Second, as the Senator from Colorado and the Senator from Maryland know, the compromise came about because there was also the question of what agreement we can reach with the House in conference. As the Senator knows, last year the House insisted upon a prime sponsorship of 5,000, and we have moved that up to 25,000 and have gone the experimental route, expecting that if the State sponsorship turns out to be the best method in this competition, Congress may well go ahead in 2 or 3 years and follow the procedure proposed in the amendment from the Senator from Colorado.

Mr. DOMINICK. Mr. President, how much time do we have remaining?

The ACTING PRESIDENT pro tempore. The Senator from Colorado has 17 minutes.

Mr. DOMINICK. I yield myself such time as I may require.

Mr. President, I have listened to the Senator from Minnesota and the Senator from Wisconsin with considerable interest. The Senator from Minnesota said, to begin with—and so did the Senator from Wisconsin—that this prime sponsorship was going to be limited to units of local government of 25,000 or more.

I submit that all one has to do is to look at page 13 of this bill, where it says who the sponsors can be. It says that a sponsor can be any State or any unit of general local government with a population of 25,000 or more. Then subparagraph (3) says it can be "any unit of general local government—without regard to population." In other words it can be any unit of general government, regardless of size, and the 25,000 limit is not applicable under subparagraph (3);

and wherever a prime sponsor can show the capability and wants to put its application in, whether it has any size to it or not, it is entitled to as much of a hearing as any unit of 25,000 or more.

But that is not true of the State. Why? Because the Senator from Wisconsin and the Senator from Minnesota have said all the way through, "We want local control." But in a State situation, a prime sponsorship, where it might get this situation granted to it—and I think it is very doubtful that any State ever will—but if it does, then there is the child and family services council, there is the local project committee, there is the local program council; and the State cannot turn around until the local councils have approved what they are going to do, anyhow.

So the State is just as hamstrung by those councils or just as controlled by them or just as much governed by them—whichever way one wants to put it—as is any unit of local government.

So the question of local control, although it sounds great, really does not come into this picture at all; because all units are bound under the direction of the same local councils, whether it is a State, a unit of general government and local government of 25,000 or more, or a unit of local government with no population.

Now the third thing, I think, which is important in this whole miasma go-around is that every bill that comes out of the committee—and I can say this with deep conviction—is designed to downgrade the State government. It is not just this bill. It is not just an OEO bill. It is not just any other bill. Practically every bill is designed to avoid the State government and go directly from the Federal Government to the local government.

For the life of me, I cannot understand why that should be true, when what we should be doing is trying to diversify and control the power of the Federal bureaucratic monstrosity that we have created and get it back to the 50 States where they can use their own expertise to determine what is best to solve the problems in their particular areas.

But that is not what the majority of the members of the committee seem to want to do. What they want to do is in reverse, to go directly from the Federal Government to the local government so that they can control what they will do regardless of what the State does or does not want to do.

Over and over again, I have heard the Senator from Minnesota (Mr. MONDALE) get up and say that we cannot rely on State governments, that we know that they cannot do this or that. He is always careful to exclude his own State government from that——

Mr. MONDALE. Mr. President, will the Senator from Colorado yield?

Mr. DOMINICK. In just a moment, yes. Let me finish my thought. Over and over again, I have heard him saying that on the floor of the Senate——

Mr. MONDALE. Mr. President, will the Senator from Colorado yield?

Mr. DOMINICK. Yes.

Mr. MONDALE. Can the Senator cite me one case where I have said that?

Mr. DOMINICK. I can cite the Senator any number of cases. I do not have the exact words with me now, but I have heard the Senator say them in debate over and over again.

Mr. MONDALE. I have never said that. The Senator from Colorado is not quoting me correctly.

Mr. DOMINICK. If I am wrong, then I will be happy to correct the RECORD.

Mr. MONDALE. I look forward to that.

Mr. DOMINICK. I have heard it not only from that, but in this bill. We had a provision for five experimental States. What happened? Two of the members of the committee said, "We do not want particular States being involved in prime sponsors, so we will put a population deal in so that those States cannot be even considered on an experimental basis." That was adopted. So that those two States could not even be considered by the Secretary on an experimental basis for prime sponsors.

What I am saying to the membership now in the Chamber, and those who read the RECORD, is that we can reverse this trend. We can change this around so that once again the State can be at least on an equal basis with the local governmental unit.

If the State can do a better and a more effective job of putting through these programs than can the local government, I do not see why they should not be given the right to do so. Yet that right is not given to them in the bill as it now stands, and it will not be given to them unless or until we adopt this amendment.

Mr. BEALL. Mr. President, will the Senator from Colorado yield?

Mr. DOMINICK. I yield.

Mr. BEALL. I agree with the points the Senator from Colorado has just made. Let me state one other thing, if the Senator will bear with me, to make a comparison—I do not necessarily like using my own State of Maryland as an example—but under the bill as now written, the State of Maryland has 23 counties, and Baltimore City, all major political subdivisions and generally over the 25,000-population limit. So if, in the State of Maryland, each subdivision wants to create a child development program, they will have at least 24 separate prime sponsors coming to the Federal Government. I would assume, therefore, that the same situation would exist all over the country. So, multiply Maryland's 24, which is a small number, by the 50 States, and we come up with a minimum number of prime sponsors. The alternative is, under the Senator's proposal, for the State of Maryland itself to be a prime sponsor. That does not preclude the local government from participating, because what the State of Maryland would do will be what it does with its educational system. It says, "We are a prime sponsor from the State and we will designate the local school board to administer the child development program." So, in effect, we still have a minimum of 24 local prime sponsors. Rather than all the 24 people having to come to Washington and knock on the Federal door and wait in line with everyone else in the country, we could have one person from Maryland coming to the Federal door and getting the money and going back to the State to distribute the money to its own prime sponsors. Is that not a fair analogy to make?

Mr. DOMINICK. That is perfectly correct, as pointed up by the fact that on the 25,000 basis, which is, as I said, not a binding concept under subsection (3) of page 13 of the bill, we will have 2,100 prime sponsors eligible to apply. They have got to come to Washington and they have to filter them out in between. The only States are the five under the amendment that the Senator from Maryland got in, which was helpful, rather than no State prime sponsorship at all.

Mr. BEALL. I wonder how long it would take if each of the 2,100 prime sponsors went to HEW to get approval for the prime sponsorship; has the Senator any idea?

Mr. DOMINICK. I do not know, because Jules Sugarman, who is certainly not a Republican within this administration, but who is pretty knowledgeable in this field, came up with the statement that it is impossible to operate this unless we have a limit of at least 100,000. He said they do not have enough personnel, or training, or anything else. How in the world could we work it that way, then.

Mr. BEALL. According to a report from a regional health organization in Maryland, they filed an application on the 25th of October last year for participation in a program, which is supposed to be automatic. They are not involved yet, because the application is still making the rounds of the various desks in the bureaucracy. I do not suppose the situation would be much better under this program—probably worse.

Mr. DOMINICK. It would probably get buried at the bottom of the pile and it would not see the light of day through the whole time this bill is supposed to be in effect. So I think that the Senator from Maryland has a very good point there.

Mr. President, it just does not make any sense to me to say that we are going, once again, through this role of downgrading the State governments at a time when we are trying to upgrade it, and to say that the State cannot be eligible or allowed to coordinate the programs within their areas, or go to a State agency and say, "These are the resources we have and will you put this around the country so that it works right?" No, we have got all the applicants competing in and saying to the State government, "You do not have any role to play in this, friend, I am very sorry." That is what we are saying under the bill as it is done now.

What I am saying is that five States can operate on an experimental basis if the Secretary decides that this is a good idea and if he wants to do it. Even then, we have a built-in exclusion so that certain States cannot be considered in the five experimental areas.

For the life of me, I do not see why we do not put it on an equal basis so that we can have competition not only as to

capability, but also as to the potential effectiveness of the program. That is exactly what my amendment would accomplish.

I reserve the remainder of my time, Mr. President.

Mr. NELSON. Mr. President, I yield myself whatever time I may need.

In response to the comments of the distinguished Senator from Colorado, about the committee and the members of the committee running down State government, let me say that I have no recollection ever of having heard the Senator from Minnesota (Mr. MONDALE) downgrade State government. He was a distinguished attorney general of his State. He is a great defender of State government. Furthermore, as the Senator knows, one of the strong and persistent supporters of State governments on that question, time after time, has been the Senator from Wisconsin. As I have said to the Senator in the committee, and on the floor, a number of times, the ultimate route is to turn that program over to the State government. I was saying that long before the President gave his first message about revenue sharing, manpower sharing, turning functions back to the State. I was saying that in 1958.

Further, I have not run down State government. I happen to think that the States are the best forms of regional government in the United States, and that all kinds of programs that are being handled now by the Federal Government should be returned to State government and to local government. I have no difference on that philosophical position with the Senator from Colorado. At this point in time, however, a good many States, as to manpower programs, and as to programs like Headstart, have not gotten tooled up to manage it.

As the Senator probably knows, some months ago, when we were holding hearings on the manpower bill, we had half a dozen State employment service State officers before the committee, and there was not, to my recollection, a State manpower council established yet in any one of those States. And that is one of the problems.

The Senator goes on and suggests that, because we support local government, we are against State government. I want to state to the Senator that we have listened to the Republicans for so long telling us how things ought to be put back at the local level that we bought their argument. We find that they have now deserted their position.

I think that these programs can be handled best at the local level and ought to be handled there.

The distinguished Senators from Maryland and Colorado were talking about all of the applications the Secretary would have to deal with. We have 1,400 prime sponsors of Headstart programs now and, when you include delegate agencies, there are 1,700 or more sponsors of Headstart programs now.

The committee bill itself would take a long step toward greater State participation through a very creative and sensible amendment proposed by the Senator from Maryland, to designate five States as statewide prime sponsors in a demonstration program. We think it is a good idea. I do not know why we did not do it sooner.

The Senator from Maryland proposed it. It was accepted unanimously by the committee.

We decided these five States could cover 15 percent of the population of the United States so that we could have a mix of industrial and rural States and the Secretary can conduct the experiment of the proposal for State. We will then have two competing systems to look at. And if it looks best to go by the State prime sponsor route, I will be on the floor with the Senator from Maryland and the Senator from Colorado supporting the turning over of these programs to the State as the prime sponsor. The period has not arrived as yet, in my judgment, because of the lack of experience at the State level. It has not arrived at all from the political standpoint, because as the Senator knows, we could not get by the House on a conference with that proposal.

Mr. DOMINICK. Mr. President, how many minutes do I have remaining?

The PRESIDING OFFICER. The Senator from Colorado has 8 minutes remaining.

Mr. DOMINICK. Mr. President, I will take such time as I require. I hope that it will not be more than 3 or 4 minutes.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

Mr. DOMINICK. Mr. President, I welcome the support of the Senator from Wisconsin on this position, especially in the State government. And I know that the Senator from Wisconsin was a very distinguished Governor of his own State.

Mr. NELSON. Mr. President, will the Senator yield?

Mr. DOMINICK. Mr. President, I understand that he believes that these are good units of government. This is what we have been saying for a long period of time. However, the bill does not do that. It says that we cannot do this as far as a State is concerned. We have to give them more time to make sure that they know what they are doing.

We will turn it over to a local unit of government which does not have any idea what they are doing any more than a State does. Do they have more expertise in this field than a State? Perhaps they do. If they do, they should be chosen over the State. However, the States ought to be put on the same basis as a local unit of government so that someone can determine which route is better.

Mr. NELSON. Mr. President, will the Senator yield?

Mr. DOMINICK. I yield to the Senator from Wisconsin on his own time.

Mr. NELSON. Mr. President, so that the RECORD shows this fact, the proposal in the bill is that localities of 25,000 population can be local prime sponsors. That automatically leaves 60 percent of all the population in the country under the jurisdiction of the States as prime sponsors.

Mr. DOMINICK. Mr. President, the Senator from Wisconsin is somehow missing the point that I have brought up three times, in which subsection (3) on page 13 provides for any unit of general local government or any combination of such units without regard to population. So, any unit of local government, whether it happens to be an incorporated village or a town, could presumably be a sponsor. And the only condition in there is that it has to demonstrate that it has the capability to carry it out and that here is a demand for it in the area. It does not have any population limit there at all.

Mr. NELSON. Mr. President, will the Senator from Colorado yield on my time?

Mr. DOMINICK. Mr. President, I yield to the Senator from Wisconsin on his own time.

Mr. NELSON. Mr. President, I am sure the Senator understands that that is language that would permit a prime sponsor to be a unit of government smaller than 25,000 if the Secretary decides that it is desirable to recognize such units. That is discretionary language. That is to say it would only be done if the Secretary of HEW decides, here in Washington, that the best way to provide programs in that locality is to designate that size of unit of government.

But if the Secretary does not decide that, they are not entitled to be prime sponsors. Whereas units of 25,000 or more, if they meet all of the criteria in the bill, are entitled to preferential treatment—if they meet the criteria showing that they are capable of managing a program and meeting the standards. If they are not, the Secretary does not have to recognize them as the prime sponsor.

Mr. MONDALE. Mr. President, will the Senator yield?

Mr. NELSON. I will yield to the Senator from Minnesota on my own time if the Senator from Colorado does not have any objection.

Mr. DOMINICK. Mr. President, I have no objection. However, I want to make a couple of more statements while I have the floor. I think the Senator knows that we are arguing a point that is of great, deep political significance. I think that what we are saying here in the bill is that a unit of local government of 25,000 or more within a State—24 of them around Baltimore, as the Senator from Maryland has pointed out—automatically have more expertise than the State does, and that by so doing and by putting it in that area, they can go ahead with an effective program more effectively than the State, even if the State is set up for it. That is what it says in the bill.

We cannot put a State on a competitive basis with a local unit of government under the bill as it is written. We can only do that if we adopt my amendment.

For the life of me, I cannot see what is wrong with going at least to the extent of saying that a State ought to be on the same basis as a unit of local government. Why not? In my State we have an enormous geographical difference. We have the Rocky Mountains cutting us in half, north and south. The western slope of our area deals in many cases with the eastern slope and sometimes rightly is depriving them of their resources in the way of water. They do not want to operate overall, generally speaking. Maybe

they would want to have their own unit. But it has a very sparsely settled population. We would not get any unit at all with the exception of one on the western slope that could do this.

Mr. President, if it were the other way, we could get one or two or three over there. However, we cannot do it this way unless we go to the basis of subsection (3) where they do not have to have a population of 25,000. And the minute we do that, we multiply the number of applicants. And the bureaucracy will be such, as the Senator from Maryland so aptly said, that no application will ever see the light of day until the whole authorization bill is passed.

So I cannot understand why we cannot at this point put the applicants on an equal basis and then let the Secretary determine whether it has not only the capability but also the most effective program to fulfill the idealistic purposes for which this bill was created.

Mr. President, I reserve the remainder of my time.

Mr. NELSON. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Wisconsin has 10 minutes remaining.

Mr. NELSON. Mr. President, I have just one observation to make with respect to the schools of this country.

The schools of this country are run at the local level by local school boards under statutes and regulations established by State government. No one that I know of has been arguing on this floor or anywhere else that the local government and local school boards should be deprived of their authority to run the local schools. These are local schools, not State school systems.

If the Senator from Colorado thinks that State government ought to run preschool and child-care programs and ought to have exclusive jurisdiction over them and deprive local government of their authority to run them, then why does he not say that for the schools, too?

Mr. DOMINICK. I say to the Senator I did not say that. I said to put them on an equal competitive basis. Let us not put that in the RECORD.

Mr. NELSON. Well, I wish to put this in the RECORD. The Secretary wants the prime sponsors to be limited to sponsors of 500,000 or more. We all know that. It has been said dozens of times. So what the Secretary wants is to deprive the local people of the opportunity to run these programs as they run the local school districts, unless it is a city of 500,000 or more. The Secretary's position is that they are incompetent to run them. That is all I can determine from his position.

All the committee bill provides is that communities of 25,000 or more population shall have preferential treatment if they meet the appropriate criteria. All I am doing is defending local government. I think someone has to defend local government, even if we cannot get the Republicans to do it.

Mr. MONDALE and Mr. BEALL addressed the Chair.

Mr. NELSON. I yield to the Senator from Minnesota.

The PRESIDING OFFICER (Mr. MANSFIELD). The Senator from Minnesota is recognized.

Mr. MONDALE. The question of administrative sense here, I think, would dictate rejection of the pending amendment.

First of all, the present delivery system embodied in the pending bill is drawn almost exactly from the present regulations providing for the delivery system under the present Headstart program. This delivery system, which is working, is providing services for 1,700 prime sponsors at the local level.

Mr. NELSON. But the Senator should not make that argument. They have abandoned that position. They used to be for local prime sponsors running it, but they have abandoned that now.

Mr. MONDALE. The Senator is correct.

Either they are going to turn it entirely over to the States, as I suspect they are going to do—the Secretary said no community smaller than 500,000 should be permitted to run its own program—either they will do that and have 50 State welfare department-run child development programs or they will have a law in which every community can apply for a child development program in competition with its own State. That would be one of the most unbelievable, political, and administrative nightmares that anyone could possibly imagine. It would lead to bitterness, uncertainty, conflict, and delay.

The committee said, "Why do that?" Why not, first of all, agree—and I think it is demonstrated that this is the case—that smaller communities closer to the people being served, with a strong voice from the parents of the children in the program, can do a better job than the bureaucracy. That is the first judgment we made, to keep this program under local control and control by parents whose children are being served. Local government is the ideal form of government for delivery of services to be provided in the program, where it can demonstrate capability.

The second point is with respect to State involvement. The committee report, on page 12, points out several ways in which the States will and can be involved:

> First, by raising the general population cut off for prime sponsors from 5,000 to 25,000 this bill provides that approximately 5,000 localities which could have administered their own programs in the vetoed bill will now be served under programs administered by the States.

I regret that change. It is a compromise I now support in order to reach some of the President's objections.

I read again from page 12 of the report:

> Second, the Committee bill has increased from 5% to 10% that set aside for States for the technical assistance, personnel exchange, dissemination of research and evaluation. Additionally, it has added to this State role a requirement for comprehensive state coordination and planning.

In addition, we accepted with modifications the amendment offered by the Senator from Maryland for five State-run programs as experiments to determine how programs would work on a State basis. So I think we have gone as far as we can go and still offer a responsible plan for quality development care.

Mr. DOMINICK. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 3 minutes remaining.

Mr. DOMINICK. I yield to the Senator from Maryland.

The PRESIDING OFFICER. The Senator from Maryland is recognized.

Mr. BEALL. Mr. President, I am interested in the conversations around the Chamber about the great affection for local government. It seems to me that if Senators have an affection for local government, they will have some sympathy for those people from local government who are required to come to every office of every Senator and beat on doors to get the assistance of Senators in breaking down barriers the Federal bureaucracy has erected to prevent these people from getting the help to which they are already entitled.

It has taken 7 years to implement the Headstart program to the extent it is now implemented. Yet, there is a great need to expand the opportunities offered by Headstart. If we are going to make the Federal program meaningful, it is necessary to get the program in the hands of the people who have the problem. The only way to do that is to reduce the red-tape we have built into the program.

I suggest the amendment of the Senator from Colorado does just that because it allows the States to say to local governments, "If you want to become involved in this program we will go to the Federal Government for you and get what is rightfully yours and you will not have to beat a path to Washington."

I was interested in the remarks of the Senator from Wisconsin about State governments. He was the Governor of his State and he has a high regard for the States but I suggest that he show that regard by putting them on at least an equal footing with others in the bill.

All the Senator from Colorado and I are saying is that some States do have the capability of administering programs. Let us assume some States are better than others and let us give at least those States the responsibility for implementing the program. I suggest if we do this, more technical assistance will be available to those States that do not have the capability. Otherwise, we are saying no State can do the job, and that experts in Washington can do the job better than all the States. The result of such a policy is that those States capable of administering programs effectively are denied that opportunity. On the other hand, those States in need of help and technical assistance are denied such assistance because the Federal officials are overwhelmed by the paperwork from all the States.

If Senators have a fondness for local government and an interest in seeing the programs implemented at the local level, and if Senators wish to recognize that some States not only can but are doing the job, they will agree to the amendment of the Senator from Colorado.

Mr. NELSON. Mr. President, I yield to the Senator from Minnesota.

Mr. MONDALE Mr President, I think the question of what is good for local

government perhaps can best be resolved by the people running those governments. I would like to place in the RECORD a statement by the U.S. Conference of Mayors which strongly supports the committee version of the child development program on the ground that it best serves local government.

Now therefore be it resolved that the U.S. Conference of Mayors urges the enactment of legislation which will provide for a comprehensive range of quality family centered child care services in order to assist parents if they so choose to provide their children with an opportunity for healthy and stimulating development.

Be it further resolved that cities be given the opportunity to plan and coordinate such comprehensive programs at the local level.

These are the mayors talking. It does not happen to be only the Senator from Wisconsin or the Senator from Minnesota; this is the Conference of Mayors, representing local government:

Be it further resolved that cities be given the opportunity to plan and coordinate such comprehensive programs at the local level.

Also, the record clearly shows that we have 1,700 locally controlled Headstart programs now, and, without any doubt, the people in those programs, the parents, and the children, want to continue.

For that reason, and for the other reasons we have cited, I hope the amendment will be rejected.

Mr. BEALL. Mr. President, will the Senator yield?

Mr. MONDALE. I yield.

Mr. BEALL. The Senator has quoted from the mayors. He has not quoted the Governors. I would point out that the Governor of my State, who is a member of the Senator's party, and who has just been selected chairman of the conference of Governors, I believe, sent me a telegram when this legislation was being considered before and said, "Please do not support this bill, because you are putting the States out of the child-care business," and as a result of the bill we passed, the State of Maryland did not proceed with its own child-development plans.

The PRESIDING OFFICER. All time on the amendment has expired.

Mr. NELSON. Mr. President, I yield time on the bill to the Senator from Minnesota.

Mr. MONDALE. Mr. President, the first point I want to make is that, as a matter of fact, this is a resolution from the conference of mayors on this bill. It is not the last bill, but it is relevant to both bills because in both cases the conference is for local control. Second, the point the Senator from Maryland made is that we have to be conscious of the needs of local government. My answer to that is, Who knows best the needs of local government? I would say the mayors who run those communities know best, and they want the Senate committee's version, and not the version embodied in the State control mandate embodied in the amendment of the Senator from Colorado.

Mr. DOMINICK. Mr. President, I think my time has expired.

The PRESIDING OFFICER. All time on the amendment has expired.

Mr. DOMINICK. Mr. President, I suggest the absence of a quorum, not to be charged to either side, until we can get the yeas and nays ordered.

The PRESIDING OFFICER. Without objection, the time will not be taken out of either side. 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 (Mr. CRANSTON). Without objection, it is so ordered.

Mr. DOMINICK. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Colorado. The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Georgia (Mr. GAMBRELL), the Senator from Alaska (Mr. GRAVEL), the Senator from Oklahoma (Mr. HARRIS), the Senator from Indiana (Mr. HARTKE), the Senator from Minnesota (Mr. HUMPHREY), the Senator from Hawaii (Mr. INOUYE), the Senator from Wyoming (Mr. MCGEE), the Senator from South Dakota (Mr. MCGOVERN), the Senator from New Hampshire (Mr. MCINTYRE), the Senator from Montana (Mr. METCALF), and the Senator from Maine (Mr. MUSKIE) are necessarily absent.

On this vote, the Senator from Georgia (Mr. GAMBRELL) is paired with the Senator from Minnesota (Mr. HUMPHREY). If present and voting, the Senator from Georgia would vote "yea," and the Senator from Minnesota would vote "nay."

I further announce that, if present and voting, the Senator from New Hampshire (Mr. MCINTYRE), and the Senator from South Dakota (Mr. MCGOVERN) would each vote "nay."

Mr. GRIFFIN. I announce that the Senator from New Hampshire (Mr. COTTON) and the Senator from Alaska (Mr. STEVENS) are necessarily absent.

The Senator from Vermont (Mr. STAFFORD) is absent on official business.

The Senator from Arizona (Mr. GOLDWATER) and the Senator from South Dakota (Mr. MUNDT) are absent because of illness.

The Senator from Florida (Mr. GURNEY) is detained on official business.

On this vote, the Senator from Florida (Mr. GURNEY) is paired with the Senator from Vermont (Mr. STAFFORD). If present and voting, the Senator from Florida would vote "yea," and the Senator from Vermont would vote "nay."

The result was announced—yeas 45, nays 38, as follows:

[No. 227 Leg.]

YEAS—45

Aiken	Byrd, Robert C.	Fong
Allen	Chiles	Griffin
Allott	Cook	Hansen
Baker	Cooper	Hruska
Beall	Curtis	Jordan, N.C.
Bellmon	Dole	Jordan, Idaho
Bennett	Dominick	Long
Brock	Eastland	McClellan
Buckley	Ellender	Miller
Byrd, Harry F., Jr.	Ervin	Pearson
	Fannin	Percy
Roth	Spong	Thurmond
Saxbe	Stennis	Tower
Scott	Taft	Weicker
Smith	Talmadge	Young
Sparkman		

NAYS—38

Anderson	Hart	Nelson
Bayh	Hatfield	Packwood
Bentsen	Hollings	Pastore
Bible	Hughes	Pell
Boggs	Jackson	Proxmire
Brooke	Javits	Randolph
Burdick	Kennedy	Ribicoff
Cannon	Magnuson	Schweiker
Case	Mansfield	Stevenson
Church	Mathias	Symington
Cranston	Mondale	Tunney
Eagleton	Montoya	Williams
Fulbright	Moss	

NOT VOTING—17

Cotton	Hartke	Metcalf
Gambrell	Humphrey	Mundt
Goldwater	Inouye	Muskie
Gravel	McGee	Stafford
Gurney	McGovern	Stevens
Harris	McIntyre	

So Mr. DOMINICK's amendment was agreed to.

Mr. DOMINICK. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. COOK. I move to lay that motion on the table.

The motion was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

What is the will of the Senate?

Mr. GRIFFIN. 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 (Mr. EAGLETON). Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 9580) to authorize the Commissioner of the District of Columbia to enter into agreements with the Commonwealth of Virginia and the State of Maryland concerning the fees for the operation of certain motor vehicles.

The message also announced that the House had passed without amendment the joint resolution (S.J. Res. 211) to amend title IV of the Consumer Credit Protection Act establishing the National Commission on Consumer Finance.

COMPREHENSIVE HEADSTART, CHILD DEVELOPMENT, AND FAMILY SERVICES ACT OF 1972

The Senate continued with the consideration of the bill (S. 3617) to strengthen and expand the Headstart program, with priority to the economically disadvantaged, to amend the Economic Opportunity Act of 1964, and for other purposes.

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

ask unanimous consent that the time be equally charged against both sides on the bill.

The PRESIDING OFFICER. Without objection, it is so ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 1254 AS MODIFIED

Mr. BEALL. Mr. President, I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

On page 43, line 19, insert "(1)" after the word "designed".

On page 44, line 4, delete the period following the word "organizations" and insert in lieu thereof a comma and add the following: "and (2) to maximize community involvement in child development and family service programs by providing model projects which provide for the location of child development centers within, adjacent to, or in close proximity of secondary schools, or senior citizens centers, or both, so as to give secondary students practical work opportunities and firsthand experiences in child development and family service, and to give senior citizens the opportunity to become involved and to share their experiences and talents with preschool children. Such projects shall, to the extent feasible, foster a home-school relationship by employing the parents of the children enrolled in the center as teacher aides on a rotating basis. The Secretary shall encourage all agencies within the Department of Health, Education, and Welfare, including the Office of Child Development, the Office of Education, and the Administration on Aging, to carry out the provisions of this subsection.".

On page 45, line 20, strike "5 per centum" and insert in lieu thereof "8 per centum".

Mr. BEALL. Mr. President, I ask unanimous consent that the Senator from Colorado (Mr. DOMINICK), the Senator from Ohio (Mr. TAFT), and the Senator from New York (Mr. JAVITS) be added as cosponsors of my amendment.

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

Mr. BEALL. Mr. President, this is an amendment to section 107, "The Special Cooperative Program With Educational Institutions," which was added as a result of my urging for the last 2 years for a larger role for educational institutions in child care programs.

Basically, this section, as now in the bill, sets aside 5 percent of the funds for educational institutions for planning, carrying out, and evaluating cooperative programs and activities designed to provide continuity between preschool programs and regular education programs.

The amendment that I offer now would increase that set-aside from 5 to 8 percent, redesignate the present provisions as (1) and add a new part (2) to the section designed to encourage greater community involvement in child care programs, particularly for senior citizens, secondary students, and parents.

Specifically, the program would authorize model projects which provide for the location of child development centers within, adjacent to, or in close proximity of secondary schools, or senior citizens centers or both, so as to give secondary students practical work opportunities and firsthand experiences in child care and development and to give senior citizens the opportunity to become involved and to share their experiences and talents with preschool children.

Mr. President, I would like to discuss some of the rationale that prompted me to offer this amendment providing for such model projects. As the ranking minority member of the Senate Labor and Public Welfare Subcommittee on Aging, I strongly support the Senior Citizens Centers, which have been funded under the Older Americans Act. One of the problems faced by senior citizens is the problem of isolation.

Senior citizens, I am convinced, do not want to withdraw from society; they want to continue in constructive and creative efforts and use their many talents. They want the opportunity to meet with their peers, but I also believe many would like the opportunity to make the generation gap a myth.

Thus, the purpose of the experimentation with the location of senior citizens centers within or near child care centers is to give retired citizens, most on a voluntary basis, the opportunity to work or to merely observe preschool children. Anyone who has seen his or her children with "grandparents" know their special magic with children. The foster grandparents program has demonstrated that this "magic" can be present notwithstanding the absence of a blood relationship.

Senior citizens in senior centers located, as envisioned here, would be a ready pool of volunteers to help, assure more personal attention, and guide preschool children. Such an arrangement would be good for the children and good for the grandparents. There are ancillary benefits in such a situation. For example, the school cafeteria would be an ideal place for serving senior citizens a good, nutritious and inexpensive meal.

Locating child care centers within or near secondary schools, also opens intriguing possibilities. One of the problems of today's society is that young people are not provided, in my judgment, enough real world work opportunities. Again, the location of a child development center within or near a secondary school, would provide our young citizens with the opportunity to gain firsthand experience in child care and development. This would be valuable as a work experience and also as an opportunity to learn about children, their education, and development, all of which should be invaluable in preparing them as future parents. Certainly, the enthusiasm and eagerness of secondary students could be of much benefit to the preschool children.

The amendment also encourages projects, to the extent feasible, to employ the parents of students enrolled in the child care center on a rotating basis. This basically is the cooperative arrangement under which as many of the parents of the children are hired or volunteer as teachers aids and spend perhaps one day in every month in the child's classroom. Now, I know this is not easy to bring about. Parents are busy. Many work. Their employees would not release them for this purpose. Yet, I believe these problems are not insurmountable.

Employers, both public and private, can be persuaded to see the value of real participation and involvement by the parents of the children. This is particularly true when the salary of the parent as an aid would equal the salary at the job. I personally hope that this kind of arrangement is encouraged throughout the child development programs, for parents can perform many critical roles in nursery schools, including that of "expert" on her child as well as a learner about her child and other children and their development.

This home-school partnership can foster the working together of parents and the school that will be good for the community and good for the children.

Finally, the project directs the Secretary of Health, Education, and Welfare to encourage all agencies within his Department, including the Office of Child Development, the Office of Education, and the Administration on Aging, to carry out the intent of this proposal. The purpose of this is to give special consideration to the funding of programs which move in this direction.

Mr. President, I believe this proposal is exceedingly sound, designed to encourage the schools, child care centers, and senior citizens centers, to become community centers to the mutual benefits of all the groups and the society at large.

I urge its adoption.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. BEALL. Mr. President, I yield to the Senator from Ohio.

Mr. TAFT. Mr. President, I commend the Senator from Maryland on his amendment. I express my strong support for the amendment.

The Senator from Maryland has shown great leadership in the committee in pointing up the ways in which senior citizens can become more involved in the delivery of various services in the community and at the same time build themselves up in the communities and give the communities the strength of their experience and dedication by demonstrable examples, as they have done in a number of circumstances.

I think this is an excellent amendment and is an excellent improvement in the bill.

I am very happy to support the amendment.

Mr. BEALL. Mr. President, I thank the Senator for his support and his cosponsorship and his agreement with the principles of the amendment.

Mr. NELSON. Mr. President, I yield myself whatever time is necessary.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized.

Mr. NELSON. Mr. President, I agree with the amendment offered by the Senator from Maryland and I am perfectly willing to accept the amendment.

The PRESIDING OFFICER. Do the Senators yield back their time?

Mr. NELSON. Mr. President, I yield back my time.

Mr. BEALL. Mr. President, I thank the

Senator from Wisconsin for his willingness to accept the amendment.

Mr. President, I am happy to yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back. The question is on agreeing to the amendment of the Senator from Maryland (putting the question).

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. BEALL. Mr. President, I suggest the absence of a quorum.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the time be equally charged against both sides on the bill.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. MANSFIELD). Without objection, it is so ordered.

Mr. BEALL. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The amendment was read as follows:

On page 18, line 18, insert before the period a comma and the following: "except that if any unit of general local government having a population of one million or more persons within any such State elects to apply for prime sponsorship designation and submits a plan meeting the requirements of this section the Secretary shall designate such unit as the local prime sponsor, and in such case the Statewide plan described in this paragraph shall cover the balance of the State".

On page 18, strike out all that appears on lines 19 and 20 and insert in lieu thereof the following: "as Statewide prime sponsors under this paragraph not more than five States, having a combined population of not more than 20 per centum of the total population of all of the States in the Nation, which have demonstrated capability and".

On page 19—(1) strike out all that appears on lines 3 through 5; (2) on line 6, redesignate subparagraph "(B)" as subparagraph "(A)"; (3) on line 12, redesignate subparagraph "(C)" as subparagraph "(B)"; (4) on line 14, strike out "(B)" and insert in lieu thereof "(A)".

Mr. BEALL. Mr. President, this amendment is not complicated. Its effect would be to make all States eligible for selection under the State demonstration program, which I authored and which was adopted by the committee, but in a modified form.

One of the major issues before the Congress last year and before the committee, and now the Senate this year is the role of the States in child development programs. I personally believe that child care programs will be more effective, will be better coordinated, and will be supported with more resources if States are active, and not primarily passive partners, in early childhood programs. It has been demonstrated that the Senate is in agreement with this principle with the recent adoption of the Dominick amendment.

As a fairly recent member of the Maryland State Legislature, I can assure Senators that the States are not apt to become very interested or involved in a program without a meaningful role.

As a compromise and perhaps as a new approach in Federal aid programs, I offered an amendment that would allow the Secretary of Health, Education, and Welfare to turn over the entire administration of child care programs to five States. This amendment was adopted but the committee modified the proposal to eliminate from eligibility States whose population exceeded 5 percent of the total population of the Nation. I cannot understand the rationale for such a restriction. Such an exclusion, in my judgment, represents both bad policy and bad principle and an insult to those excluded States. The merits of a State's program, not the size of its population, should determine eligibility and selection under the demonstration program.

Mr. President, during the last decade, a plethora of programs have been enacted, all with the noblest attention, to solve the Nation's domestic problems. Despite the growing evidence that programs planned, packaged, and delivered from Washington have not been as effective as they should be, we have not brought about the necessary and needed reform.

The reason often given for not giving the States a greater role is the fear of what would happen to the program in a few States if such action were taken. Even conceding this point for discussion purposes, this is legislating to the lowest common denominator, rather than trying to achieve the highest quality available. This is penalizing many of the States for the defects of a few. I advocate consideration of a different approach. Rather than having the policies and inadequacies of a few States prevent all the States from running their programs, we should at least encourage and reward excellence in various areas by turning over the administration of programs to those States who are leaders in various fields.

Competition stimulates efficiency and economy in the private sector; competition between States to be selected for this honor could stimulate similar results in the governmental sector. An added advantage is that such a program would help eliminate some of the redtape and paper shuffling that characterizes some Federal agencies today and would enable such agencies to concentrate on providing the technical and other assistance needed by weaker States in various program areas.

Commissioner Marland has frequently indicated that the paper shuffling effort at the Office of Education prevents the Office from really being effective in those areas and in those States where its expertise would be particularly welcomed and needed.

In a recent Wall Street Journal article by Mr. Richard Jensen, entitled "What Federal Money Didn't Buy," the author discusses the recent Brookings Institution book on "Setting National Priorities." After commenting on the general disappointment and ineffectiveness of Federal programs launched in the last decade, the author concludes as follows:

What the Brookings Panel ultimately proposes, along with admittedly modest procedural changes such as budgeting more programs for several years instead of one, is basically a resort to more "social experimentation" to find out how individuals and institutions actually respond to federal efforts.

That may not make a very exciting platform for any political candidate, but it just might provide a firm foundation for a more rational fiscal future. Once the public and the government realize that experimentation is about all that has been going on all along, the many inevitable failures would not be so costly and frustrating. If successes are a few, they still might stand out all the more clearly as guides to the ultimate solutions which must be out there somewhere.

In summary, my proposal to turn over to five States, based on the excellence of their proposals, is just such an experiment.

I would like to point out that, although I prefer that there should be no limitations on which States are eligible for the State demonstration programs and that merit alone should be the determining factor, I am aware that some compromise should be reached on this particular matter.

Under this amendment, all States would be eligible to participate in the State demonstration program, rather than exclude a State because its population was in excess of 5 percent of the Nation's population. There would be two limitations; namely, that the aggregate population of the five States selected could not exceed 20 percent and a political unit with a population of 1 million or more could opt out of the program operated by the State if it desired. I would prefer no restrictions, but I think that is a reasonable compromise. I am hopeful the manager of the bill will accept the amendment.

Mr. NELSON. Mr. President, as I said previously, I think the suggestion for the demonstration project as proposed by the Senator from Maryland which we accepted in committee was a very creative and useful suggestion.

I am also perfectly happy to accept his amendment to increase the total population of States eligible to be participants in the demonstration projects from 5 to 20 percent, with cities of 1 million having the option to exclude themselves if they desire. I am willing to accept the amendment.

I yield back the remainder of my time.

Mr. BEALL. Mr. President, I thank the Senator from Wisconsin for accepting the amendment, and I yield back the remainder of my time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment of the Senator from Maryland (putting the question).

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. NELSON. Mr. President, I ask unanimous consent that the time used in the calling of a quorum be taken from the bill, equally divided, and I suggest the absence of a quorum.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. BEALL. In behalf of the Senator from Colorado, I yield 20 minutes to the Senator from Alabama (Mr. ALLEN).

IN OPPOSITION TO CHILD DEVELOPMENT BY GOVERNMENT

Mr. ALLEN. Mr. President, I thank the distinguished Senator from Maryland for yielding time to me at this time in order that I might discuss the due merits of this bill.

Mr. President, once again we have before us a bill to provide among other things, for "Comprehensive child care programs." On December 2, 1971, the Senate passed a conference report containing very similar provisions to those now under consideration and on December 10, 1971, the President vetoed the bill.

Mr. President, there were several reasons cited by the President for his veto. In the President's message he stated:

> But the most deeply flawed provisions of this legislation is Title V. "Child Development programs." . . .
>
> Though Title V's stated purpose, "to provide every child with a full and fair opportunity to reach his full potential" is certainly laudable, the intent of Title V is overshadowed by the fiscal irresponsibility, administrative unworkability, and family-weakening implications of the system it envisions. We owe our children something more than good intentions.

Mr. President, I spoke in opposition to adopting the conference report, and I applauded the President's decision to veto the bill. In this connection, I ask unanimous consent that my remarks which appeared in the CONGRESSIONAL RECORD on Thursday, December 2, 1971, page 44135 be printed in the RECORD at the conclusion of these remarks.

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

(See exhibit 1.)

Mr. ALLEN. Mr. President, I stated then and repeat now that I would be pleased to support legislation to expand the number of and to improve the quality of our traditional day care facilities of the type with which we are all familiar. On the other hand, I cannot support the type of program envisioned by the provisions of this bill. Such programs have a tendency to undermine the family as the basic unit of society. That remains the pernicious thrust of this bill. In the President's words, "The fault of the bill lies in its family weakening implications." Other differences between the bill before us and the bill vetoed by the President are more apparent than real.

The committee report accompanying the bill before us seeks to assure us that the major objections raised by the President's veto message have been met in this new version. I find the alterations to be only superficial, and those which are more substantial can be interpreted as mere tactical maneuvers. The most significant of these changes, perhaps, is to be found in the language of section 511 of the bill, which is intended to convey the idea that the program will be entirely voluntary, and that the numerous services enumerated in the bill shall simply be made available to those who request them. This, in my opinion, is merely a tactical move, as will be indicated later when I discuss the implications of child advocacy.

In the meantime, there are serious implications in the type of programs envisioned as they relate to the role of Federal Government in traditional family relationships.

Nobody can accurately predict the future, of course, but it is not difficult to project a trend and foresee where the bill may very well take us.

The bill provides funding to initiate a substantial bureaucracy headquartered in Washington, staffed by people whose views on child development can reasonably be expected to be substantially similar to those of Dr. Reginald Lourie, president of the Joint Commission on the Mental Health of Children, who testified in favor of the bill. Among other things he said, speaking about the timing of intervention in the life of a child:

> . . . the timing of appropriate intervention is crucial. In the first eighteen months of life, the brain is growing faster than it ever will again. This is the time when it is most plastic and most available for appropriate experience and corrective interventions.

On another occasion, when Dr. Lourie was testifying before the Senate Committee on Labor and Public Welfare, he made it clear that even the first 18 months of life did not take things back far enough for him. In his testimony he spoke of the importance of the prenatal period:

> I would like to stress the increasing importance with which we view this period, and how much we would feel that there are needs for greater emphasis on it. We think that a baby should be viewed like the ancient Chinese did, as being 9 months old at the time of its birth. By the time it is born, it has well-developed patterns which will last for the rest of its life.
>
> . . . We have increasing indications of how important the prenatal period is. . . . Increasingly ingenious devices for defining what's going on in the uterus are becoming available as well as interventions that will be diagnostic and corrective.
>
> We are entering a new era from this point of view, and we are very pleased to see that this bill makes provision for prenatal services. (Joint Hearings on the Comprehensive Child Development Act of 1971, Part 1, page 178.)

So when we stop to think a bit about the ultimate implications of this bill, we see that we are considering, not legislation which would provide something on the order of day-care centers for the children of working mothers, as its proponents often paint it, but rather a very far-ranging and comprehensive bill which involves day care and child development of children which goes into training even below the age of 2 and prenatal care with the possibility of interventions in the womb supervised by the Federal Government.

In fact, the clamor currently being raised over zero population growth suggests that it is not too farfetched to envision in the not too distant future some sort of variant of the old eugenics program for raising the quality of the population, with the Federal Government deciding whether individuals ought to have children, and how many they should have.

If this were to happen, we should be faced with an unparalleled degree of governmental intervention into areas that have hithero been reserved to the private decision of the individual. The "new era" of which Dr. Lourie spoke in his testimony will truly be upon us, and it will be the era of the total state. It will be administered by people like Dr. Lourie, who may be motivated by the best of intentions but who will as surely destroy our individual freedoms as the most malignant of tyrants. For after all, if freedom is to mean anything, it must include the freedom to make the wrong choices as these might be defined by the doctors and psychiatrists. When the possibility of making the wrong choice is denied us, we are left with the Marxist definition of freedom as the "recognition of necessity," the necessity now being that of making the correct choice. And at that point we have become a totalitarian state—perhaps by our own choice, perhaps by a decision of the majority democratically arrived at, but a totalitarian state nonetheless.

Mr. President, I have spoken of bureaucracy created to administer these programs. For whom will the bureaucracy work?

In the first place, it goes without saying that the staff will be convinced of the importance of their preconceptions concerning child rearing, and that they will wish to see their theories applied to as many children as possible, although initially their attention may be concentrated upon the economically disadvantaged. However, spokesmen who worked for the passage of this bill put it quite bluntly, asserting that:

> Programs must be . . . *available to all children*; . . . programs must be designed to include children with a variety of socio-economic backgrounds.

The bill even as written now emphasizes the importance of making extensive services available to all levels of the population, so that this program is not really intended for the disadvantaged alone, but to serve as an instrument for universal day care. But, it is argued the services are voluntary. What if the parent, of whatever social or economic class, does not wish his child to receive the benefit of these services?

In the first place, we know that the availability of free services of this type is a great temptation to anyone, regardless of other factors. But if the parent resists this temptation, there is something else looming in the background. That something else bears the name "child advocacy," and it is a concept familiar to the bureaucrats and one with which we should familiarize ourselves. In his testimony before the distinguished Senator from Minnesota (Mr. MONDALE), Dr. Lourie spoke of the recommendations of the joint committee of which he was president. He mentions one category of services to be provided as follows:

> . . . *the creation of a system that could insure that services would be available. This is what has been called the child advocacy system.* (Emphasis added.)

Mr. President, child advocacy is not a part of this bill, primarily, I believe, because its backers realize that it would not get through Congress. But child advocacy means that if a parent were so benighted as not to want his child to receive the benefits to be dispensed through the child development system, some sort of mechanism, legal or otherwise, would be established to see that the child does in fact receive these benefits, regardless of the wishes of his parent or guardian. With that, any pretense of parental control will be eliminated, and the language in the present bill suggesting voluntary participation will become meaningless.

Is such a conclusion unreasonable? Is it imagined that no one would consider going to such extremes? Note that the Office of Child Development under the Department of Health, Education, and Welfare has recently announced the establishment of a National Center for Child Advocacy. Child advocacy is not in this bill, but if the bill's prime sponsors have anything to do with it, it will before long be upon us. And if the principle is accepted, the idea of family authority in child rearing will be completely discarded, and the ultimate decisionmaking power in this crucial area transferred to the state. By "the state," I mean Government as a whole, the Federal Government, not the 50 States.

The objections which may be raised against this bill are truly legion, and I have had time to discuss only a few of them, though they are very central ones.

A major point which I would ask Senators to remember is that this bill, for all the alterations wrought upon it, is essentially the same one which the President so wisely vetoed last winter. He pointed out at that time that:

The bill "would commit the vast moral authority of the national government to the side of communal approaches to child rearing over against the family-centered approach.

The current bill most definitely continues to do that.

If Members of the Senate believe that the family should have the basic responsibility for the rearing of children in our society, they should vote against this bill. If, on the other hand, we maintain that the State, in the form of the Federal Government, should be the prime arbiter of the way in which our children are to be raised, then we should vote for the bill. That is the crux of the issue.

I take my stand with the family, with all its imperfections, for I believe that the potential damage done to our society by the system to be established by this bill would be appalling.

EXHIBIT 1

[From the CONGRESSIONAL RECORD, Dec. 2, 1971]

ECONOMIC OPPORTUNITY AMENDMENTS OF 1971—CONFERENCE REPORT

The Senate continued with the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2007) to provide for the continuation of programs authorized under the Economic Opportunity Act of 1964, and for other purposes.

Mr. DOMINICK. Mr. President, I yield 20 minutes to the Senator from Alabama.

Mr. ALLEN. I thank the distinguished Senator from Colorado for yielding to me.

Mr. President, the parliamentary situation is that the conference report on S. 2007 is before the Senate for consideration. Those of us who oppose the comprehensive child development program are not able, in view of the parliamentary situation, to obtain a vote up or down on the comprehensive child development program without first defeating the conference report.

Mr. President, the defeat of the report does not kill the bill. All it does is defeat the report. The bill itself would be before the Senate, so that those of us who would like to approve the bill with the comprehensive child development program eliminated from the bill would have that opportunity. The Senate has many options, once the conference report is defeated. It can send the bill back to a new conference with instructions, send it back without instructions, concur in the bill, or concur with an amendment, and that would be the effort that would be made by those who oppose the comprehensive child development program, in the event we can first defeat the conference report.

So by a vote against the report, one is in no sense voting against the bill itself, because the bill will be very much alive in all of its aspects and before the Senate for consideration. This child development program actually was not a part of S. 2007 at the time that bill was introduced in the Senate, because at that time there was pending in the Senate S. 1512, by the distinguished Senator from Minnesota (Mr. MONDALE), and a number of other Senators. It is added as an appendage to S. 2007. So if we could eliminate the comprehensive child development program from S. 2007, we would leave that bill exactly as it was introduced. It would certainly do no violence to the OEO program. But first we must defeat the conference report, which would leave the bill before the Senate for its further consideration.

Mr. President, in the beginning let me make it clear that I do not oppose a realistic program of Federal assistance to State and local governments to help establish and maintain child day-care centers for working mothers. It seems to me that if we intend to require work of a parent or parents as a condition of eligibility for welfare assistance, then it would be appropriate to make provisions for the care of dependent children.

On the other hand, there is a world of difference between day-care centers for working mothers and the comprehensive child development program such as contemplated by the conference report.

Day-care centers for care of children of working mothers is neither a new idea nor is it a radical approach to a longstanding problem. Day-care facilities have been operating successfully throughout the United States, either on a private enterprise basis or by nonprofit organizations such as churches and labor unions, for a long time. Such facilities have proven their value, and I would be pleased to support legislation to expand the number of and improve the quality of day-care centers of the type with which we are all familiar.

On the other hand, I cannot support the type of program envisioned by the provisions of this bill. The proposed program is radical and socialistic. In my judgment, some of the services are totally incompatible with a free society. Neither is this radical type of program new nor is it untried, except in the United States. Communist Russia and Socialist nations have long had such programs. So long, in fact, that experience with such programs in Communist Russia has occasioned serious second thoughts on the ultimate value of such programs because of their admitted tendency to undermine the family as the basic unit of society. That is the pernicious thrust of this bill, Mr. President—that it would undermine the family as the basic unit of society.

Mr. President, the committee report on S. 2007 recognizes the risk involved in separating children from their parents but claims that the provisions of the proposal minimize and overcome that danger. I doubt it. This proposal would create a gigantic bureaucratic monstrosity with near-complete control over the lives of children.

Here is a program to authorize among other things, the creation of thousands of of laboratories, in effect, with children as subjects. What parent wants his child conditioned to perform like an animal in a circus? The techniques for human conditioning have been mastered. Given a doctrine that denies the existence of a human spirit, children become merely another form of animal life and, as such, the social experimenters have no inhibition against training the human animal to respond by the same techniques as wild animals are trained to suppress their natural inclinations and to perform their unnatural routines.

In short, the program offers a sort of hog heaven for those whose faith is rooted in the man-made order. By the same token, the program offers only nightmares for those who believe in a divinity ordained order in all forms and manifestations of life. The idea that the taxpayers of this Nation should be made to bear the cost of conditioning our children to respond like robots to programed behavior patterns is intolerable to think about. Such programs, however, in the opinion of the junior Senator from Alabama, are implicit in the term "comprehensive child development."

Mr. President, I do not exaggerate. Here is a program that contemplates prenatal and infant care; a wide variety of social and cognitive developmental services including those designed to develop physical and mental health which can be carried on in after school, summer, weekend, and overnight programs.

The estimated cost of day care services for a single group of children within the 3 to 5 years of age bracket is $2,372 per child. It is estimated that 6 million children of working mothers need comprehensive developmental day care services.

The distinguished Senator from New York (Mr. BUCKLEY) disputed the fact that there are actually 6 million children who are in need of day-care services.

The last figure does not include the additional number of children who would fall into the category of need when and if work is made a condition of eligibility for public welfare. The ultimate cost of prenatal and infant care services including the cost of training to be offered in the homes is anybody's guess.

Mr. President, from the standpoint of cost, we should bear in mind that the comprehensive child development program is not intended to be limited to children of working mothers, nor is it limited to children from 3 to 5 years of age. It is intended to be comprehensive both from the standpoint of developmental services offered and from the quantitative standpoint of numbers of children served. The program anticipates the eventual mixing of socioeconomic classes which can be accomplished only by expanding the programs and services to reach children from upper and middle income families.

Mr. President, an initial authorization in the amount of $100 million is requested for fiscal year 1972 and $2 billion—jumping from $100 million to $2 billion—for fiscal year 1973. These sums are sufficient to get the program firmly embedded in the already vast and rapidly expanding permanent welfare state apparatus.

Mr. President, it is not only the initial cost of the program that disturbs me. Given the current condition of the economy, this is not the time to take on vast new welfare

programs. The initial cost is merely the tip of an iceberg.

It is generally conceded that the authorizations requested at this time are merely to get a foot in the Treasury door. Thereafter, the sky's the limit. For example, an aide to one distinguished Senator described the tactic behind the conference committee compromise on family income eligibility for free participation in the child development program. The November 20, 1971, issue of National Journal quotes this person as follows:

"The key thing is that the Democrats want a bill. They don't want a veto. The Democrats feel like they've got most of what they wanted. The spirit now is let's get this on the books and we'll improve it in two years."

Mr. President, who can realistically estimate the ultimate cost of this far-reaching and revolutionary proposal?

Mr. President, putting aside all considerations of cost, there is another and more compelling reason for opposing the idea that the Federal Government has the primary responsibility for comprehensive, mental, physical, and social development of children as contemplated by this program. Child training and development is a primary function of and the responsibility of parents, churches, schools, and other autonomous institutions of authority in our society. Already too many heretofore independent institutions of authority in our society have been harnessed to the oxcart of the State and subjected to collective domination and control. If this trend is not halted—and soon—we will be caught up in an irreversible revolutionary trend. This conclusion is supported by the prediction by the French author, Jean-Francois Revel, who said:

"The revolution of the twentieth century will take place in the United States. It is only there it can happen. And it has already begun."

The revolution conceived by Mr. Revel is currently manifested in what is referred to as a transition from political democracy to economic democracy. It is also manifested in the erosion of separate institutions of authority in our society among which the family is most important.

Mr. President, let me elaborate on this point. I take it that all Senators will agree that the word "government" in its fullest meaning is the aggregate of all the institutions of authority in a society. Civil government is but one institution of authority to which we, as a free people, turn for direction and guidance in making everyday decisions. The home is the institution of parental authority and the first with which children become acquainted. At an early age children are introduced to religious institutions of authority represented by our churches and to the institution of authority represented by our schools. As adults we become acquainted with the institutions of authority in scientific, cultural, and economic aspects of our lives. Day after day we turn to similar institutions of authority represented by the innumerable professions. Each of these institutions speaks with authority which inherent in knowledge and expertise in separate areas of specialty.

Mr. President, our Constitution and the principles upon which it is founded are designed to protect these separate institutions of authority from domination and control by the Central Government.

The opposite theory of the relationship of people to their government prevails in nations characterized by dictatorial, authoritarian, and totalitarian governments. In such nations no institution of authority can be permitted to survive if it perpetuates values and ends which are inconsistent with those chosen by the heads of state.

Mr. President, we are rapidly shaping up as a socialist, collectivist society under an authoritarian central government. The proposed comprehensive child development program is but another step in that direction.

The home, family, religion, schools, the economy and most of the professions are already dominated by the Federal Government. Where do we draw the line? Shall we permit the Federal Government to assume responsibility for comprehensive development of our children?

Mr. President, in order that we may clearly understand the Socialist antecedents of this program, let me refer to the CONGRESSIONAL RECORD of October 7, 1971—35547. Here, the distinguished Representative from Minnesota (Mr. FRASER) had printed in the CONGRESSIONAL RECORD a study of day care facilities in the Soviet Union by Urie Bronfenbrenner.

The author quotes from a renowned Soviet academician, economic planner, and "old Bolshevik," Stanislav Gustovovich Strumilin, whose traditional Communist conceptions of state responsibility for child care are contained in the following excerpts:

"Under Soviet conditions it is especially noticeable how the lot of the woman worker is being lightened. She can work in one factory, her husband in another, both can eat in a communal dining facility while sending their children to nurseries, kindergartens and boarding schools. . . . Recognizing that communal forms of upbringing have an unquestionable superiority over all others, we are faced with the task in the immediate years ahead of expanding the network of such institutions at such a pace that within fifteen to twenty years they are available—from cradle to graduation—to the entire population of the country."

Just as they are expanding in the Soviet Union so they would expand in this country:

"Every Soviet citizen, upon leaving the maternity home, will be sent to a nursery; from there to a kindergarten maintained day and night; then to a boarding school from which he will enter independent life. . . .

"The question arises: will not this kind of early separation of this child from his family be too painful an experience both for parents and for infants who are so dependent on maternal affection?

"This question may be answered as follows: the communal organization of upbringing in no sense requires full separation of the child from the parents . . . and surely no one will keep a mother from visiting her children when she is not working, from looking into the children's area, located in the same building in which she works, as often as it is permitted by the established schedule.

"The 'vitamins of love' are necessary for all children in equal measure . . . but the easiest way to satisfy this need is through the system of communal institutions of upbringing.

"The former family is reduced to the married couple . . . and when these contracted families recognize that it is not sensible to expend so much work on maintaining an independent household just for two people, the family as an *economic* unit, having fused with other families and become incorporated into a large economic collective, will dissolve within the context of the future social commune."

Mr. President, from the same article by Mr. Bronfenbrenner, the following responses are recorded to Mr. Strumilin's views:

"An example is provided by an article in *Pravda* written by a woman reporter. She described a visit to a boarding school in Moscow. Under a window she saw a young mother who, having missed the regular visiting hours, was hoping to catch a glimpse of her son or hear his voice. The correspondent found this incident disturbing:

" 'Once again my thoughts returned to that mother standing beneath the window of the boarding school. I cannot get her out of my mind. This is not a bad boarding school. But just the same, a mother's heart begins to yearn. Can we really reproach that heart for sentimentality? Of course not. A human being—especially a mother—is so constructed that she longs to warm her own child with her love and to be warmed herself by its side.'

"Nor was the reaction particular to mothers. Solovev in his *The Family in Soviet Society* quoted a factory worker as saying:

" 'We have a great need for boarding nurseries, but the fact that my son is becoming alienated from me is so painful that I can't even talk about it. I call him "Sasha, my son." But he just runs away. No I have to spend at least an hour or two each day with my son. Otherwise, it's impossible; otherwise. I can't stand it.'

"But in Soviet society (as in our own) neither the pronouncements of professional experts nor the complaints of parents can be viewed as major determinants of social change. Such change is more likely to be affected by objective factors of the type mentioned earlier: the equalizing of the sex ratio in the population, the increase in leisure time made possible by shorter working hours, and, above all, the easing of the housing shortage."

Mr. President, are we to follow in the footsteps of Communist Russia in shifting major responsibility for the care and training of children to the state itself? That is the fundamental question which will be answered by our votes on the conference report on this bill.

Mr. President, the highly respected nationally syndicated columnist, James J. Kilpatrick, has written persuasively on this subject in his column, "A Conservative View," released October 23, 1971. I ask unanimous consent that the column and a copy of Mr. Kilpatrick's commentary on this subject on radio station WTOP, November 4, 1971, be printed in the CONGRESSIONAL RECORD.

(There being no objection, the material was ordered to be printed in the RECORD, as follows:)

COMMENTARY—CHILD DEVELOPMENT

A House and Senate conference committee is struggling to come up with a child development compromise bill that will satisfy liberals without provoking a White House veto. A better idea would be simply to bury the bill for good, and try to forget it ever happened. In either its House or its Senate form, the bill is monstrous.

The House version, adopted through a parliamentary railroad job on September 30, runs to 23 columns of fine print in the Congressional Record. The general idea is to create a vast new bureaucracy charged with the "comprehensive" development of American children, starting at infancy and carrying on to age 14. This is no mere "day care" bill for working mothers. Forget that misconception.

On the contrary, this is a bill to provide, Soviet-style, for making children virtual wards of the state. The proposed development programs would include "comprehensive physical and mental health, social, and cognitive development services necessary for children participating in the program to profit fully from their educational opportunities and to attain their maximum potential." Does anyone have any idea what that mush conceals? The bill covers medical, psychological, and nutritive services. It provides for utilization of "child advocates," whoever they are. The programs would go on all day long, year in and year out, and they would cost billions.

This nightmare proposition grew out of Mr. Nixon's modest little dream of day care centers where welfare mothers could dump their children while they went to work. That idea may have merit—but the comprehensive child development act has none.

A CONSERVATIVE VIEW

When the House met on the afternoon of September 30, not more than 40 or 50 mem-

bers had any very clear idea of what might be contained in a proposed "Child Development Act." The bill was not even before them.

Before the afternoon had ended, after a legislative coup led by John Brademas of Indiana, the House incredibly had voted 203–181 to graft this unbelievable bill onto the Economic Opportunity Act of 1971. The Senate some weeks ago adopted a milder but similar plan. The whole scheme now awaits action by conference committees.

The Brademas bill runs to 11,000 words. It occupies 22 columns of fine type in the Congressional Record. No measure of greater importance has cleared the floor of the 92nd Congress, and few have had less attention from the press.

The bill is a monstrosity. No other word suffices. Many observers had expected, as a part of plans for welfare reform, to see some bill enacted that would provide modest Federal subsidies for a few day care centers in major cities. These had been vaguely envisioned as places where welfare mothers could leave their children while they went off to work. Instead, the House has approved a breathtaking, full-blown plan for the "comprehensive" development of children to the age of 14. It is the boldest and most far-reaching scheme ever advanced for Sovietization of American youth.

The bill begins with a recital that Congress finds "that millions of American children are suffering unnecessary harm from the present lack of adequate child development services, particularly during their early childhood years." To remedy this harm, the bill directs the Secretary of Health, Education, and Welfare to foster programs that will provide "comprehensive physical and mental health, social, and cognitive development services necessary for children participating in the program to profit fully from their educational opportunities and to attain their maximum potential."

Such programs may include food and nutritional services; medical, psychological and educational services; appropriate treatment to overcome emotional barriers; and "dissemination of information in the functional language of those to be served to assure that parents are well informed." Religious guidance plays no part.

Applications for Federal financing would be funneled through various Child Development Councils. These in turn would supervise Local Policy Councils, to be composed either of parents or of representatives "chosen by such parents in accordance with democratic selection procedures approved by the Secretary."

Local proposals would float up to a new Office of Child Development. This office would create a special committee to develop Federal Standards for Child Development Services. Another committee would prepare a Uniform Minimum Code for Child Development Facilities. The facilities would be financed through a new Child Development Facility Insurance Fund. Meanwhile, a National Center for Child Development would foster "research." A Child Development Research Council would smile upon it all.

The bill would provide "free" care for all children of families earning not more than $4,320 a year. Other children would pay a small fee. Mr. Brademas could not really say what the program might cost—maybe $350 million in fiscal '73—but the House authorization is open-ended. The bill contemplates, ultimately, Federal support of "the entire range of services that have to do with the development of a child."

Doubtless the contrivers of this nightmare had good intentions. In the context of a Sovietized society, in which children are regarded as wards of the state and raised in state-controlled communes, the scheme would make beautiful sense. But it is monstrous to concoct any such plan for a society that still cherishes the values (however they may be abused) of home, family, church, and parental control. This bill contains the seeds for destruction of Middle America; and if Richard Nixon signs it, he will have forfeited his last frail claim on Middle America's support.

Mr. BUCKLEY. I yield myself a half hour.

Mr. President, before discussing my specific objections to S. 3617, the child development bill, I would like to say that it represents a very substantial improvement over the legislation which was vetoed last year, and that I am much impressed by the obvious good will and concern exhibited by its sponsors. Yet many of the bill's basic features, as well as its implicit intent to establish a system of nationwide day-care centers, remain the same as in the vetoed bill, and it is, therefore, deserving of similar criticisms.

Although I have reservations as to the propriety of having the Federal Government assume a broad responsibility for a number of the services contemplated by the legislation, I wish to concentrate my remarks on the goal of establishing day-care centers available on a broad basis for the children of working mothers. Whereas this goal is not explicitly stated, it is clear from the bill itself, from the joint press release issued by the offices of Senators MONDALE and JAVITS last May, and by the opening remarks made by the distinguished Senator from Minnesota (Mr. MONDALE), that the establishment of such a system of day-care centers is a prime objective of this legislation.

I would like to summarize my principal criticisms at this time, reserving a more detailed exposition of the most important of them for the discussion of certain amendments which I propose to introduce later today.

First of all, there is the question of the propriety of the Federal role. While the Federal Government has assumed a general responsibility in the area of poverty, the bill under consideration does not limit its scope to the children of welfare families or of those living under the poverty level. Quite the contrary, it proposes to establish full-day or part-day child care services to be made available on a sliding-scale fee basis to the preschool age children of working mothers without regard to income.

Although broad local and State participation is encouraged, the final arbiter of the nature of the services to be provided under the bill will be the Federal Government. This introduction of the Federal presence into what has hitherto been an area of State or local responsibility threatens to make the delivery of the contemplated services more difficult and costly.

Two Governors who would have to deal with the competing authority and jurisdictional disputes resulting from legislation such as S. 3617 gave testimony to Congress last year concerning the problems which they anticipated from this bill's vetoed predecessor, S. 2007. Governor Moore of West Virginia, a member of the Education Commission of the States and an ardent supporter of improved care and education for preschool children, said:

In short, the proposed system would, I feel, not only become yet another competitor for scarce funds for children, but it would also spawn so cumbersome and conflicting a bureaucracy that the needs of children—and of quality services for children—would be overshadowed by political and bureaucratic concerns.

Governor Rampton of Utah stated that the implementation of such a program would—"Result in such additional fragmentation and confusion that those very children and families who most need such assistance would suffer."

And in a telegram to the Honorable CARL PERKINS, chairman of the House Education and Labor Committee, Gov. Marvin Mandel of Maryland said:

You contend that S. 2007 leaves the states with a meaningful role in early childhood development, I do not agree. We in Maryland have put together a workable and coordinated state program of day care and early childhood development; this statewide approach would be effectively sabotaged by the Conference Bill. I would like to see the OEO programs continued, but I cannot support S. 2007 while it contains this feature so destructive to our comprehensive statewide program."

Although the present bill attempts to broaden State authority, I am not positive that the objections voiced by these Governors have been fully met.

A second consideration is that of cost. The Federal Government is already badly overextended financially, yet this legislation proposes to initiate broad new Federal programs which within a very few years will inevitably cost billions of dollars, even though the first year's incremental cost is a not immodest sum of half a billion dollars. Given other commitments already undertaken by the Federal Government, it is quite clear that the services to be provided under the pending legislation will have to be paid for out of increased taxes.

Third, there is the question of need. The press release to which I have referred stated that the bill would provide for "development day care programs for youngsters whose parents are working." In his opening remarks, the Senator from Minnesota stated that while there are more than 5 million preschool aged children of mothers who work, existing day-care centers can only accommodate 700,000 of them. This leaves the clear implication that there is a current need for a vast number of additional day-care slots.

Yet the need for legislation establishing widespread public child care has yet to be proven. The most recent national statistics reveal that nearly half of the 5 million preschool age children of working mothers are cared for in their own home, often by relatives. Another 40 percent are looked after in the home of a relative or neighbor. These arrangements often approximate the idea of the extended family, which is an effective and desirable social institution. A large majority of the working mothers of these children prefer such arrangements, feeling as they do that a home and family atmosphere is superior to the institutional atmosphere of a day-care center, a view that is supported by nearly all child welfare workers and child specialists.

The remaining children receive care

under a variety of arrangements, including group care in centers. Less than one-half of 1 percent of the preschool ages—perhaps 15,000 children—are grossly neglected by mothers who leave them on their own as they go to work.

The children in the last category obviously need immediate attention, as do many, many additional children who are entrusted to the care of older children or adults who are demonstrably incompetent to give them the normal care and affection required for healthy development. However, the overall figures do not demonstrate a national crisis such as to justify the language used in connection with the vetoed legislation to the effect that "millions of children are suffering unnecessary harm," thus requiring care in Government child development centers.

Furthermore, it is quite clear that there is no substantial demand for such centers. A recent report prepared by Westinghouse Corp. for the Office of Economic Opportunity—"Day Care Survey 1970"—found that more than 80 percent of the working mothers surveyed were at least reasonably well satisfied with their child care arrangements. Less than 10 percent of these working mothers chose institutionalized group care as their ideal.

These conclusions were supported by a study published in 1970 by the Auerbach Corp., which also found that 73 percent of nonworking mothers would prefer care in the home rather than in a center if they were to decide to work. Nor is there an overwhelming demand for institutionalized day-care arrangements on the part of welfare mothers who are enrolled in the federally sponsored work incentive program and who are thus entitled to free child care services. With respect to these, the Auerbach report found that—

> Many mothers do prefer to develop their own plans, and are in fact distrustful of centers and services which are offered to them. They want to know the person providing the care, and they want it in their neighborhoods. Some mothers simply do not want day care, they are afraid of the training or lack of it that children are receiving. Some are even afraid that their children are being indoctrinated in such centers.

The fact that there is not a substantial demand for child day-care services does not mean, of course, that such should not be made available for those children who are developmentally handicapped and disadvantaged, or who are neglected and abused. These are in need of the remedial services which can be made available through professionally staffed centers of the highest quality.

Fourth, the legislation does not take into adequate account the fact that for the average child, especially those under 3 years of age, a day-care center can prove to be positively harmful. The atmosphere of such centers can exhibit the normal mental and emotional development of a child, because of its removal during most of its waking hours from the affection and individual attention found in his home. It is quite clear from the evidence offered by experts on child development that institutionalized centers should be made available only in cases where children require specialized help or are otherwise being neglected or harmed if left to the devices of their parents. This is an area which I will examine in far greater detail in connection with certain amendments which I will be introducing.

A fifth objection to the bill as it now stands has to do with the ability of a federally designed and supported system of child care centers of the scope envisioned by the child development bill to assure the quality of care which is essential if the centers are not to do more harm than good. The Senator from Minnesota has emphasized that he would not favor the creation of a system which would merely "warehouse" children while their mothers are at work. He indicates that he understands the need for a degree of professional competence in the centers which will to the extent possible compensate for the loss of the normal home environment and encourage the development of each child's potential.

I would suggest, however, on the basis of past experience, both abroad and at home, that the inevitable effect of the proposed legislation will be to establish a system in which it will be impossible as a practical matter to maintain the required quality. Furthermore, the legislation in its present form would inevitably have the effect of encouraging the idea that day care for young children is not only safe and acceptable, but even desirable. Thus it will create a demand for more and more centers capable of handling ever larger numbers of children which will so tax the availability of properly trained professionals so as to make it ever more difficult to maintain minimum standards of quality.

We will be told, of course, that the required high quality standards for development care will be enforced under this new act. But the history of Government regulation in this and many other fields does not lend support to this assumption. For example, the Westinghouse report, "Day Care Survey 1970," found that—

> Although ninety per cent of existing centers are licensed, it would be a mistake to assume that possession of a license assures compliance to state and local regulations.

Another illustration of this problem is found here in Washington, D.C. In his recent book, "The State of Welfare," Gilbert Steiner of the Brookings Institution reported that most centers in Washington could not meet the Federal interagency day-care requirements, in particular the child-adult ratios and the educational requirements for staff, even though a number of the centers were receiving Federal funds through the WIN and AFDC programs. He says that—

> In the District welfare department the view is that the requirements are unrealistic and that widespread complaints from private users who cannot afford the costs involved may result in a lowering of standards.

Dr. Dale A. Meers, in his article on international day care, found some important lessons in the experience of other nations:

> The ineffectiveness of French supervising authority in maintaining minimal standards clearly illustrates a major administrative problem. Bureaucracies are hardly well known for their intrepid enforcement of even important regulations, and their dilatory action presents critical hazards in child-rearing programs that are less consequential elsewhere. Those who are familiar with the plight of other populations who suffer state care and supervision, such as the mentally ill, would urge that every day care center should have its ombudsman.

Secretary Richardson of HEW is one who has had ample experience with the difficulties of quality control and bureaucracy. He told the Senate Finance Committee last fall about these difficulties and the problems inherent in S. 2007, the child development bill later vetoed by President Nixon:

> Our experience with the Headstart program is that the children are the ones who pay the price of unmonitored programs and that there is a limit to the number of individual programs which the federal government can effectively monitor. Project Headstart has produced many benefits, but one of the negative aspects has been the number of direct grantees with which the Office of Child Development must now deal. It is almost impossible for the 10 regional offices of OCD adequately to monitor and provide technical assistance to the more than 1,000 grantees. Program quality suffers under these circumstances. This situation would be aggravated under S. 2007, as recently passed by the Senate, under which the federal government could be required to deal directly with as many as 10,000 to 40,000 local grantees. This is not a trivial or bureaucratic concern. It would be a travesty if the swift expansion of child care facilities brought with it a great many shoddy operations in which children were merely stored away or neglected or abused.

It seems clear from the above, and from our general experience with Federal programs, that the maintenance of quality will be almost impossible of achievement unless the day-care centers which would be authorized under the pending legislation are limited to those which are remedial in purpose and therefore limited in number. Yet any compromise in quality can do positive damage to the children entrusted to the centers. As a group of six distinguished psychoanalysts in the Washington area have pointed out in a statement issued recently in support of S. 3617:

> There is considerable evidence that less than "quality services" would inflict both immediate and long-range damage to the development and potential of vast numbers of children. Especially vulnerable are those children who are less than two years of age, or those who have had to contend with deficits in the supports from their parents and other factors in their environment on which children are critically dependent for healthy development.

Supporters of this and similar legislation have made much of the fact that these programs are voluntary. While this is true, I would put the word voluntary in quotation marks. Surely the existence of relatively free day-care services is a powerful inducement for mothers, for a variety of reasons, to take a job at what may be the expense of their children's well-being. And the governmental sponsorship of such day-care programs lends them a seductive air of approval and

legitimacy which the facts do not warrant.

Much also has been made of the amount of parent participation in this legislation. It is alleged that S. 3617 will insure parental control and authority over the policies and programs of this act. Yet all programs must meet the Federal standards for child development and family services and all plans of local and State authorities must be approved by the Secretary of Health, Education, and Welfare. In reality, and especially when faced with the professional credentials of those advocating specific policies, it can be anticipated that most parents on the various councils will become rubberstamps endorsing the programs which the Federal Government approves and authorizes.

While this legislation is couched in humanitarian terms and concern for the welfare of America's children and families, it seems to me that insofar as it results in establishing child-care centers of other than a remedial nature, it will have the inevitable and insidious effect of subsidizing parental neglect and avoidance of responsibility for the care and rearing of their children. The child specialist Dr. Jerome Kagan gives evidence of this from his observations in Czechoslovakia, where there has been an extensive public day-care center system. In recent congressional testimony he stated that—

> When I visited Czechoslovakia two summers ago and was taken to day care centers in Prague I asked the supervisors what was their main problem. The salient complaint was that parents began to assume that the center was responsible for their children. They stopped picking them up at 5:00 and began to assume that the responsibilities for character training, education, and health, belonged to the state-controlled center.

Encouragement of indiscriminate use of day-care programs will tend to have a disuniting effect on parent-child relationships, particularly in the areas of family values, authority, learning, role identification, and increase child alienation and hostility toward his parents. Such programs will not strengthen the family, but rather, by accommodating the strains placed on it and subsidizing its separation, they will hasten the further dissolution of the family. The oversell of child-care services has created serious conflicts within the bill. On the one hand, its supporters emphasize the pressing need for child-care services for those children who are deprived, handicapped, or neglected. On the other hand, they laud the use of so-called child development for the children of all working parents, middle class as well as poor. In connection with S. 2007, they even advocate their day-care programs for average children whose mothers do not work. In addition, day care is hailed as a cornerstone of women's liberation.

Amidst these competing and artificially stimulated demands for scarce resources, those children whose needs are most desperate and immediate—children who are developmentally disadvantaged, handicapped, abused, or neglected—are likely to receive short shrift. It is these children for whom the remedial nature of developmental day care is meaningful and valuable. And it is expensive. Trying to undo damage already done requires a lot of money, but the effort to meet the politically appealing demands of numerous and diverse populations will almost certainly result in dilution of resources and in fact if not on paper, a lowering of quality standards, which are in any case largely unenforceable. What is needed is a concentration and targeting of our limited resources and manpower on those particular groups of children who desperately require remedial and developmental services, rather than a broad program encompassing ever larger populations.

I would like to quote again from the statement issued by a group of five Washington area child psychoanalysts, generally supporting S. 3617. While they state that they do "unequivocally approve the implementation of Federal programs of quality day care for the remedial and emergency use for the developmentally handicapped and disadvantaged, neglected and abused children of all ages," they go on to state:

> We are unequivocally opposed to the general application of full-scale, full day care for children in the general population. We also underscore that quality day care should be used as an adjunct to those services available or provided to the child and his family in the home and only when individual consideration has determined the specific need for day care in addition to the home-based services.

Dr. Nagera, in the paper "Day Care Centers: Red Light, Green Light, or Amber Light," echoes this concern:

> In my view, day care centers should for the time being, strictly restrict its admissions to the groups of children described above, and only after being well satisfied that no suitable alternative methods can be implemented to improve the home situation, the family climate.

At the close of my remarks I will submit amendments intended to remedy this and other deficits in the bill.

As President Nixon stated in his veto of the previous child development legislation:

> All other factors being equal, good public policy requires that we enhance rather than diminish both parental authority and parental involvement with chidlren—particularly in those decisive early years when social attitudes and a conscience are formed, and religious and moral principles are first inculcated.

I heartily agree with that view.

Instead of spreading our resources too thinly among too many children and very possibly harming them in the process, instead of subsidizing the separation of parents and children, we should rather target our scarce resources on those children who are truly in the greatest need, and we should investigate ways by which we can in truth help strengthen and preserve the family unit structure, upon which the health of our society in large part depends. In the interest of America's children and its families I urge the Senate not to support this ill-conceived and quite possibly harmful child development proposal, S. 3617, in its present form.

Mr. President, I have a number of thoughtful and valuable articles on the subject of day care and child development and I request unanimous consent that they be inserted in the RECORD.

They are: First. "Day Care Centers: Red Light, Green Light, or Amber Light," by Dr. Humberto Nagera, director of the child psychoanalytic study program at the University of Michigan.

Second. "The Family and the Educational Process," by Dr. Earl S. Schaefer, University of North Carolina, from the book "Families of the Future."

Third. "How To Be a Better Parent," by Theodore Irwin, in Parade magazine, May 14, 1972.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DAY CARE CENTERS: RED LIGHT, GREEN LIGHT OR AMBER LIGHT

(By Humberto Nagera, M.D.*)

The possible impact of poorly conceived Day Care Centers on the intellectual, emotional and psychological development of children is of such proportions, in the negative sense, that an examination of some of the factors involved becomes imperative.

Naturally, the nature of the impact will be different according to a number of variables such as the "quality" of the "care" provided in any such given institution, the amount of time that the child remains in the Day Care setting every day, the type of relationship between the child or infant and his parents both generally, and more especially the amount of interaction between mother and child during the number of hours left (of his awaken life) after he is back from the Day Care Center to the home every day, and most important, of the age of the child.

In my view, the greatest potential danger concerns those infants ranging in age from a few days or weeks to one and a half years of age. The second most endangered group (but less fundamentally so than the earlier age range) concerns those children between one and a half to two and a half or three years of age. The type of damage that can accrue to children outside these two groups is so significantly reduced that we will not pursue a discussion of the problems involved for them (though there are some) in this publication.

If we consider the first the dangers involved in this practice to children in the age group of up to one and a half years of age we have to examine at least three distinct sets of variables. Each one of them plays a fundamental role in the healthy development of the infant (healthy implying here not only physical health but including a good intellectual, emotional and phychological development). The first set of variables comes from the child itself. The second from the type of environment in which the child lives including those human objects responsible for his care. The third is the resultant of the interaction between the endowment, the genetic make-up of all humans as a specie (and that peculiar to each individual) and the environment (including the human objects).

Those variables that concern the infant itself are in part genetically determined and are of the essence of certain characteristics specific for the development of the human brain. Thus, comparatively speaking the infant of the human species is born with an extremely immature, unfinished brain, to the point that it takes one and a half to two years after birth to reach the level of maturity that is typical at the time of birth in other mam-

*(NOTE.—Professor of Psychiatry, University of Michigan and Director of the Child Psychoanalytic Study Program at Children's Phychiatric Hospital, Department of Psychiatry, University of Michigan.)

mal species. It is embryological maturational forces that push brain development in the anatomo-physiological sense to its completion. Such forces though genetically determined need, in order to complete their tasks, *the collaboration of specific forms of environmental stimulation*. In other words, the genetic developmental embryological forces cannot unfold the anatomo-physiological blueprint of the brain to its ideal potential without the essential contribution of environmental factors. This environmental contribution is in the nature of a diversity of stimuli that must reach the brain. The function of that stimuli is to trigger and stimulate those genetic embryological mechanisms to complete its task.

Admittedly, this is still an obscure area but the evidence available nowadays is at least quite suggestive, if not conclusive. Different forms of external stimulation (usually contained in the multiplicity of interactions of the mother with her baby) seem to influence the internal, anatomical-maturational processes by at least three different types of mechanisms:

1. It seems to favor significant increases in a progressive and more complex arborization of dendrites during the first few months of life. The importance of this phenomenon should be clearly understood. More dendrites mean increased and more complex pathways in the brain. More pathways, mean more functional capabilities and better possibilities of performance for that brain.

Conel's (1939) studies of the cerebral cortex of babies have demonstrated that though the number of cells (neurons) in the cortex is fixed at birth, complex morphological changes continue to occur for long periods of time. Thus, he found progressive arborization of dendritic processes during the few months following birth without quantitative cellular increase. The situation here would be similar to a sophisticated piece of electronic equipment that has been poorly wired, where the connections between the systems are not as many in number as they could have been. Such a situation will naturally restrict unnecessarily the functional capabilities of the total equipment. Richmond and Lipton (1959) stated that "since it is now accepted generally that neurons are connected in a network and not merely in a linear series, and that nerve impulses pass about the connections in a circular, more or less continuing fashion, the potential significance of this growing arborization of dendrites for the development of the infant may be appreciated" (p. 80). Possibly then, understimulation of the brain during the first few months of life, as is bound to happen in a Day Care Center situation (the reasons for this will be discussed later) may well lead to an inferior quality brain structure (less dendritization, less connections, less functional pathways). Furthermore, such developmental maturational processes as lead to appropriate dendritization can only occur during a limited period of time after birth. If they do not take place then, during that critical period, they cannot be brought about at a later date. The damage, in the sense of loss of capabilities and function is permanent.

2. By increasing the degree of vascularization in certain anatomical structures of the brain.

The relationship between function, functional capacity and the degree of vascularization of an organ (implying here the amount of oxygen available to the organ) is a well established medical fact. If the heart's vascular system deteriorates with aging and through arteriosclerosis, the organ functional capabilities are seriously reduced. Angina symptoms appear, a heart attack may follow, etc. imposing marked restrictions in the functional capacities of the patient. Similarly, an arteriosclerotic brain interferes with brain functions, memory suffers, the quality of the thought process is affected. In extreme cases a senile dementia ensues.

Comparative anatomical studies of the brain of different species clearly shows the relation between the excellence of a function in a given specie and the degree of vascularization pertaining to that area of the brain controlling the function. Craigie (1955) for example found that the "more acute sense of hearing of snakes probably is reflected in vascularity of the cochlear nucleus notably in excess of that in other reptiles, and the mobility of the tongue is suggested by a capillary supply in the hypoglossal nucleus about twice as rich in snakes and lizards as in the turtle and the alligator" (p. 28). The extreme importance of these findings for child development is highlighted when we consider that the process of vascularization of much of the brain is far from finished at birth. In various species it seems to take several months after it to complete itself and even more, there seems to be a direct correlation between external stimulation of specific areas of the brain (after birth) and the final degree of vascularization that such areas will obtain.

Thus, for example, Rao (1955) removed the eyes of rats at birth and when they reached maturity proceeded to study the capillary beds in the visual centers. He concluded that there was a marked retardation of development of the contained blood vessels as the result of the removal of the eyes sometime before they would have normally begun to function. He thought it "as due to the absence of that portion of the functional activity in visual correlations centers of the brain which would normally have been stimulated by impulses coming through the optic nerves" (had he not removed the eyes). The same seems to be true of human babies according to Mali and Raiha (cited by Craigie, 1955). These authors examined premature infants at birth and concluded that the density of the meshes in the cerebral capillary beds is considerably less at birth than in later life.

3. By favoring the process of myelinization. Myelinization and function are very closely related. Here again there is hard evidence from animal experimentation suggesting clearly that environmental stimulation has significant effects upon ultimate structure and function.

For example, Langworthy's (1933) studies of kittens showed that myelinization is significantly influenced by neuronal function, that is, light stimulation. Blindfolding kittens from birth he could demonstrate histologically that the optic nerve of the one eye that was blindfolded showed less myelinization than the contralateral stimulated eye.

Sontag (1941) has stated that "animal experimentation suggests that the myelinization of specific nerves can be accelerated by stimulation of the nerves, and there is, of course, considerable relationship between the function of a nerve fiber and its state of myeliniztaion" (p. 1001). Kennard (1948) apparently has made similar findings in human infants. Human premature babies whose eyes were exposed to light since their premature birth show more mature optic nerve development than other full term infants of an equivalent age to the above group at their time of death.

Richmond and Lipton (1959) concluded that these "types of studies seem to give support to the contention that even after the fetal stage, environmental stimulation (or lack thereof) can modify developing structure in the central nervous system" (p. 82).[1]

Given that the adult brain weighs 1200 to 1300 grams and that at birth that same brain only weighs 300 to 350 grams, we can understand the enormous importance of the mother-child interaction (as the provider of essential stimulation) during the earliest stages. Significantly by two years the child's brain would have trebled its weight. In other words it would have reached 900 to 1050 grams of its total weight and much of its anatomical, histological and biochemical immaturity will be coming to a close.

Since the first two years of life seem to be the critical period for all these developments to take place, it follows that if the right kind of stimulation is not provided during this phase, the result may be a structure that though not necessarily "damaged" (in the sense of brain damage) has certainly not developed to its full potential.

If we take into account the possibility of cumulative effects of this type, leading to inferior development in multiple areas of the brain, it is conceivable that the finished brain is one of "inferior quality" for those unfortunate children whose fate it will be to grow, during their first two years of life, under conditions of deprivation and understimulation. Such conditions are typical of a variety of environments including, in my view, most of the existent Day Care Centers and no doubt those numbered in the thousands, that are to be created.

Students of child development and child psychoanalysts have known for many years that raising human infants outside the family model, such as orphanages, foundling homes, etc. leads to disastrous results. Observation over observation, and study after study by a large number of workers in the field have clearly demonstrated this. Naturally, poor family situations lead to similar results as the more extreme ones of the foundling homes and orphanages. The problems here, at least one of them, is what kind of balance will there be between the time the child spends in the Day Care Centers, very frequently understimulated and the time the child spends at home receiving adequate stimulation. *First*, we know nothing of how many hours a child can survive in an understimulated environment and still do well developmentally, always assuming that he will receive what he needs at some point during his daily awaken life. *Second*, many people are demanding Day Care Center services around the clock. If we go that way many children will no doubt be deposited for many days at a time in the Day Care Centers, sometimes legitimately such as in the case of severe parental illness with no possible alternative arrangement for the care of the child but at other times just out of convenience and with absolute disregard of the child's needs and the child's best interest. For example, parents that will go on vacation for extended periods and will not want to take their child or children along. Still, in many other cases children will be dumped in Day Care Centers simply because children have become burdensome to many in the new generations of parents. *Third*, I know of many Day Care Centers whose service extends from 6:30 a.m. to 6:30 p.m., that is, a block of twelve solid hours. During this time, there will be at least, two shifts of staff that raises the problems of multiple caretakers for the child and its complications. Further, even for those children that are picked up by their working mothers, let us say, at 5:30 p.m. we have to consider that many of these women, will still have a household to look after, a husband and perhaps other children to attend to, meals to prepare, personal needs for some desirable recreation, etc. It seems quite unlikely, that such mothers will have much time to devote to their infants, let alone that they may have had a long and wearing day at work or at school. These are, I think, far from the ideal conditions under which appropriate stimulation will take place.

As I mentioned in another publication (1972) that Spitz (1945) has quite clearly demonstrated the tremendous developmental

---

Footnotes at end of article.

differences between the children of professionals, growing up in their parental homes (family model) and children raised in institutions. The first group (children of professionals growing up at home) showed a Developmental Quotient of 133 as the average for the first four months of life. In this group of children that average was maintained towards the end of the first year of life. The children raised in the Foundling Home showed an initial Developmental Quotient of 124 as the average for the first four months of life (pretty similar to the first group). But in sharp contrast with the first group, that average of 124 deteriorated markedly, to 72 by the end of their first year of life. Spitz's follow-up studies, though limited in nature, tended to show that this drop in Developmental Quotient and its behavioral manifestations are irreversible once a certain amount of time has elapsed.

Similarly, Provence and Lipton (1962) have clearly demonstrated by means of direct observations of infants, the appalling damage to the personality and more especially to ego and intellectual development resulting from growing under conditions of deprivation and understimulation that is, by lack of sufficient human contacts and interactions during the early stage of the child's development.

Some of such developmental lags can be "undone" by placing such children in a more suitable environment (a good foster home for example), at the appropriate time. As I said somewhere else (1972), "it seems to me that in another sense many such children are irreversible and permanently damaged. I mean now that though they will catch up to the levels of the normal, at least in many gross areas such as language and motility, normality has such wide variations that we may have a "normal human being who is permanently condemned to perform, in terms of his intelligence, at the lower end of normality. To be graphic, it is the difference between somebody digging holes in a road and somebody with the intelligence necessary for a university education. Thus, though "normal," our deprivational child rearing practices may have blunted his original genetic potential to such a point that his best is an I.Q. of 80, while genetically, and given more favorable circumstances in babyhood, he might have reached an I.Q. of 120". Clearly, no sensible society can afford to damage hundreds of thousands of its children by mass producing and officially condoning, institutionalizing and supporting child-rearing practices known to produce such disastrous results.

Observations such as those described by Provence and Lipton, Spitz, Bowlby, Ribble, Anna Freud and many others were essentially explained as the result of the lack of sufficient human contracts and interactions. The children observed were in reasonably good physical surroundings and their basic needs for food, cleanliness, hygiene etc., were well provided for. Essentially these authors' assumption was correct, though they had not clearly made the link between lack of stimulation and poorer development of the brain structure, in the anatomo-physiological sense.

Clearly then, the first step that we must ensure developmentally, is that the internal maturational embryological forces unfold as ideally as possible. That, as we have shown, requires external stimulation of the kind and quality contained "usually" in the mother-child relationship. This will ensure the best basic equipment in the form of the best brain that the child's endowment has provided him with. But that condition, essential as it obviously is, is not enough or sufficient in the human species. Most human behavior and controls are learned, a most significant difference with all other species. In the latter, most behavior is controlled instinctually. In other words is controlled automatically by innate, in-built mechanisms in the brain that triggers off adaptive responses after the reception of the significant signals and stimuli from the environment. Self-preservation, mating behavior, preservation of the species, food gathering, etc. are frequently regulated in this manner. Not so with the human infant.

To start with, his brain is enormously superior in functional capabilities to any other species. Evolution has not provided him with the type of instinctual patterns of behavior described above and observed in other species. He must when the time comes—since he is helpless and dependent on parental care and teaching for an inordinate large amount of time—use his intelligence to deal with his environment, with dangers, with one another. His specially developed brain has provided him with the capacity to learn to solve problems in a variety of ways. In other words, he can choose "intelligently" among several alternatives, the most adaptive response in a given set of circumstances. He is not restricted, like other species, to one single stereotyped solution. He has the capacity for language development as a tool of communication. He can and indeed has established innumerable forms of social organizations and cultures. He can store and teach his descendants that culture. He can modify his environment to suit his needs and for this reason he has to large measure the greatest capacity for survival, in terms of evolution, of any species known. By the same token he possesses the greatest capacity for destruction both intra-specie and of his environment.

All these differences clearly demonstrate that he must start learning from day one and at incredible pace at that, if he is going to join in an adaptive healthy manner his social group and its organization. This learning is predicated in an active and constant interaction *from birth onwards* with human objects. The intensity of the contact needed to achieve this aim *is generally lacking under the institutional conditions* of foundling homes, orphanages and most likely in ill-devised Day Care Centers. To use a comparison it is not enough to have acquired the best computer possible (the best brain possible for a given child), it is then necessary to program it wisely and efficiently. The best computer, if mishandled and badly programed will be an inefficient piece of equipment.

We have enough evidence in the field of human development to know that the best programmer of the human brain and as such of human behavior is a good mother-child interaction in the first few years of life. Once that basic and early programming has been achieved, many others (in the forms of teachers, etc.) can participate successfully in the further programming and teaching of the human brain.[2]

One essential factor in this regard, is the constancy of the object, the constancy of care of the object ministering to the child. The child's brain, at the same time that is developing and acquiring more complex capabilities, must be exercised. It must be exposed to innumerable experiences, not only so that it receives essential stimuli and continues to grow, but so that it organizes itself, learning slowly to distinguish (given its capacity to think) inside from outside, self from object, the body parts under its control and command, as that control is progressively acquired. Similarly, he must go successfully (if normality is to be achieved) through the process of separation-individuation and must learn to use his ego apparatuses as these become structured as well as understand the innumerable complexities of its environment. Most important he must learn to establish very early controls over its own primitive reactions and feelings. To further complicate the problem, all these developments must take place in a situation where the infant is not excessively subjected to undesirable forms of stimuli either. Thus, in the earliest stages it is imperative that the child (the child's brain) not be subjected to overwhelming, traumatic forms of experiences that it cannot handle and that are enormously disruptive in terms of personality organization. Such stimuli, capable of overwhelming the necessary homeostatic equilibrium in the child, can come from outside for example in the form of excessive handling or mishandling, excessive cold or heat, multiple sources of unorganized sounds and other undesirable stimuli impinging on the baby for prolonged periods of time, enforced separations, etc. It can come from the inside when the baby is left to suffer from hunger or from pain unduly.

Granting the kind of background that is ideal for human and brain development that is, *neither too excessive nor insufficient stimuli* but the right happy medium, the child still needs some *constancy of objects* to organize its experiences, to understand its world. An example may clarify this. When a newly born baby is sufficiently hungry his pleasure-pain equilibrium, his homeostatic equilibrium is disrupted. A disturbing feeling interferes with his well-being. This automatically leads to clear signs of distress on the part of the baby that are picked up by the baby's mother. This, in turn, activates the healthy mother's behavior who immediately relates to the baby and the baby's need. Usually, the mother has a very ritualized, stereotyped procedure while going about getting ready to satisfy the baby's hunger and thus alleviate or remove his distress. She might go and see her baby, talk to him, manipulate him to ascertain the cause of the cry or other signals released by the infant (he might be wet or uncomfortable for a variety of reasons). Then she may go to the kitchen to fetch bottles and to prepare the baby's milk. All this time the child is receiving a variety of sensory stimulation, the steps of the mother while she moves about, her voice if she talks to him (this tends to be stereotyped too), opening the refrigerator, closing it, sounds produced by the handling of bottles, glasses, spoons, pans, etc. The baby that must have been quite disturbed by his first few and new experiences of hunger, learns that after all this stimuli that reaches him, satisfaction arrives and his hunger and distress disappears.

Naturally, once he has established these links in his mind (after a few good experiences of satisfaction) one can observe how his crying stops automatically as soon as he can hear the noises resulting from the mother's activity in the preparation of his food. Thus, at this point the internal distress is not a frightening, disturbing experience of discomfort but one that is associated with relief and satisfaction. In short, despair becomes hope. Further, he has made in some primitive form the first connections between cause and effect, has learned that control pays, that waiting and being attentive can bring rewards, etc. Obviously, *these first steps in the organization of the mind and of the inner world* of feelings and affects, of learning and knowing something for the first time, is possible, or more feasible and easier, if the object who ministrates to the child is constant. Her stereotyped and routinized behavior, the sameness of the behavior allows the baby to find his bearings, to know the situation or rather to identify it as similar to previous experiences and consequently to predict the outcome. A constant change of caretakers, with different ways, different manners of ministering to the baby, in short the lack of sameness at the appropriate times will, I think, make it much more difficult for him to find his bearings, to learn about the situation, to predict the outcome, to acquire early control structures, to be confident and relaxed in the face of the internal distress. Clearly, sameness, familiarity, repeated similar experiences leads to

---

Footnotes at end of article.

learning, *to primitive understanding and to organization, in the mind.* Without this early and primitive processes of organization and integration later learning becomes difficult. Changing constantly the system by means of which we attempt to teach something to any child is disruptive and makes the mastery of the tasks more difficult, confusing and hopeless.

This simplified example, relating to feeding and its significance for mental organization and structuring can be multiplied ad infinitum in terms of what is happening constantly in the context of the mother-child interaction. It is for these reasons that I believe that in the early stages *of the process of the organization of the mind* the existence of essentially one caretaker for the child, the existence of sameness in certain experiences though not in all, is of enormous significance. After some time that is, after the ego structure has achieved a certain level of organization, the child is able to deal with more complex tasks even if some of the variables involved are changed frequently. The need for constancy of the caretaker still exists at somewhat later stages but that need is then based on factors other than the need for organization in the mind and for the organization of our first mental processes. These new factors concern the development of object-relatedness, its quality and the special dependence that is thus created between infant and mother.

Day Care situations will introduce, of necessity, a multiplicity of different caretakers to deal with the basic needs of the very young baby, precisely at the very time when he or she is in the greatest need of sameness of certain experiences. This problem will be discussed further later on in the paper.

The interesting electroencephalographic findings during the first three months of life seem to throw some light in the peculiar developmental processes of this period and on the enormous importance of the presence of an empathic mother during this time. As we know the electroencephalographic pattern characteristic for most of the first three months are the delta waves, that in the adult corresponds with a state of marked somnolence. These delta waves disappear only at those moments in which the baby becomes attentive in a special fashion (more frequently during the second and third month), at which points the functional capacity is heightened at this time alpha waves replace the delta waves.[3] The type of stimuli that causes the very young infant to emerge from his usually somnolent state can be presumed to be an increase of his internal needs, or some form of discomfort. At this point an empathetic mother will come to her baby. The communication and interaction between mother and infant thus take place during a stage of heightened alertness and functional capacity on the infant's side. It seems plausible that the baby's experience under these very special functional conditions are of special significance and that the contacts and interactions between the baby and his mother at such points (when the alpha wave displaces the delta pattern) facilitate and encourage not only the ego development of the child but also marks the beginning of an increasing awareness of the object.

I think it is most significant that the institutionalized child and the child at a Day Care Center will frequently miss this opportunity for contact and interaction with another human being when he is in a state of increased functional altertness. One reason for this, is that such states are of very short duration, especially if no appropriate interaction follows. Another is that they are quite likely to go unnoticed by a staff who is responsible for a large number of babies and who consequently must devote his time to cope with feeding, changing diapers, etc. Further, these occasional states of alertness during the first few weeks of life usually charm mothers who respond intensely and in kind to the child, as all those who have had the opportunity to observe babies and their mothers will confirm. Interestingly enough this response is not likely to be elicited in anybody else but the child's mother.[4]

I believe that this type of interaction has a chain effect: such states of alertness tend to arise more frequently when the child is responded to. Thus, the mothers response leads to increased alertness and to the wish for more contact.

It seems too that by the second and third month specific aspects of the mother's behavior, certain types of stimulation and play will have an arousing capacity similar to that of the internal needs of the baby. Conversely, a lack of response to these early occasional states of alertness in the institutionalized child probably contribute to, and perhaps determine, his later more withdrawn attitude, lack of alertness, etc.

Though I have highlighted the special value, during the first three months of life, of the infant mother—interaction during the states of alertness, the value of the ministrations of the mother at other times should not be underestimated. Many such ministrations take place when the functional condition of the baby's brain is of the somnolent type (delta waves pattern).[5] Naturally, their impact on the baby are of a different quality. At this time things happen to him when he is not alloplastically orientated (as in the alertness state). Nevertheless, the ministrations of the mother under delta waves conditions do provide him with a wide range of new sensory stimulation, that makes contributions to the functional awakening and the gradual development of different ego apparatuses and structures and, at the beginning, perhaps more especially the perceptual one. Through these ministrations the mother manages to provide much of the necessary and basic conditions of minimum comfort and well-being, without which ego development will not proceed normally.

One could discuss too the implications that the Day Care Centers will have at different developmental stages, i.e., the possibility of delays in the typical developmental milestones, smiling, hand-eye and ego integration, holding the head, babbling, sitting, crawling, walking, talking, etc., and the impact that such early developmental delays (and what they signify) might have in the final organization of the personality and on its quality. Such a task will lead us too far afield. Furthermore, the paucity of our knowledge in this regard may make the effort unrewarding at this time. Think for example of the phenomenon of the stranger anxiety, a phenomenon that appears usually around the tenth month of life, sometimes early, sometimes later. We can say with certainty that the child at such point is distressed at the recognition, or approach of a stranger, partly because it highlights his own mother's absence. Babies' distress in this situation varies greatly but some do become markedly upset and disturbed if handed to a stranger, or if a stranger forces his presence on the infant. One cannot but wonder what the Day Care situation will do to those babies suffering acutely from stranger anxiety, since many strangers will not only approach them but force their ministrations upon them. In this case, like in many others, we are not in a position to give definite answers as to the possible implications for the child's development of this type of mismanagement. Yet it seems, at the very least, unwise to force on the baby something against which his whole nature revolts, just because we are not aware of the possible consequences of this practice. What if we were to find in retrospect that it has undesirable effects on the child's development and mental health at a point at which we may have already subjected hundreds of thousands of babies to this experience?

By the time the child is approaching what Anna Freud has referred to as object constancy, the quality of the toddler relationship to the mother makes him extremely dependent on her, at a point when his ego development is so limited, that we know that he cannot handle separations from his mother (or his primary objects) without in most cases being overwhelmed by anxiety of traumatic proportions. Repeated experiences of this type, especially if they have traumatic proportions, are well known to have damaging effects in the personality and mental health of the child. This reaction of young children is so well known in the field of mental health that we have coined the term "separation anxiety" to describe it. The term refers to the biological unity that exists between the mother and her infant, a unity that if disturbed leads in some cases to very unwelcome results regarding the final personality of the child. It must be clear that in this case we are not referring only to permanent separations but to transitory ones as well, separations that may last just a few hours at a time. Furthermore, we have sufficient clinical evidence to assume that though separations from his biological object are always unwelcome by the very young infant, there is a particularly vulnerable and critical period in this regard in the early part of the second year of life. From all we know, it must be said that special efforts must be made not to expose the child to unnecessary separations, during this especially critical period. At this time and for developmental reasons the child has little tolerance for the absence of his object. This is feared *per se* but further, when the child is confronted with the mother's absence, his *automatic response is an anxiety state* that in many occasions reaches overwhelming proportions. Repeated traumas of this type in especially susceptible children will not fail to have serious consequences for their later development.

The reasons explaining the above phenomena are not difficult to understand. They are based in a normal relative inbalance that exists in three fundamental lines of development during the second year of life. The first, concerns the ego that is, the degree of ego development reached or more generally speaking the child's capacity (or lack of it) to understand the happenings in the world around him, the quality and level of his thought processes, the child's ego capacity to bind and to cope with anxiety as it arises, the existence of an early capacity for introjection, etc.

The second reason concerns the line of development of object relations and reflects the level and quality that object relations have reached at this point in life. There has been a gradual development from the stage of need satisfaction that is, that stage when what is most important is the satisfaction of the baby's basic needs—somewhat irrespective of which object satisfies them—to that of object constancy. When the infant reaches the stage of object constancy it is no longer the child's needs or the object's need fulfilling functions that are important. Instead, *the object,* independently of its need-fulfilling functions, has become the child's primary concern. As we know, the transition from the phase of need satisfaction to that of object constancy happens very gradually. It starts during the third or fourth month of life, gaining momentum during the second half of the first year and is usually well established (object constancy) in the second year, more frequently towards the end of the first half of the second year.

At this time, the child's interests are centered on his mother. His feeling secure and

Footnotes at end of article.

safe is predicated on the mother's presence. His reaction to separation is based on this simple fact coupled with the ego's inability, the intellectual inability to distinguish as yet between temporary absence and complete disappearance or even the capacity to link absence with the subsequent return of the object. It is no wonder then if he reacts with anxiety when the mother is not around. A child of this age has no concept of time either. From his egocentric position and given that he feels most secure when with his mother, especially in situations of fear, distress and anger, he cannot understand that the mother is not there when he requires her presence.[6] Her absence, especially in situations of distress, fear, pain or danger, provokes an automatic anxiety response and since the child's ego is very easily put out of action by anxiety during the second year of life it follows that he cannot make use of the scarce resources that he has available in any attempts at understanding, coping and binding the anxiety, the terror, that overwhelms him in such occasions.[7] He has not yet developed sufficiently the capacity to delay his affective response, to *pause and consider the meaning of, and the reasons for the mother's absence.* Parenthetically I should say that no other animal species will subject their infants to experiences they are not endowed to cope with, except the human animal.

A few months later, this inbalance between the extreme fixation to the mother and the ego's inability to process information and delay anxiety is altered. The ego having developed further makes the child's response, to the same events, quite different. Thus, we have observed children who in the first part of their second year of life are overwhelmed by their mother's absence while in the second part of the same year they were quite able to cope with the same experience by ego means, intellectual means and without being overcomed by fear. One child I have in mind, as an example, woke up during the night and went searching for his mother. His grandmother told him that mommy had gone out, as he knew, but had left the message for him that she was going to be back soon. The small infant turned around, walked to his bed while saying to himself several times, "Mommy will be back soon," adding, "Mommy gone to the movies." In contrast with a few months earlier when he would have been in a panic, he fell asleep again without any difficulty of distress. He could now master the meaning of her absence as his own explanatory addition to the mother's message "gone to the movies" demonstrates. It is of interest that he was able now to bind the anxiety which otherwise, as in the past would have overwhelmed him, by means of meaningful thought process. You should notice that at this time "movie" was for him a place where mother went on occasion and from which she returned soon. He did not really know the actual and concrete meaning of the word "movie." Anny Katan (1961) has shown, how the ego's capacity to tolerate and to bind anxiety increases markedly during the second year because of the beginning of language development, which is no doubt correlated with an increased capacity to think conceptually.

Day Care Centers will presumably accept toddlers during this critical stage, something that ideally does not seem desirable. How to screen such children in their admissions procedure, how to minimize the distress of the child when powerful reasons force its admission, etc. are all questions in urgent need of answers.

It is of course true, that in spite of the close tie of the toddler to his mother, he takes notice and relates to other familiar persons, especially when they make efforts to earn the toddler's sympathy. Fathers, grandparents, older siblings and others become part of the toddler's enlarging world. Yet, it should be clearly realized that these other relations take place only under the shadow of the relationship to the mother. The two year old child can spend much time playing with grandparents and others away from the mother (if these people can appeal to the toddler's interest), secure in his knowledge that the mother is around in the house, though not necessarily in sight. To assume that this behavior suggests the toddler's independence from his mother is quite mistaken. If she were to leave the house, the toddler will immediately demand to go with her and will refuse to continue playing; if left behind he will break down in tears and anxiety. By the same token there are times and activities that as far as the toddler is concerned belong exclusively in the context of their relationships to their mothers. At such points he will demand her presence and refuse substitutes, even those with whom he has a good relationship generally speaking. Bedtime, frequently feeding time, or those occasions when the child wakes from his sleep, when he is unwell, has been hurt, is frightened, etc. are good samples of such situations. All the above shows, I believe, some of the violence that is introduced into the developmental patterns of the young baby and toddler, by a Day Care situation. The results of such violence to the system are not easily predictable, since children vary in their capacity to adapt and to tolerate stresses. The cumulative nature of the stresses introduced makes one fear the final outcome if such child-rearing practices become widespread. One thing seems clear, we will produce a different type of child and for all we know one that is liable of multiple handicaps for adaptation given our present social organization and needs.

We know too that by the time the child is two and a half or three years of age he not only can separate for long periods of time, but he can accept readily mother substitutes or subrogates during that time in the form of teachers for example in a good nursery school setting. Further, in a favorable setting (nursery school) he will be capable of profiting from the experience and of making significant developmental gains. Yet, even then, we are familiar with the fact that if the child feels unwell, gets hurt, or frightened, etc. he will cry bitterly for the presence of the mother, and this in spite of his increased capacity to tolerate her absence and accept substitutes.

There are many other areas where a good mother-child interaction is significant. To mention just one example, Moore and Ucko (1957) found that for most children an adequate amount of interplay with the mother is an important factor conducive to the establishment of an appropriate sleep rhythm. They called this form of contact "excess nursing"; that is, a measure of the time given by the mother to the baby for contact and play over and above what he may need for feeding. Those babies who in their samples received the least excess nursing time had the greatest tendency to wake, while those who had ten to twenty minutes in addition to the feeding time settled best in their sleep patterns. Here again, it is difficult to see how a Day Care arrangement, with a large ratio of babies to staff can fulfill such requirements. Theoretically, if Moore and Ucko observations are correct, the potential for sleep disturbances in these babies, with frequent waking-up in the evening, is there. One cannot but wonder what this will do to the mother-child relationship, especially in the case of mothers who have a busy day for reasons of work, studies, etc., and badly need their sleep.

Day Care Center physical facilities should provide a suitable environment for a population of children that ranges widely in age. For our purposes we are restricting the discussion to children up to two and a half years of age. A hygienic and safe environment; adequate lighting and ventilation; sufficient space for each age group needs; flexibility for separation of children according to their ages (since the needs of a three month old are enormously different from those of a toddler); rooms to rest; appropriate space and provisions to deal with the feeding situation; flexible, multi-purpose utilitarian furniture; appropriate bathroom facilities to include toilets of appropriate size for toddler's usage; potties for the younger toddler; appropriate washing facilities for babies, an isolation room for sick children (especially important in cases of contagious diseases in order to avoid small epidemics); first class facilities for the preparation of food; ideally suitable playground facilities; a good provision of adequate and stimulating toys selected for their appropriateness according to age and their suitability to promote perceptual, cognitive, motoric and conceptual development; good first aid facilities; easy access to nurse's services and pediatricians; a good provision of appropriate milk, food, bottles and other utensils, as well as easy access to emergency services; facilities for the sterilization of bottles, etc, are some of the essential requirements. This is by no means a comprehensive list of basic needs for a setting where large numbers of small children are going to be looked after for substantial periods of time on a daily basis. Nevertheless, it is easy to see that present ordinances regulating Day Care facilities leave much to be desired and do not ensure all that a reasonable environment and reasonable care be provided for the children.

Many Day Care Centers as they exist now are about the most inappropriate lodgings one can think of, such as damp, dark, not sufficiently heated church basements and the like. This is not only prejudicial to the children but demoralizing to a staff on whom extraordinary demands are going to be placed. Over-crowded conditions in the Centers will be self-defeating. Not only will they interfere with safety, create dangerous conditions for the spread of many potentially dangerous infectious diseases of childhood but will create a chaotic environment, with multiple sources of loud noises, occurring simultaneously all the time, a situation that makes adults tired and inefficient rather quickly and that proves extremely disrupting to babies and toddlers. It is true that babies have (especially early on) a high threshold for sound. Yet, this means mostly one type of loud sound but a multiplicity of sources of loud sounds is a different problem. One in fact that at the early stages affects negatively the development of the mind interfering with the development of perceptual-cognitive capacities, discrimination, orientation in the world around, establishment of cause and effect connections, etc., as our multiple clinical observations demonstrate.

Further, crowded conditions will interfere to some degree with motor development and the necessary exploration of the world around that goes with it. Under such conditions babies will have little opportunities for example for crawling and consequently for exploring, learning, and exercising their already acquired skills, as well as acquiring new skills, etc. Much the same will apply to the toddlers, let alone the fact that toddlers are naturally uncomfortable in limited space and in over-crowded conditions. In the toddler's case one has further to consider their normal need to be frequently on the move as well as the fact that they do not normally engage in constructive play with other children and toddlers (that would somewhat reduce the need for space and equipment). As we know there is only essentially parallel play in a toddler's organization, a fact that increases the need for space so that they do not clash or interfere unnecessarily with one another, and so that the more aggressive toddlers are not constantly hitting and attacking other

Footnotes at end of article.

less aggressive or smaller toddlers or snatching and grabbing away their toys. Such a situation will only terrify the less aggressive, more passive toddler who already feels more or less fearful because of the absence of his familiar object, the mother. For the more aggressive toddler this environment will reinforce his aggressive tendencies unduly, making it all the more difficult (and more conflicting) for him to acquire necessary controls over his aggression as well as the ability to impose the necessary restrictions over it. Observations of children demonstrate quite clearly that this type of toddler, with an excess of motoric and aggressive energy, needs special handling if he is not to find himself later on in serious difficulties with his aggression, with others and with himself.

If we consider now who is going to staff the Day Care Centers we find that present law provisions for the regulation of the Centers leave much to be desired. For example, in the state of Michigan all the qualification that is required for the director's position is *any college degree*. Most college degrees offer little, if any, information regarding the developmental needs of children especially in the age group from birth to two and a half years of age. The qualifications of other staff is totally unspecified. One implication being that Day Care Centers will contribute to alleviate in some measure the unemployment situation and perhaps more especially the *hard to employ* problem. I seriously doubt that being unemployed should be sufficient criteria to entrust anybody with the most precious and delicate possession of our society, our very young infants. Clearly some screening procedure is essential here, to ensure that neither the disturbed, the unsympathetic or the cruel to children will assume caretaking positions in Day Care Centers for the very young, indeed not for any age group. Some experience with infants, some forms of training, some natural maternal qualities are highly desirable qualities in those selected to fill these positions. Obviously too, a minimum of training regarding infants needs and ideal conditions for their development should be a sine qua non. Similarly, highly informative and simple courses on the major causes of accidents in babies and toddlers are necessary if many unnecessary tragedies are going to be averted. We have only to consider that the toddler group has an enormous incidence of fatal or otherwise very serious accidents, frequently by the ingestion of toxic substances. The toddler as we know tends to ingest the contents of whatever happens to be within his reach. Similar dangers exist in relation to electrical appliances, unsafe toys, etc. Effective prevention of serious accidents has to be based in appropriate supervision, vigilance and in an increased awareness of the major causes of accidents for the age group. The above considerations refer mostly to the very minimum of "quality" to be required of the staff. Another essential consideration concerns the quantity of staff required. In this regard the ratio of staff to number of children should be much greater when we are thinking of young infants than of older age groups.

Since large numbers of children will spend no less than eight hours a day at the center we must ensure that there is sufficient interaction with babies so that they receive the necessary stimulation. That interaction, as we have pointed out earlier, is more effective at certain times than others. The staff must be alerted to this so that it is ready to go to the baby at the right time. The interaction should not be reduced to the time of feeding, cleaning or changing diapers. It is obvious that if the ratio of staff to babies is not large enough, they will be reduced to perform the most peremptory function of changing diapers and feeding. Frequently, babies will be left to suffer from hunger and other undesirable stimuli simply because the staff cannot get to them within reasonable time, if they have to handle an excessive number of babies. Babies place enormous demands on their caretakers, more so at certain stages than others. Babies within the first few weeks of life spend much time sleeping but especially after six months and onwards require a great deal of attention, handling and human interaction. Naturally, they should be held and carried around sufficiently. They should be played with. Otherwise there will appear retardations in their developmental milestones, speech development, etc. Ideally then, there should be one caretaker for three babies (at the most) in this age group. As mentioned in the first part of this paper it will be most important that so far as possible the same caretaker be responsible for the same group of babies in a consistent manner. This may be very difficult to accomplish, since vacation time, holidays, sickness, days off, etc. will complicate matters here and more especially so in those Centers that run more than five days a week.

Another complicating factor is the number of shifts of staff taking place during the working hours of the Center. We know of Day Care Centers running from 6:30 a.m. to 6:30 p.m. and there are demands for services around the clock. Many Day Care Centers' directors feel that shifts of six hours is about as much as staff can reasonably handle. The question introduces the problem of multiplicity of handlers and caretakers for babies that is, lack of constancy of objects, the importance of which has been discussed earlier. We must take into account that even in the case of those Centers that will try to provide constancy of objects for the babies, the babies will, of necessity, have been handled by at least two staff plus the mother. The development of the babies' capacity for suitable object relationships later on in his life is very much dependent in the nature and quality of these earlier experiences. What we have described earlier as the stage of object constancy in children, which incidentally is an essential step to reach developmentally, if a "normal" personality is to evolve in terms of a good capacity for object relations and otherwise, is somewhat similar to the so-called process of imprinting in other animal species. One essential difference is that the "imprinting" to an adult human takes place in a much slower fashion than in other species. For this attachment to take place a multiplicity of interactions with the same object, through at least a year is necessary. This type of attachment reaches its summit when object-constancy is fully established.

This is in sharp contrast with the same process in for example the geese, where attachment behavior (imprinting) takes place instantly and immediately after birth. The little geese getting attached automatically to whatever large size object moves within his range of sight immediately after hatching.[8] Without wanting to stretch the similarities too much between human and animal attachment behavior and imprinting (and acknowledging obvious differences), the fact still remains that in both cases, such processes are essential conditions for the normal development of object relationships with members of the specie. In the human, basic faults in the capacity to attach oneself to other humans lead indeed to veritable catastrophic results in extreme cases, and to very undesirable outcomes even in the less extreme cases.

On the basis of the information available regarding different types of child-rearing practices and their known outcomes, as well as our present day knowledge of the basic needs of the human infant to develop normally and ideally, I cannot but seriously question (for the age group I have been referring to) the advisability of moving to the establishment of Day Care Centers in the grand scale that this country is now planning. I fear that widespread and unthoughtful use of such facilities in this country, for infants in the age range between birth and two and a half years of age, could someday result in the United States mass producing large numbers of children with serious emotional problems and psychopathology. Furthermore, we may mass produce large numbers of low achievement, low I.Q. youngsters. Babies whose brains are understimulated and mismanaged, whose emotional development has been interfered with by inappropriate Day Care Center's practices. These children will later on need Head Start programs, special remedial classes in school and will probably continue to be in general and in spite of every effort, low achievers. We are all painfully aware of the small return that Head Start Programs has brought to those unfortunate children whose fate it was to grow under poor environmental conditions in early life. This painful awareness has led to the realization that programs such as Head Start reach the child far too late to be effective. Hence the move towards identifying the "problem family" earlier, thus helping to prevent the damage to their children during their babyhood and their toddler stage. This is a much more sensible approach since the disturbances that Head Start Programs try to remedy have their origin in early life.

From the considerations in this paper it seems likely that Day Care Center facilities for children (in the age group we have been discussing) is to say the least, pregnant with dangers for their healthy emotional and intellectual development. Some but not all of these dangers, can be minimized and even averted if we devote substantial amounts of time, money and research efforts, to understand and then to supply, artificially, those ingredients that make for the recipe of healthy development in a family setting, to children in Day Care settings. At the present time we are far from able to do this efficiently and with certainty. Careful design of the Day Care Centers, extensive and sound training of its staff may go a long way in the right direction. Anna Freud (1971) recently restated what she said forty or forty-five years ago that is, "that in this field [child care] we proceed to action without inquiring into the quality of the material with which we deal. . . . Work with metal, and ideas about what can be constructed from it, are based on the quality of this particular material. Whatever plans are made for it are made on the basis of the knowledge of these qualities—whether you can bend it, heat it, etc.

But it has not been so with work with children. This has been determined by extraneous factors—by feelings about them, financial possibilities, social opportunities, religious motives, or the very personal motives of a child worker. I think that many of the unexpected outcomes and many failures have been simply due to the fact that the handling of children has not been based on knowledge of their nature. . . . I think very seldom has a conference [at the Child Study Center of Yale University in 1966] expressed as clearly as this one that we should start with the developmental needs of children, and that plans for children should be based on detailed knowledge about their needs and the possibility of meeting those needs" (p. 227–228).

I am willing to admit readily that many families and many mothers do not or cannot give their infants the time and attention that they so essentially require. The reasons for this are multiple. Sometimes they just have too many children, or physical or emotional incapacities, or obligations outside the home such as working to meet the basic needs of food, shelter, etc. At others it is the appalling socioeconomic conditions under which they live that have led to emotional despair and apathy. A Day Care Center may be a welcome

Footnotes at end of article.

addition to the lives of these unfortunate children, providing much of what is missing at home in the form of stimulation, enrichment of the environment, adequate diets, a minimum of structure, adequate medical care, etc. There can be no question either, that some children will be better off fostered, in residential care, or in Day Care Centers, than they are at home. Indeed, the life of some children, let alone their emotional health, can be in jeopardy if they remain with their parents as the increasing instances of battered and murdered children demonstrates. Nevertheless, in my view, Day Care Centers should for the time being, strictly restrict its admissions to the group of children described above, and only after being well satisfied that no suitable alternative methods can be implemented to improve the home situation, the family climate. Anna Freud (1971) has rightly remarked that if we really believe in the superior advantage of family care to any other form of care, much effort should be concentrated on helping home life to fulfill children's needs. Financial support, advice and guidance, with supplementation of home care by intensive Day Care geared to implement the lack of family care only when no other alternative is available. She questions if the authorities really do everything possible to promote family care, to enhance it, to make it financially possible. She points out how many children who are deserted or because unwanted burdens to their unmarried mothers, children that in many cases could be kept by the mother or relatives and at less cost to society if support were forthcoming. But we should not turn what is a tragedy of certain socio-economic, lower class groups into an institutionalized norm for all children, condemned and supported by the state. After all, neglect in this area is not simply a job not done with the possibility of making up for it later. It is a wrong that is not redressable.

There are as well, of course, other genuine conflicts between the best interest of the infant and that of many young mothers still in the midst of their educational careers, at colleges and universities, not to mention high school that seem to make Day Care Centers desirable. Here again innovative solutions are required and some have been produced. I recall a television program showing a special class for unmarried high school mothers where they were allowed to take their babies and minister to them while being instructed. Similarly, we could provide video-taped versions of the courses that young mothers could watch at home, while on campus. A video-taped lecture can be interrupted at any time, while the mother attends to her baby's needs, and continued afterwards at her leisure. They can be watched while young babies sleep, etc.

It is most unfortunate that many spurious issues have attached themselves to the question of Day Care Centers. For example, women liberation movements, that in their legitimate search for equality of rights and opportunities make blind demands for Day Care facilities without considering *the equal rights of the child to develop intellectually and emotionally as fully as possible.* I am aware that it is only a small minority of extremists in this movement that will be unwilling to examine rationally the implications of some of her demands. Nevertheless, since they tend to be the most vocal and outspoken group we have an obligation to educate and alert all women and specially those who have reached motherhood, to the possible dangers for their infants involved in this demand. Bettye Caldwell (1971) remarks that at the 1970 White House Conference on Children last December, delegates of various women's groups were among the most vocal demanding that Day Care Services be made available around the clock, year in and year out, for all who want it (p. 48). I want to make it quite clear that I have no objection whatsoever to women's legitimate rights for equality of opportunities, education and the like. But I do have, as I state elsewhere (1972), the strongest objection to neglecting the similarly legitimate rights of infants, especially since they cannot speak up for themselves and cannot look after their best interest.

Another spurious issue that has attached itself to the Day Care Center is a political one. The social-welfare, liberal-minded person and politician sees in this development a highly desirable aim. He is, of course, considering the issue essentially in the socio-political, philosophical sense. For the conservative minded person and the politician (with similar views), this development has an unpleasant flavor of a movement in the direction of an unlimited, unrestricted and unqualified social-welfare organization. They, too, are taking a socio-political, philosophical point of view. I want to suggest that both approaches are incorrect and neither of them should decide this issue. The issue should be decided by a rational and professional examination of the factors involved, based on sound knowledge of the child developmental needs and his best interest, under present societal conditions. It will be ironic if the noble intentions of the welfare, liberal-minded citizen, supports a plan in the hope of a betterment of social conditions that in the end does not really contribute to the welfare of the child, of the parents or of society at large, in the positive sense, but just the opposite. It would be similarly ironic if the conservative minded were to be successful in defeating a plan, out of socio-political considerations, that could greatly benefit large numbers of the children of this country and their families. Clearly if made into a political issue the outcome could be disastrous.

Finally, it is perhaps not widely known in this country that Day Care Center programs of the type we are now considering were widely implemented at the end of the war in several of the Iron Curtain countries. The rationale in their case was their desire to transform what were essentially agricultural economies into industrialized countries. For this purpose they needed more manpower (in this case womenpower) and in order to free women to work in industry they embarked in wide programs of Day Care run by the State. Meers (1971) has studied this and visited these countries recently. I have been told (personal communication by Meers) that after some twenty-five years of experience these different countries are quickly changing and modifying this practice. Apparently, many of the children under such care have become severe social casualties, burdens to themselves and to society, to the point that the human losses thus incurred far outweighs the gains that were hoped for initially.

FOOTNOTES

[1] More recently Cragg (1963), in a chapter in "Functional Plasticity of Nervous Tissue" has stated: "The effects of function on neuronal structure are of fundamental importance to the problem of how neurons acquire the right connections in the developing brain, and how the function of the brain matures. In recent years there has been a great advance in detecting morphological correlates of more sophisticated 'educational' influences as well as the cruder effects of neuronal damage. . . . In the visual system it is possible to apply some degree of sensory deprivation without the use of neuronal damage, and to study the effects upon the morphology of successive orders of visual neurons. It must be admitted that there is no physiological evidence that depriving the eyes of light reduces the rate of firing in the optic nerve, yet this procedure has been shown to be effective in reducing the amount of AChE in the retina, in retarding the myelination of the optic nerve, in reducing the RNA content and size of retinal ganglion calls, and in stopping the growth of neurons in the lateral geniculate nucleus post-synaptic neurons project to the visual cortex, and here a reduced nuclear diameter, a reduction of the internuclear material (cytoplasm, axons, dendrites, and glia) and a reduction in the density of blood capillaries has been detected. Conversely a visually enriched environment combined with training in visual problems has been claimed to result in an increased thickness of visual cortex in rats, an increased cortical content of AChE, an increase in dendritic branching, and an increased number of glial cells.

More subtle changes in neuronal connections as the result of disuse have been detected by electrophysiology, but cannot as yet be approached by neuroanatomy. Thus if cats are reared from birth with one eye closed and tested at 3 months, the closed eye is found to have lost the ability to alter the firing rate of the majority of cells in the visual cortex. When both eyes are deprived of light, the effects are less severe, so that competition for neuronal connections appears to be involved. When the eyes are prevented from working together by alternating an opaque ocluder between them or by artificially deviating one of them to produce a squint, the majority of cells in the visual cortex are driven by one eye or the other only, and not by both as in normal cats." (pp. 30–34).

[2] None of this should be taken literally. Programming is a graphic word of some explanatory value but as a term it possesses connotations that are inappropriate and insufficient to describe human development. Still it expresses graphically some of the problems at hand.

[3] Oswald (1966) remarked that "the alpha rhythm is an indication that the brain is functioning at one particular level of efficiency, alertness or 'vigilance'. . . . When the alpha rhythm is lost in drowsiness, the brain is functioning at a lower level of effectiveness"(p. 21).

[4] After all mothers gain as much pleasure as the child does from these interactions. A healthy, emphatic mother, takes enormous pride in her infant, in what she does for him, in his little achievements as they occur and radiates back this pleasure and warmth to the child. It is of course not possible to expect that quality and warmth in the communications between a stranger and an infant. After all, the mother has been prepared for this response biologically and psychologically by her nine months of pregnancy. That pregnancy and that infant have an emotional and psychological value to her (in a normal situation) that is unique and cannot easily be replicated by somebody that is "doing a job" and that is dealing with a multiplicity of infants simultaneously.

[5] Much feeding of very young infants takes place under this condition.

[6] Here he is not different behaviorally from any number of other species of animals. For as long as they are not mature to have acquired independency, safety only exists in the pack and by the side of the mother.

[7] Adults too, cannot think clearly when overcome by fear or when in a panic.

[8] In other higher species such as dogs and other mammals for example the procedure is not as simple as in the geese. There is an ideal time during which it takes place, usually not immediately after birth, requiring further, certain types of interaction during more prolonged periods of time. After this, the attachment behavior has been established and the imprinting process completed.

BIBLIOGRAPHY

Burlingham, D. & Freud, (1942) *Young Children in War-Time.* London: George Allen and Unwin.

Burlingham, D. & Freud, A. (1944) *Infants without Families,* London: George Allen & Unwin.

Caldwell, B (1966), A Day Care Program for Fostering Cognitive Development. In: *On Rearing Infants and Young Children in Institutions,* ed. H. L. Witmer. Washington: U.S. Depart. of H.E.W., Children's Bureau Research Reports, No. 1 1967, pp. 33–40.

Caldwell, Bettye (1971), A Timid Giant Grows Bolder, Saturday Review, February 20, 1971, p. 47.

Conel, J. L. (1939) The Brain Structure of the Newborn Infant and Consideration of the Senile Brain. In: *Association for Research in Nervous and Mental Disease, Research Publications,* 19. The Inter-relationship of Mind and Body. Baltimore: Williams & Wilkins.

Cragg, B. G. (1968) "Gross, Microscopical and Ultramicroscopical Anatomy of the Adult Nervous System", in 4 & 5/Applied Neurochemistry, ed. Davison, A. N. and Dobbing, J., Contemporary Neurology Series, F. A. Davis Company, Philadelphia.

Craigie, E. H. (1955), Vascular Patterns of the Developing Nervous System. In: *Biochemistry of the Developing Nervous System,* ed. Waelsh, E. New York: Academic Press.

Escalona, S. K. (1966), Developmental Needs of Children under Two-and-a-Half Years Old. In: *On Rearing Infants and Young Children in Institutions,* ed. H. L. Witmer. Washington: U.S. Depart. of H.E.W., Children's Bureau Research Reports, No. 1, 1967, pp. 7–13.

Freud, A. (1971) Residential vs. Foster Care, in *The Writings of Anna Freud,* Vol. VII, International Universities Press, New York, 1971. First published in *On Rearing Infants and Young Children in Institutions,* U.S. Department of Health, Education and Welfare, Children's Bureau Research Reports, No. 1, 1967, pp. 47–55.

Gavrin, J. (1966) An Institution for Young Children. In: *On Rearing Infants and Young Children in Institutions,* ed. H. L. Witmer. Washington: U.S. Depart. of H.E.W., Children's Bureau Research Reports, No. 1, 1967, pp. 28–33.

Harlow, H. F. (1959), Love in Infant Monkeys. *Sci. Amer.,* 200 (6): 68–74.

Katan, A. (1961) Some Thoughts about the Role of Verbalization in Early Childhood, *The Psychoanalytic Study of the Child,* International Universities Press, New York, 16: 184–188.

Kennard, M. H. (1948) Myelinization of the Central Nervous System in Relation to Functions, In: *Problems of Early Infancy,* New York: Josiah Macy, Jr. Foundation.

Langworthy, O. H. (1933) Development of Behaviour Patterns and Myelinization of the Nervous System in the Human Fetus and Infant, *Publications 139–143.* Carnegie Institution.

Meers, D. R. (1971) "International Day Care: A Selective Review and Psychoanalytic Critique", *Day Care: Resources for Decision,* Office of Economic Opportunity, June 1971.

Moore, T. & Ucko, L. E. (1957) Night Walking in Early Infancy. *Archi. Dis.* Childhd., 32: 333–342.

Nagera, H. (1966), *Early Childhood Disturbances, The Infantile Neurosis,* and *The Adulthood Disturbances* (The Psychoanalytic Study of the Child, Monogr. 2). New York: International Universities Press.

Nagera, H. (1966), Sleep and its Disturbances Approached Developmentally, *The Psychoanalytic Study of the Child,* International Universities Press, New York, Vol XXI p.p. 394–447.

Nagera, H. (1972) Social Deprivation in Infancy, In: *A Handbook of Child Psychoanalysis: Research, Theory and Practice,* ed: Wolman, New York: Van Nostrand Reinhold Company.

Oswald, J. (1966), *Sleep,* London: Penguin Books.

Pavensted, E. (1966), Some Characteristics and Needs of Children Two and a Half to Five. In: *On Rearing Infants and Young Children in Institutions,* ed. H. L. Witmer. Washington: U.S. Depart. of H.E.W., Children's Bureau Research Reports, No. 1, 1967, pp. 13–20.

Provence, S. & Lipton, R. C. (1962) *Infants in Institutions.* New York: International Universities Press.

Richmond, J. B. and Lipton, E. (1959) Some Aspects of the Neurophysiology of the Newborn and their Implications for Child Development. In: *Dynamic Psychopathology in Childhood,* ed. Jessner, L. & Pavensted, E. New York: Grune & Stratton.

Robertson, J. (1952), *A Two Year-Old Goes to Hospital,* New York: New York University Film Library.

Robertson, J. & Robertson, J. (1967), *Kate, Two Years Five Months, in Foster Care for Twenty Seven Days,* University Film Library.

Robertson, J. & Robertson, J. (1968), *Jane, Seventeen Months, in Foster Care for Ten Days,* University Film Library.

Robertson, J. & Robertson, J. (1969), *John, Seventeen Months: Nine Days in a Residential Nursery,* University Film Library.

Robinson, H. (1966), A Proposed Day Care Experiment and its Physical Plant. In: *On Rearing Infants and Young Children in Institutions,* ed. H. L. Witmer. Washington: U.S. Depart. of H.E.W., Children's Bureau Research Reports, No. 1, 1967, pp. 40–45.

Sontag, W. L. (1941), The Significance of Fetal Environmental Differences, *American Journal of Obstetrics and Gynecology,* 42: 996–1003.

Spitz, R. A. (1945), Hospitalism. *The Psychoanalytic Study of the Child,* International Universities Press, New York, Vol I, pp. 53–74.

Spitz & Cobliner, W. G. (1965), *The First Year of Life.* New York: International Universities Press.

Tynes, H. (1966), A Residential Nursery for Very Young Babies. In: *On Rearing Infants and Young Children in Institutions,* ed. H. L. Witmer. Washington: U.S. Depart. of H.E.W., Children's Bureau Research Reports, No. 1, 1967, pp. 23–28.

Winnicott, D. W. (1965), The Maturational Processes and the Facilitating Environment. New York: International Universities Press.

THE FAMILY AND THE EDUCATIONAL PROCESS

(By Earl S. Schaefer)

My goal is to inform, to persuade, and to move each of you to accept personal responsibility for social change in programs that relate to families and children. I would like to tell you of an anecdote of an event that increased my awareness of personal responsibility to apply knowledge to promote human welfare. I had developed spherical conceptual models for parent behavior and child behavior (Schaefer, 1971) and told Dr. Babska, a Polish psychologist of my dream of studying the relationships of the two models to one another. She looked at me and said, "If you really understood these things, you would go out and try to change them." That is my challenge and the challenge of the conference to you. If you really understand the importance of the family, you will go out and try to develop an effective support system for family care and education of children.

An interpretation of research on early education and the role of the family in child development suggests the need for family-centered child care and education programs. My work on early education has evolved through several stages since 1964, at which time I began to realize the need for education during the period of early development of relationships and language. That insight led to the development of the infant education project, a tutoring program in the home during the second and third years of life. However, when the tutoring ended at three years of age, the children's I.Q. began to drop, suggesting the need for continuing education. The need for early education and for continuing education suggested that the family is an important educational institution from birth to maturity, in fact, that the family is the major educational institution of society. However, just as the child cannot function effectively as an isolated monad, the nuclear family cannot function effectively as an isolated unit. Therefore, we must develop the community as a support system for families and we must integrate the child care and education professions into a support system for family care and education of children.

Going beyond our current professions and institutions, we must ask, "Where are the agencies in society that are promoting the cause of the family?" We have major health agencies and education agencies, but where are the major family agencies? Very few exist, at national, state, or local levels. Therefore, we need to develop family agencies and what is more, we need to develop a national family lobby or family union. Recently, the education professions have been successful in their legislative programs by organizing an educational lobby. The health professions have been successful in many of their legislative goals by organizing a health coalition. The development of family agencies and of a family lobby may be necessary to develop programs that support families in their major role in child care and education.

The definition of education in Webster's Unabridged Dictionary as "the act or process of rearing or bringing up" suggests the major educational role of the family. A second definition—"the process of providing with knowledge, skill, competence or usually desirable qualities of behavior and education"—also applies to the family. However, the definitions of an educator "one skilled in teaching" and "a student of the theory-practice of education" are applied almost exclusively to professional educators. Yet, if parents are engaged in education, then they should truly be educators, should be skilled in teaching, and should be students of the theory and practice of education.

This analysis suggests the need to emphasize the role of the family in the educational process.

A common sense analysis of major characteristics of family care and education will support the importance of the family. Ten characteristics of families that suggest the great cumulative impact of the family upon child development are listed in Table I (Schaefer, In Press).

TABLE I

1. *Priority.* The family influences the early development of relationships, and interests and language.

2. *Duration.* The family maintains contact with the child from birth to maturity.

3. *Continuity.* Prolonged separations of parents and children are rare. Separations are often investigated under the concept of maternal deprivation.

4. *Amount.* The total amount of interaction of children with parents tends to be greater than with any other adults.

5. *Extensity.* Parents and children interact in many different situations and share many different experiences.

6. *Intensity.* The degree of involvement of the child with the parent tends to be more intense than with other adults.

7. *Pervasiveness.* The parent influences the child's contact with other persons and institutions and controls the child's access to society and society's access to the child.

8. *Consistency.* The parent's behavior with the child tends to be consistent over time.

9. *Responsibility.* Both parents and society recognize the parent's primary responsibility for the child's welfare and development.

10. *Variability.* The extreme viarability of family care and education, from extremes of acceptance, involvement, and stimulation to extremes of neglect, abuse, and physical deprivation, is related to variability in child development.

The cumulative effect of these different characteristics and family care of children

is the basis of the primary importance of the family in the educational process.

Although one would expect these characteristics of family interaction to influence the child's development, the degree of that apparent influence in one recent study was startling. Alex Rode (1971) had children report their parents' behavior toward them and had them report their own alienation on Keniston's alienation inventory and found that 79 percent of the variation in the child's report of his own alienation was related to his descriptions of his parents' behavior. Alienated high school students described their fathers as neglecting, ignoring, detached, distant and hostile and their mothers as rejecting, hostile, and overinvolved—controlling through withdrawal of relationship, through instilling persistent anxiety, and through guilt. The somewhat different patterns for mothers and fathers increase the credibility of the finding that children's perceptions of their parents behavior is highly related to the degree of alienation.

Another study suggests that studies of parent-child relationships alone are insufficient in considering family influence on child behavior. Danjczek (1971) had principals and teachers nominate well adjusted and maladjusted children from intact families in their classrooms and then asked the fathers to describe their wives' behavior and the mothers to describe their husbands' behavior. With small samples of intact families of adjusted and maladjusted children, she found highly significant differences in marital adjustment related to the child's functioning in the classroom. This study suggests that parent-child interaction alone is not an adequate measure of family interaction. Apparently, the husband-wife interaction and perhaps the whole network of family relationships also influence the child's development.

Merill Roff (1950) in a review of intra-family resemblances, reported that the child's character development—moral attitudes and opinions—are highly related to those of his parents. He also reviewed studies that the child's attitudes toward the church, war, communism, and his political loyalties correlated with those of his parents.

A recent study by Smart and Fejer (1970) suggests that even drug use by adolescents may be highly related to their experience in the family. It fascinated me that if the child reported his mother used tranquilizers almost every day, as contrasted to reporting that his mother never used them, the child was eight times as likely to report that he used tranquilizers. But the similarity in drug use did not stop with tranquilizers, if the mother frequently used tranquilizers the child was also more likely to report use of barbituates, marijuana, LSD, and other drugs. The child's report of his father's drug use was also related to his report of his own drug use. Smart and Fejer concluded that parents are models for the drug use of their children. The other studies reviewed above suggest that their generalization is also true of many other behaviors.

Since intelligence test scores are highly related to educational achievement, a review of studies of parent influence on intellectual development will provide further evidence of the importance of the family in the education process. My interest in early education was aroused by the fact that major differences between socio-economic groups in mental test scores emerge during the second and third years of life, i.e., the period of early language development. The mean mental test scores of different social groups stabilize before school entrance. The schools typically do not change levels of intellectual functioning, they merely educate at the level established prior to school entrance. The family initially establishes the child's level of intellectual functioning, maintains it, and the schools have been relatively powerless to change it. These data again indicate that the family is the major educational institution, both in priority and in amount of influence on the child's intellectual functioning.

Among the many studies that show that mental test scores of different social groups develop during the first three years is the Binet by Terman and Merill (1937). They reported that differences among children from different occupational groups were approximately as great for children between two and a half and five years as for any subsequent age period. A number of studies show that the difference can be shown by standard mental tests at the end of the second year of life, during the period of early language development. Since early language measures are the best predictors of later IQ, and vocabulary scores correlate highly with total mental test scores (Schaefer, 1970), it is not surprising that several studies find that language development that is influenced by the child's early experience in the family is the best predictor of the child's academic achievement. Perhaps learning the language during the second and third year of life is the most important learning of the child, and the family is influencing that early learning. The family not only influences early language development, but also much of the child's subsequent informal language learning during the school years.

Research data on early intellectual development motivated the design of the infant education project, a home tutoring project during the second and third year of life. Data on family influence on intellectual development should have motivated an attempt to work with the family on the child's intellectual development. However, at that time I had too little faith in the ability of families to support the development of their children, or too little faith in our ability to work with parents on the child's intellectual stimulation. Therefore, we decided to go into the homes and to tutor the infants to foster their intellectual development. We made several major errors in that project, from which we have learned a great deal about early education programs. Because the errors we made are frequently made by child care and education professions and institutions, I would like to describe them.

The infant education project began home tutoring a group of poor black infants at fifteen months (Schaefer and Aaronson, in press). We discovered that fifteen months is a rather late period to begin an educational program because some of the children were very withdrawn, apathetic, and unable to relate to the tutor because of their early experiences. For some children, it took months to develop a relationship that would allow the tutor to provide appropriate educational experiences to the child. Thus the first major error of our project was that we began too late. We tutored the children for approximately four hours a week until they were three years of age and then stopped, as we had planned in our research design. That was the second major error of our program—we stopped too early. However, at the time we stopped tutoring, the mental test scores suggested that the project had been a success for the tutored infants had a mean IQ of 106 and the control group a mean IQ of 89, and the 17 point difference between groups was highly statistically significant and apparently socially significant. However, three years after we stopped tutoring the experimental group, there is only a small insignificant difference between the infants who had the early child-centered tutoring and the control group. Thus, the data confirm the thesis—the need for early education—and suggest the antithesis—the need for continuing education.

An analysis of the relationships between data on the maternal behavior of the mothers of the tutored children and their children's intellectual development, found that the hostile, rejecting, detached, neglecting mothers who did not provide verbal stimulation and were not interested and involved in their educational experiences tended to have children with low IQ's. Both tutoring and the quality of maternal care had influenced the child's intellectual development during the second and third years of life.

The tutoring could be interpreted as supplementary maternal care, for the tutors' activities of developing a positive relationship with the child, providing enriched experience and language stimulation were similar to the pattern of maternal care that fosters the child's development. These data, as well as other studies to be reviewed below, suggested that we had made a third major error—we had intended to supplement but implicitly had supplanted maternal care of the infant. Our actions had implicitly said, "We (the tutors) are the experts, we will take responsibility for the education of your infant." In the long term evaluation, this policy has been unsuccessful, for the results of the early intervention did not result in significant differences three years after the tutoring ended. I now believe we should have focused upon working with the parents and our actions should have said, "You have the primary responsibility for your child, you can develop the skills needed to educate your child. We will help you with methods and materials to do the job yourself." From the experience of the infant education project, we confirmed the thesis—the need for early education, we developed the antithesis—the need for continuing education, and we began to grasp the synthesis—the need to develop the family as an educational institution from birth to maturity.

Additional evidence of the importance of the family in the education of the child is provided by a study of the development of children in an orphanage as contrasted to children in families. Skeels et al. (1938) reported that the language scores of children in an orphanage were only one-fourth to one-half those of children reared in families. The authors interpreted their findings as revealing the effectiveness of family care and suggested as an explanation of their finding:

". . . the orphanage situation was characteristically deficient in the factors known to be associated with good language development—such factors as adult-child ratio, parent goals for child achievement, standard of acceptibility of verbal expression, number of hours being read to and being told stories, breadth of experiences, and extensions of environment."

Other Iowa studies show that genetics influence the intellectual development of the child but that differences in environment may influence the degree of development of the child's potential. Skeels and Harms (1948) found that children of mentally retarded mothers and laborer fathers, when placed in good adoptive homes, achieved a mean IQ of 104 and Skodak and Skeels (1949) reported that children whose natural mothers had a mean IQ of 89 achieved a mean IQ of approximately 110 in good adoptive homes. These data suggest that a radical change in environment may produce a radical change in intellectual functioning between generations. Jensen (1969), in emphasizing the genetic influence in intellectual development, quoted data from Skodak and Skeels (1949) that showed the correlation between the IQs of the adopted children and those of their natural parents but did not cite the differences in intellectual functioning between parents and children that are probably related to differences in environment.

A study of parent behavior and child development by Rupp (1969) quantified cultural pedagogical milieu, which was related to parent educational levels. Among a group of children from the lowest educational level variations in the cultural-pedagogical milieu of the home were significantly related to reading achievement in the first grade. Kent and Davis (1957) studied parents of delin-

quents, of normal school children, and of children referred to psychiatric out-patient clinics. Parents of delinquents tended to be unconcerned, neglecting, and ignoring. Parents of normals tended to have normal affection and discipline in the home. Children referred to psychiatric treatment had parents who were seen as more demanding and over-anxious. Within the school sample, parents of children with high IQs tended to be more demanding and parents of children with low IQs tended to be unconcerned. Apparently, the variables that are related to emotional development and intellectual development differ to some extent. Werner, Bierman, and French (1971) quantified educational stimulation and emotional support and found education stimulation more related to academic achievements and emotional support more related to absence of emotional problems. Thus, different patterns of parent behavior may develop different strengths and skills in children.

Data from several major longitudinal studies also support the conclusion that parent behavior influences the intellectual development of children. A study of a national sample of approximately 5000 children from England, Scotland, and Wales by Douglas (1964) quantified the quality of the schools the children attended and the degree of parent involvement in the child's education as shown by mother's visits to the teacher and principal and father's visits to the school. The degree of parental involvement in the child's education explained approximately four times as much of the variance in the child's mental test and achievement test scores at age eleven as did the quality of the schools. After controlling for socio-economic status of the parents, variations in parental involvement were still related to variations in child test scores. The quality of family care of the child also tended to be related to socio-economic status of the family.

A study by Milner (1951) had similar findings on socio-economic status, child care and education, and child achievement. Children with low test scores came from homes with very few books, were read to infrequently, and were given harsh physical punishment.

Milner also reported that the child's test scores and parent behavior were both related to socio-economic status of the family. Perhaps different socio-economic levels lead to different styles of life, different types of child-rearing, and different achievement levels of children. This suggests that responsibility for rearing children does not rest in the family alone but also in a society that assigns a given role and style of life to families and either supports or does not support family care and education of children.

A study by Moore (1968) in England showed that early observations of parent behavior can predict the child's later intelligence and reading skills. From home visits at the child's age of two and a half years, Moore qualified the quality and quantity of verbal stimulation; the toys, books, and experiences provided, and the quality of the parent-child interaction. These early ratings were significantly related to the child's I.Q. at three years but more highly related to the child's I.Q. at eight years, perhaps showing the early and continuing impact of parent behavior, correlations were found with the child's reading at seven years. Even after controlling for socio-economic status of the parents, sizeable correlations were found between early ratings of parent behavior and the child's development. Since the home tends to be a relatively stable, consistent educational environment, parents who educate early probably educate later also. The longitudinal studies, which find sizeable relationships between early parent behavior and child development even after controlling for socio-economic status, can be interpreted as revealing the cumulative impact of parent behavior.

Perhaps even more convincing is the intervention research on family education of children. Levenstein (1970) directed a fascinating study in which she conceptualized books and toys as verbal interaction stimulus material. Social workers took books and toys into homes, demonstrated their use to the mothers, had the mothers use them with their preschool children, and left the materials there. With approximately thirty-two visit over a seven-month period, during which they left approximately a dozen books and a dozen toys, the children gained approximately seventeen points in IQ. With fewer visits the next year, they were able to maintain and even increase the child's level of intellectual functioning. Levenstein's program is almost a feasible social program for supporting family education. It is of interest to me to contrast Levenstein's program with my own child-centered infant education program in which we saw children approximately 300 times over a twenty-one month period. Both my child-centered program and Levenstein's parent-centered produced approximately the same gains in intellectual functioning, but her program was less costly and probably will have much greater long-term effect. Therefore, I try to persuade others not to do my child-centered program but to adopt a parent-centered program such as Levenstein's, Karnes' or Gray's.

In Karnes', et al (1970) program, small groups of mothers were brought into a center and taught skills in early education by working with them on the development of materials and methods and also by visits to their homes at least once a month to support the group work in the center. With mothers who were not working, the group program in the center was very effective, producing approximately a seventeen point IQ gain in the children of the mothers who remained in the program. The finding that working mothers were less motivated to participate suggests that parents should be trained very early in child development skills, perhaps before and during pregnancy, in order to insure that they will have the motivation and skills required to effectively participate in the care and education of their children.

Both Weikart (1968) and Gray (1970) have used home programs that teach mothers skills in early education to supplement preschool programs. These programs have been relatively effective; in fact, Weikart (1968) has reported approximately a thirty point gain in low IQ children in a one year home and school program. However, in these early education programs that show very promising immediate results, long-term follow-up shows that year by year, after the special intervention program has ended, the differences between the experimental and control group decline. Perhaps we need not only continuing education for children, but also continuing education for parents on the skills needed to support the continuing education of their children. The skills needed to teach a one-year-old are quite different than those needed for a three-, six-, nine-, or twelve-year-old. For that reason, plans should be made to work with parents on the child's education from birth to maturity.

Gray (1970) recently reported contrasting a child-centered preschool program with a parent-centered weekly visit in the home. The two programs had equal short-term effectiveness, but working with the mother had greater long-term effectiveness. Gray reported vertical diffusion of the effects to younger children in the family and horizontal diffusion in the neighborhood and also stated that working with the mother cost one-fifth as much as the preschool programs. Gray's report suggested that a program might work with the mother from birth through five years for the cost of a year of pre-school. Thus, parent-centered programs might be far less costly and far less expensive than our current child-centered early education programs.

The experience of the parent-centered early education programs that the children's IQ's drop after termination of the program is also true perhaps even more true of child-centered programs. Just as the infant education project found that differences decreased year-by-year Caldwell and Smith (1968) reported results of the follow-up of a good university day care program that had resulted in relatively high levels of intellectual function. A year after the children left the day care center their mean IQ dropped approximately eight points. Thus, they also found the need to follow through and to provide for continuing stimulation. Apparently, brief child-centered programs may have minimal long term effect. That conclusion may also be true of children at older ages in school, because it is not the intensive, brief program that produces the child's cumulative development, but the continuing effect of his total social environment—family, community, mass media and the school—that shapes the child. The evidence of the major role of the family should influence cild care and education institutions, professions, and programs.

Results of these cross-sectional, longitudinal, and intervention researches clearly demonstrate that children have far more potential than is being developed by the current educational programs. I interpret the research as indicating the need for a major objective of increasing the effectiveness of family education of children. I am concerned with that objective from the point of view of equality of oportunity. If we have equal education in the schools, but unequal education in the home and community, many children will not develop their potential and will not be able to compete effectively with children from more favorable home environments. Studies by Moore, Rupp, Douglas, Milner and others show that early and continuing parent behavior influences heavily the child's mental test scores and reading scores during the school years. Thus, if we neglect the family as an educational institution we are not going to achieve our educational objective of equal opportunity for all.

The studies I have cited and other studies suggest that the quality of the early and continuing maternal and paternal care in the family influences the child's adjustment, alienation, character development, drug addiction, delinquency, task-oriented behaviors, language development, mental test scores, reading scores and academic achievement. These studies suggest that child-centered programs alone, that ignore the influence of the family and community, in the long run are not going to be effective in significantly influencing the child's adjustment and achievement.

The evidence is clear that the child's education should begin prior to his enrollment in school or preschool; in fact, the child's education should begin prior to his development of early relationships and early language, at birth. In order to call attention to the need for development of this area of early education in the family, I have proposed a new concept of *Ur-education*—basic, primitive early education (Schaefer, 1970). I developed this new concept because if I said "early education" people would assume I mean preschool education, and I don't. The first stage of Ur-education is the development of a positive, loving attachment to the child by the parent. The child responds to the parent's positive attachment by developing a positive attachment to the parent during the first year of life. In the context of their positive relationship, the parent and child share activities and experiences that educate the child. An example of Ur-education would be a parent looking at a picture book with a child. During the shared

activity, the positive relationship is reinforced; the child developed the ability to listen, attend, concentrate and persist at a task; as well as interests and language skills. Since successful Ur-education may be a necessary basis for subsequent academic education, to solve our current educational problems we must focus upon improving the process of Ur-education—basic, primitive early education in the family.

We must develop education as a process that begins at birth and ends at death, not at school graduation or maturity (Schaefer, 1971). We must recognize the family as the major educational institution. Although we now have an Office of Education, I see the present Office of Education as the office of schooling, operating an a restricted model of education which focuses on the school age child in the classroom with a professional educator learning the academic subjects through formal instruction in order to earn academic credentials. That may be schooling, but it isn't all of education. Schools may be necessary, but they aren't sufficient to foster the child's education as defined by Webster's Unabridged Dictionary. In fact, learning goes on in the family and in the community and through the mass media, and our educational professions and institutions have largely neglected and ignored that learning, almost denied the existence and desirability of that learning.

As a result of our current definitions of education, we teach children they are merely students until they graduate from high school, college, or graduate school. Yet children can be teachers also; apparently very effective teachers. Therefore, we should be motivating and training children to teach one another and we should be teaching them the skills they will need as future parent educators. If we would teach them to participate as both teachers and students throughout their lifespan, they might become parents who would have the motivation and skills they will need to educate their children. The schools should develop an objective of not only developing future citizens and workers, but also future parent educators as part of the curriculum from kindergarten through school graduation.

The skills and attitudes that would be useful to future parent educators would also be useful to future workers and citizens; for education, teaching and learning in their varied forms, is a major component of our entire life experience.

The research on family influence on the child's development suggests the need to extend the current classroom perspective on education into a lifetime and lifespace or ecological perspective that recognizes that education begins at birth and ends at death, that everyone is a student and everyone a teacher, and that recognizes the family as the major educational institution (Schaefer, 1971). I am also concerned with the effectiveness of the mass media in this educational process. Shramm, Parker, and Lyle (1961) reported that the average child spends more time with television during the first sixteen years of life than in the school, that the child spends approximately thirty hours a week with the mass media, with approximately 60 per cent of that time with television. Yet we haven't planned use of the mass media as education, haven't attempted to influence the educational value of the mass media, and haven't taught parents and children how to use it effectively. The mass media could be an efficient and effective force for lifetime and lifespace education. Yet little attention has been given to training parents and children how to use the mass media as an educational resource.

What can be done to influence the effectiveness to family care and education to children? Perhaps an examination of our major influences on family effectiveness would contribute an answer. An obvious variable is parental *skills* in child care and education: Some parents, through their experiences and training, have many skills in child care and education, a knowledge of methods and materials and how to utilize them effectively with children of different age levels. Many of the interventions programs in early childhood education have had success in developing such skills, at last for the period of the project. Perhaps an equally important goal would be to develop parents who are constantly attempting to learn new skills, parents who are students of better child care and education methods.

Another variable that is related to effectiveness of parental care is parental *strengths*, which might include parental education, qualities of personality and character, financial resources, etc. Perhaps building strengths in families is the long term goal of many health, education, and welfare programs but the goal of increasing family strength and ability to cope with problems might be made more explicit and be given higher priority in society.

Increasing awareness is developing of the extent to which major *stresses* influence the quality of family care and education of children. Studies of samples of the general population and studies of families that abuse and neglect their children find that poor health, financial distress, marital conflict, many closely-spaced births, crowding and other stresses influence the quality of parent-child relationships, maternal care, and the child's development. Thus, a major approach to increasing the effectiveness of family care would be to reduce the stresses on families.

The last of the major influences on the quality of family care and education that should be stressed is the amount of *support*, social and emotional, as well as financial and material support. In the past, this support was largely provided by the informal support system of relatives, friends, neighbors, and neighborhood social groups. Within our mobile society, this informal support system is, to some extent, breaking down.

We now must ask "How can we develop again an informal support system for family care and education? How can the child care and education professions and institutions develop a formal support system that will strengthen and complement the informal support system? How can we reduce the isolation of nuclear families by building the community? How can we develop communities and a society that will provide for the needs of parents so they, in turn, can provide for the needs of their children?"

The studies of neglected and abused children are very impressive in their demonstration of the lack of *Strengths* and *Skills*, of the presence of many *Stresses* and of the absence of *Supports* in their families. The importance of the family in child care and education and the degree of importance of these major influences suggests we need to provide for the needs of parents as well as the needs of children.

In view of the apparent success of the parent-centered intervention projects, the question must be asked, "Who is training children and young adults for their roles as parents?" Do we still assume that training is provided by the nuclear or extended family or by the community? If so, that assumption in a mobile society with isolated nuclear families, increasing age segregation, and unstable and fragmented neighborhoods is probably often false. Many children of all social groups are not well prepared for their roles as parents. Both the training and experience that would develop skills in child care and education they will need as parents are presently lacking. Therefore, we need to build a system for training parents and future parents in the care of children.

Parents often need training, guidance, consultation, and support during pregnancy and during the first weeks and months of the child's life. Some research suggests that the mother-child relationship may stabilize during the first weeks of life. Broussard found that television instruction in child care and development on obstetrical wards significantly improved a mother's perception of her infant, as contrasted to the average infant at approximately four weeks of age. Later Broussard and Hartner (1969) found that the mother's description of her child at four weeks was related to a judgment that the child needed psychiatric care at four and a half years of age. The period of pregnancy, delivery, and first weeks of life may be a critical period for the development of the parent-child relationship. Perhaps this is a most important period to provide training and support for parents to facilitate the development of a positive attachment to the child.

Hopefully, the evidence of the importance of family care and education and the evidence that family care can be influenced will provide the *motivation* for the development of a comprehensive support system for family care and education. That *motivation* will provide the impetus for the development of the *manpower*, the *money*, the *methods*, the *materials*, and *models* that will contribute to a support system for family care and education of children.

Setting standards for family care and education might increase our motivation to work with families. If we can set standards for day care, can we also set standards for family care of children? If a consensus were developed about standards of family care, we might then develop the training needed by the personnel in the family care system, the kind of support system needed, the resources, methods and materials needed to meet the standards. We might recognize that the isolated nuclear family cannot achieve the goals set by the standards without an informal and formal support system.

The need for standards of family care is illustrated by some of our current attempts to solve social problems. In some ways the school lunch program is rather ridiculous. Should we only worry about feeding the child while he is in school? During the first two years, during which most of the development of the brain is completed, the child's need for adequate nutrition is clear. If we feed children in the school lunch program during the school year, what about week-ends, holidays, and vacation periods? Just as the child's need for education extends from birth to maturity, the child's need for adequate nutrition extends from the prenatal period through maturity. Therefore, we should be concerned with an adequate standard of nutrition and education in the home, not merely in the school lunchroom and classroom.

Clearly, adequate nutrition in the home is essential, but we should go beyond nutrition to provide for the other basic needs of children. If the child's early education is important and if we believe in equality of educational opportunity, should society provide the necessary educational materials in the home as well as in the school? Doesn't the child need books—picture books, nursery rhyme books, storybooks, books of all kinds—to foster his early language learning, to develop the interests, skills, and behaviors necessary to master reading? Perhaps this is the type of thinking we would do if we made a commitment to help families to achieve minimal standards of child care and education.

However, my perception of child care and education professions and institutions is that they are largely child-centered in their focus. Although their explicit goal is usually to supplement family care and education, the implicit effect is often to supplant it. I heard a teacher say to a group of parents, "Please don't teach your child how to read, or do arithmetic. Your methods may be different than mine. Just send me a happy child and I will educate him." That is not supplementing family education, that is sup-

planting it. I fear that is what most of our child care and education institutions, professions, and programs do. Implicitly, they communicate to parents, "We are the experts and we will take responsibility for the development of your children." But the professions and institutions haven't been able to care for and educate children without the help of families. They haven't done it and they can't do it. Therefore, our professions and institutions must change their major focus to strengthening and supporting family care and education of children. If the professions and institutions would do the job that Levenstein, Gray, Karnes, and Weikart have shown can be done, they might be far more effective at lower cost than the current child-centered programs.

When we realize the importance of programs that strengthen and support family care and education, we will find many specific ways of achieving that goal. I have spoken of the need to view the child as a future parent and of providing training and supervised experience in child care. One way in which this might be done is through a four generation approach to child care in which an older, experienced mother might work with a young mother with her first infant and include as part of this unit one or more school age—high school or even elementary school—children. Each of the four generations could contribute and profit from working together on child care. The older mother would have an opportunity to utilize her knowledge and experience in a constructive way, the young mother would be trained and supported during the critical period of learning how to care for her infant, the infant would be receiving additional care and stimulation, and the school age children would be trained for their future roles as parents.

Although professionals often speak of parents, typically both the speaker and the audience interpret parents as mothers. Yet, the research evidence suggests we should also train males for their roles as fathers. The study on alienated high school students who perceived their fathers as neglecting, ignoring, distant, and detached suggests that mothers should also have other interests apart from childrearing. In families in which women also work outside the home, it is unjust that the total responsibility for child care and education be assigned to the mother. If fathers were to become more involved with children and mothers were to develop more interests outside the home, both fathers and mothers might be teaching their children and might be learning to become more effective educators. Perhaps children would be more adjusted and competent, women would be happier, and men might learn to be more concerned with human needs and human relationships.

As well as preparing children for their future roles as mothers and fathers, perhaps it would be equally as important to prepare them for their future roles as husbands and wives. The study by Danjczek (1971) which suggests that the husband-wife relationship may correlate with the child's adjustment and competence in the schools as much as the parent-child relationship suggests that we must analyze the problem of man-woman relationships as much as adult-child relationships. Perhaps we might find answers to the questions, "How can a man support a woman in child care? How can a woman support a man in his role as father?" When we have found ways of training for family living and of strengthening and supporting families, the current emphasis on marriage and the family as a source of social problems and psychopathology may be replaced by an emphasis on marriage and the family as a positive force for human development.

What is the response to the increasing recognition of the need to support families? As might be expected from our fragmented and specialized services, a fragmented approach to provision of family services seems to be developing. Current programs are sending into homes family planning aides, nutrition aides, health aides, education aides, social workers, and public health nurses. How many different persons can be sent into homes? Currently, parents are expected to be generalists with skills in health, nutrition, child care, education, recreation and the entire range of skills required to rear a child. Yet our current course is to fragment the supportive services to families. Perhaps we need a more integrated approach of a generalist, a family child care and education consultant, who could provide most of the help needed by families to rear children. The family generalist might provide training and support, might be a resource person who might assist the family in obtaining more specialized assistance, and might be an advocate for family needs. Since these generalists would have a very personal knowledge of family needs, for housing, food, clothing, books, toys, and experiences, I think they would become advocates for family needs.

In order to provide for family needs, we need to develop family agencies at all levels of government. I believe we need a National Institute on the Family much more than we need a National Institute on Alcoholism or a National Institute on Schizophrenia. Why should we focus our efforts only on remedial treatment after problems develop instead of attempting to prevent problems? Perhaps an emphasis on human ecology, on the healthy positive forces of family and community, might prevent many of our social problems. We need family agencies to be advocates and organizers. We need family research to find more effective ways of strengthening families. We need to develop a national family policy that includes but goes beyond family planning. I have been told that in France the national family union is represented at the cabinet level on social policy decisions. We need family programs and family training for a wide variety of people, both for the public and for professional personnel.

To develop political support for family agencies and family programs, we need a family lobby. Apparently organized political power is necessary to obtain legislation, funds, and programs. Labor unions have political power because they are organized. The health professions have influenced legislation through organization and the education professions are able to influence legislation by lobbying. Who is presenting the needs of families, who is organizing an effective voice for family programs? Clearly, we need a coalition of organizations that are interested in family welfare to support family legislation, programs and agencies.

In order to mobilize latent support for family programs, a group of people have developed an informal organization at the University of North Carolina to discuss family needs and possible ways of meeting these needs. The interest and enthusiasm expressed at the initial meetings suggests that many other people might be interested in such groups. If such groups would organize at universities, in communities, in the states, and at the national level, I think that effective support would be developed for that most neglected, but most important institution—the family.

We are at a critical period of choice for our child care and education institutions and professions. Are we going to continue to neglect and ignore the role of the family? Are we going to continue to supplement and implicitly supplant families? Are we going to develop preschool programs that ignore families? Are we going to develop day care centers that neglect families? Or are we going to use all of our child care and education programs to strengthen and support families and to develop a support system for family and community? The choice of supplementing and supplanting or of strengthening and supporting families will be a critical choice for the future of American families, communities, institutions, and professions. What the choice will be is uncertain, but the choice should not be made blindly but after careful consideration of both alternatives. Clearly I believe that we need to make major changes in our current child-centered approaches to child care and education, that our major effects should be devoted to integrating our professions and institutions into an effective support system for family and community.

In order to mobilize the potential energy of families and communities, we must recognize that all members of society are involved in helping relationships and teaching relationships, that everyone can be a helper and everyone can be a teacher. Fostering the child's health, welfare, and education is not merely the role of the professional but of all family and community members. We must recognize the need for a comprehensive integrated system of child care and education that integrates the work of the professions and institutions with the contributions of family and communities. Therefore, I repeat my initial challenge to you, "If you understand the importance of the family, and the need to develop a support system for the family, why don't you go out and change our professions and institutions?"

REFERENCES

Ainsworth, M. D. The effects of maternal deprivation: A review of findings and controversy in the context of research strategy. In Deprivation of Maternal Care: A Reassessment of its Effects. *Public Health Papers, 14*, Geneva: World Health Organization, 1962.

Baldwin, A. L., Kalhorn, J. and Breese, F. H. Patterns of parent behavior. *Psychol. Monogr.*, 1945, 58 (3).

Bayley, N. and Schaefer, E. S. Correlations of maternal and child behaviors with the development of mental abilities: Data from the Berkeley Growth Study. *Monog. Soc. Res. Child Developm.*, 1964, 29 (6).

Bowlby, I. Maternal care and mental health. 2nd ed. Geneva: World Health Organization: Monograph Series, No. 2, 1951.

Clarke, A. D. B. and Clarke, A. M. Recovery from the effects of deprivation. *Acta Psychologicia*, 1959, *16*, 137–144.

Coleman, J. S. Equality of educational opportunity. Washington, D.C.: U.S. Government Printing Office, 1966.

Dave, R. T. The identification and measurement of environmental process variables that are related to educational achievement. Unpublished doctoral dissertation. University of Chicago, 1963.

Douglas, J. W. *The home and the school: a study of ability and attainment in the primary school*. London: MacGibbon & Kee, 1964.

Fowler, W. Cognitive learning in infancy and early childhood. *Psychol. Bull.*, 1962, *59*, 116–152.

Gordon, I. J. Early child stimulation through parent educators. A progress report on the Children's Bureau. U.S. Dept. of H.E.W., Gainesville, Florida, 1968.

Gray, S. Home visiting programs for parents of young children. Paper presented at the meeting of the National Association for the Education of Young Children. Boston, 1970.

Gray, S. W. and Klans, R. The early training project: A seventh year report. John F. Kennedy Center for Research on Education and Human Development. George Peabody College, 1969.

Hartshorne, H., May, M. and Shuttleworth, F. K. *Studies in the Organization of Character*. New York: MacMillan, 1930.

Hess, R. D. Parental behavior and children's school achievement; implications for Head Start. In E. Grotberg (Ed.), *Critical Issues in Research Related to Disadvantaged Children*. Princeton: Educational Testing Service, 1969.

Hess, R.D., Block, M., Costello, D., Knowles,

R.T. and Largan, D. Parent involvement in early education. In Grotberg, Edith H. (Ed. *Day Care: Resource for Decisions*. Office of Economic Opportunity, Washington, D.C., 1971.

Hess, R.D., Shipman, V.C., Brophy, J. and Bear, R.B. (In collaboration with A. Adelberger). The cognitive environment of urban pre-school children: follow-up phase. Report to Children's Bureau. Social Security Administration, U.S. Dept. of H.E.W., 1969.

Hindley, C.B. Stability and change in abilities up to five years: group trends. *J. Child Psychol. Psychiat.*, 1965, *6*, 85–99.

Honzig, M.P. Environmental correlates of mental growth: prediction from the family setting at 21 months. *Child Developm.*, 1967, *38*, 337–364, 1967.

Hurley, J.R. Parental acceptance-rejection and children's intelligence *Merrill-Palmer Quart.*, 1965, *11*, 19–31.

Hurley, J.R. Parental malevolence and children's intelligence. *J. Consult. Psychol.*, 1967, 31, 199–204.

Irvin, O. Infant speech: effect of systematic reading of stories. *J. Speech and Hearing Res.*, 1960, 3, 187–190.

Kagan, J. Erratum *Child Develpm.*, 1964 35, 1397.

Kagan, J. and Freeman, M. Relation of childhood intelligence and social class to behavior during adolescence. *Child Develpm.*, 1963, *34*, 899–901.

Karnes, M.B. and Badger, E. Training mothers to instruct their infants at home. In Karnes, M.B. (Ed.), Research and Development Program on Preschool Disadvantaged Children. Project Report to the U.S. Dept. of H.E.W., 1969.

Karnes, M.B., Teska, I.A., Hodgins, A.S., and Badger E.D. Educational: intervention at home by mothers of disadvantaged infants. *Child Developm.*, 1970, 41, 925–935.

Kennedy, W.A. A follow-up normative study of Negro intelligence and achievement. *Monog. Soc. Res. Child Develpm.*, 1969, *34* (2).

Kent, N. and Davis, D.R. Discipline in the home and intellectual development. *Brit. J. Med. Psychol.*, 1957, *30*, 27–34.

Klaus, R.A. and Gray, S.W. The educational training program for disadvantaged children: A report after five years. *Monog. Soc. Res. Child. Develpm.*, 1968, *33* (4).

Levenstein, P. Cognitive growth in preschoolers through verbal interaction with mothers. *Amer. J. Orthopsychiat.*, 1970, *40*, 426–32.

Milner, E. A. A study of the relationship between reading readiness in grade one school children and patterns of parent-child interaction. *Child Develpm.*, 1951, *22*, 95–112.

Newcomb, T. and Svehla, G. Intra-family relationships in attitude, *Sociometry*, 1937, I, 271–283.

Pringle, M.L. Kellmer and Bossio, V. A study of deprived children. *Vita Humana*, 1958, 1, 65–92.

Roff, M. Intra-family resemblance in personality characteristics. *J. Psychol.*, 1950, *30* 199–227.

Rubenstein, J. Maternal attentiveness and subsequent exploratory behavior of the infant. *Child Develpm.*, 1967, *38*, 1089–1100.

Rupp, J. C. C. *Helping the Child to Cope with the School: A Study of the Importance of Parent-Child Relationships with Regard to Elementary School Success*. Groningen: Walters-Noordhoff, 1969.

Schaefer, E. S. Need for early and continuing education. In Denenberg, V. H. (Ed.). *Education of the Infant and Young Child*. New York: Academic Press, 1970.

Schaefer, E. S. Development of hierarchial configurational models for parent behavior. In Hill, J. P. (Ed.) *Minnesota Symposium on Child Psychology*, Vol. V., Minneapolis: Univ. of Minnesota Press, 1971.

Shramm, W., Lyle, J., and Parker, E. W. *Television in the Lives of Our Children*. Stanford, California: Stanford Univ. Press, 1961.

Skeels, H. H. Some Iowa studies of the mental growth of children in relation to differentials of the environment: a summary. In Whipple, G. M. (Ed.) *Intelligence: Its Nature and Nurture*. 39th Yearbook, Part II, National Society for the Study of Education, 1940. 281–308.

Skeels, H. M. Adult status of children with contrasting early life experiences. *Monog. Soc. Res. Child Development*, 1966, *31* (3).

Skeels, H. M. and Dye, H.B. A study of the effects of differential stimulation on mentally retarded children. *Proceedings of the American Association on Mental Deficiency*, 1939, *44*, 114–136.

Skeels, H. M. and Harms, I. Children with inferior social histories; their mental development in adoptive homes. *J. Genetic Psychol.*, 1948, *72* 283–294.

Skeels, H. M., Updegraff, R., Wellman, B. L., and Williams, H. M. A study of environmental stimulation: an orphanage preschool project. *Univ. Iowa Studies in Child Welfare*, 1938, *15*, N. 4.

Skodak, M. and Skeels, H. M. A final follow-up of one hundred adopted children. *J. Genetic Psychol.*, 1949, *75*, 85–125.

Smart, R. G. and Frejer, D. Drug use among adolescents and their parents: closing the generation gap in mood modification. Paper presented at the meeting of the Eastern Psychiatric Research Association. November, 1970.

Terman, L. M. and Merrill, M. A. *Measuring Intelligence: A guide to the administration of the new revised Stanford-Binet tests of intelligence*. New York: Houghton Mifflin, 1937.

Tulkin, S. R. Infant's reaction to mother's voice and stranger's voice. Social class differences in the first year of life. Paper presented at meeting of the Societ for Research in Child Development. Minneapolis, April, 1971.

Weikart, D. P. and Lambie, D. Z. Ypsilanti-Carnegie Infant Education Project Progress Report. Dept. of Research and Development. Ypsilanti Public Schools, Ypsilanti, Michigan, 1969.

Werner, E. E., Bierman, J. M., and French, F. E. *The Children of Kauai. A Longitudinal Study from the Prenatal Period to Age Ten*. Honolulu: Univ. of Hawaii Press, 1971.

Wolf, R. M. The identification and measurement of environmental process variables related to intelligence. Unpublished doctoral dissertation. University of Chicago, 1964.

Yarrow, L. I. Maternal deprivation: toward an empirical and conceptual reevaluation. *Psych. Bull.*, 1961, 58, 459–

[From Parade magazine, May 14, 1972]

How To Be a Better Parent

(By Theodore Irwin)

BINGHAMTON, N.Y.—On a shabby side street in this medium-sized industrial city, two women knock at the door of a rickety wooden building, soon to be demolished. Nora Kane, the only remaining tenant, answers. As she opens the door, her two small children rush past her and hug the visitors.

The two women, 41-year-old Sonobia Page and 60-year-old Julia Borsavage, are "outreach workers" in a federally-funded program called Home Start. The program, which now operates in 15 cities, tries to help low-income parents to understand and take care of their small children. While other government projects set up day care centers for underprivileged youngsters, Home Start works through the family. Instead of taking the child away from a troubled home, it seeks to improve the quality of life inside it.

After, the mothers in these families are harried, over-worked, impatient. Take Mrs. Kane, for instance. "When we first called on the family," reports Mrs. Borsavage, who has 12 grandchildren herself, "the kids were unsmiling, unemotional, apathetic. You can notice how different they are now. Mrs. Kane had been withdrawn, walked round barefoot in sloppy clothes, and just couldn't handle the children. Today she's really perking up and the kids are benefiting."

Mrs. Kane agrees. Her husband, long unemployed, is now working at a job obtained through Home Start. "He's stopped hollering at the kids," she says, and their marriage is on a more stable footing.

TEAMWORK

Mrs. Page and Mrs. Borsavage are two of five outreach workers in the Binghamton project. Traveling in pairs for protection in rough neighborhoods, they knock on doors, inquiring whether there are children inside. Today the five work with 121 families, with 227 children.

There has been a somewhat similar Home Start in Binghamton for six years now. Until recently, however, it was sponsored jointly by the local Catholic Social Services and the Office of Economic Opportunity (OEO), and concentrated mainly on referring families to various agencies. When, a year ago, the U.S. Office of Child Development launched an experiment in "home intervention," Binghamton was selected as one of the test cities partly because of its success in sustaining the earlier program.

Often, says Binghamton Home Start Director Dr. Dorothy Gradel, low-income mothers like Mrs. Kane suffer from malnutrition, as well as inadequate pre-natal and post-natal care. Project workers occasionally uncover cases of the "battered child syndrome," when frustrated parents reach the end of their emotional resources.

During the home visits, which take place on a regular basis, the workers try to put the mother at her ease. At Mrs. Kane's house, for instance, they compliment her on her new curtains and the neat clothes on the youngsters. While the principal targets are the mothers, fathers are also involved whenever possible, often during the evenings. "We try," says Mrs. Page, mother of four, "to build up the self-confidence of parents and make them realize what they can do for themselves and their children. We want to make them enjoy raising families."

Once the mother relaxes, the two workers gently give child-rearing hints. Most of these seem commonplace enough to middle-income, educated parents. But to low-income mothers, many of whom have never received proper instruction, they come as revelations.

SOFT APPROACH

Instead of berating the child, suggest the visitors, speak softly: "When you yell, a scared child tunes you out." The mother is encouraged to smile at the youngster, to touch and hold him as often as possible. "Take time to talk to him and hear what he's saying," explains Mrs. Borsavage. "Praise him for whatever he does well, whether it's hopping or riding a tricycle. And don't just leave him in his crib except to feed and diaper him. Talk to him and cuddle him often, to let him know you're there."

Parents are also encouraged to help develop their children's intellectual skills, utilizing simple household items. Counting and muscle control, for example, can be taught by pitching clothespins into an empty coffee can. Toothpicks or egg cartons can be used to make designs.

And of course, the visitors add, the mother should read to the child and act out what she reads—by drumming on the table, for instance, if a drum is mentioned in the story.

"The parent," explains Dr. Gradel, "is the first and most important educator of the child. Without intellectual stimulation and language development in the home, children become withdrawn, and have a hard time when they get to school later on."

In addition, visitors frequently refer parents to other agencies. If a mother on drugs threatens suicide, they call the local Drug Crisis Hot Line. A violently disruptive youngster is brought to a mental health clinic. Some parents are introduced to alcoholism

centers. Others are referred for jobs or job-training.

Home visits are only one of the program's tools. Another is a biweekly meeting, rotated among the homes of the participating families, where 10 to 15 mothers listen to experts, then discuss their problems in "rap sessions."

At one of these meetings, the moderator, Danish-born Inger Thomas, poses the first topic of the day: "What has Home Start done for you as a mother?"

Hesitantly, a heavy-set woman ventures: "I used to take my problems to a beer joint. Home Start brought me out of myself, to get a good look at what I could do for my kids."

Another woman, tired-looking but neatly dressed, chimes in: "All I could look forward to was a nervous breakdown, suicide, or having another baby. Now I know people, the home visitors, who really care about me."

In a whisper, the youngest member of the group adds: "Without Home Start I would crawl back into my hole."

The program's impact may reach far beyond the 121 families which it presently serves. According to Dr. Gradel, the parents pass on the lessons they learn to neighbors relatives and friends.

"What's more," she observes, "by educating mothers, we are helping to shape their children, so that they in turn will be better parents when their time comes. Without a program like ours, whole generations of families would grow up grounded in the same hopeless despair."

Nor, cautions Dr. Gradel, is the concept applicable only to poor families. Even college-educated parents may unwittingly slight their role as "home influentials"—by sending their children off to nursery schools instead of their development at home. Day schools may indeed be valuable, Dr. Gradel declares, but they mustn't become substitutes for parental care.

DIFFICULT JOB

In Washington, Home Start Director Ann O'Keefe agrees.

"Middle-income and even wealthy parents," she says, "are also searching for support and help in the very difficult job of child rearing. The time is long overdue for professional educators to recognize and proclaim openly that parents can contribute more to their children than the professional can. I'm convinced that parents have a far greater influence on how well their children succeed in school, and in later life, than all their schoolteachers put together.

"If we can demonstrate that Home Start is an effective way of helping parents to help their own children, perhaps many parents, rich and poor alike, will try to adapt that approach to their own families."

Mr. TOWER. Mr. President, I cannot support S. 3617, the Comprehensive Headstart, Child Development and Family Services Act of 1972.

On December 9, 1971, President Nixon vetoed the Office of Economic Opportunity authorization bill, S. 2007, among other reasons because it contained a title on child development. I consider the President's veto statement one of the best statements issued by the White House in this administration. One of the President's chief objections to the bill was:

> For the Federal Government to plunge headlong financially into supporting child development would commit the vast moral authority of the National Government to the side of communal approaches to child rearing over against the family centered approach.

Now the legislation reported out on May 16, of this year by the Committee on Labor and Public Welfare would do essentially the same thing the previous bill would have done: It would still "commit the vast moral authority of the National Government to the side of communal approaches to child rearing over against the family centered approach." This is true even though the language of S. 3617 has been altered to make initiation of the program for particular children upon the parent's request. Essentially, the Federal Government is still saying, at the very least, that it considers these programs very excellent ones, and urges all parents to take advantage of them, to the extent that funding will allow.

Mr. President, in his veto message of December 9, President Nixon also argued—and quite correctly, in my opinion—that—

> Such far-reaching national legislation should not, must not, be enacted in the absence of a great national debate upon its merit, and broad public acceptance of its principles.

Certainly no one in this Chamber would deny that in fact no such debate has taken place. Indeed, not much more has been said about it since December. None of the many Democratic presidential candidates has discussed it in any detail. Even the Committee on Labor and Public Welfare, as I understand it, held only one supplemental day of public hearings since the veto. Quite probably, few of my colleagues in the Senate have really taken the time to examine this legislation carefully and to consider its implications. However, it can be said that the reporting out of a separate child care bill distinct from Office of Economic Opportunity legislation does now present us with an opportunity to conduct this debate.

Let me say before continuing, that I object to the inclusion of the term "Headstart" in the title of S. 3617. While the 3-year authorization under the bill includes Headstart, it should be clear that the main programs envisioned by it are quite distinct from a Headstart-type program, which is oriented specifically toward the needs of disadvantaged children at an older age. Certainly some of the concepts employed by Headstart are carried over into comprehensive child development. However, unlike project Headstart, comprehensive child development has the potential of reaching the infant below the 4- to 6-year-old category.

In my State of Texas, I think it is safe to say that Headstart has been somewhat successful, particularly when contrasted with the other components of the war on poverty effort. However, the type of comprehensive care called for in this pending bill cannot be logically defended on the grounds of the Headstart project. It certainly jeopardizes the standing of the Headstart program which, while contributing some very important experiences to disadvantaged children, is still in its experimental stage.

It is also incorrect to assume, as some have, that this legislation has as its main purpose the expansion of day-care services that some of our citizens need so vitally. Because the legislation is not at all related to welfare reform and because participation is not limited to children in the Headstart age group, it is clear that the program's major intention is not to move parents from the welfare rolls to the payrolls. Even if I were to accept the concept of universal child development, and I do not, a conservative estimate of the cost of the program in fully operational form would be $20 billion per year. This is the price tag President Nixon and Selma Mushkin, a Georgetown University economist, have given to the program.

Because the authorization is for $2.9 billion over a 3-year period, it is obvious that this bill only represents a beginning of an attempt by the proponents to establish a universal child development program. Furthermore, the limited, as opposed to national debate that the President called for, is being entertained because the sponsors of the legislation wish to use passage of this legislation as an excuse to defeat any day-care component of the welfare reform bill, H.R. 1, which is not to their liking.

Mr. President, the primary role of the Federal Government in the child care areas should be to afford our citizens the opportunity to move from the welfare rolls to the payrolls and not the experiment in a development program that has not been properly tested.

Mr. President, it would seem that a debate on comprehensive child care legislation should take as its point of departure the linkage between the raising of children and the family, and not the desirability of freeing some women so that they may join the work force, or of giving employment to large numbers of college graduates in child psychology, sociology and other such disciplines who otherwise might not find employment in their fields. Our prime consideration should be the good of the child and the strengthening of the family as the chief child-raising unit in society.

In its hearings the Senate Committee on Labor and Public Welfare was seemingly not at all anxious to hear from opponents of the legislation. However, at the insistence of Senator BUCKLEY, two specialists—Dr. Dale Meers and Dr. Ernest van den Haag—were allowed to make presentations. Dr. Meers in particular has made a number of studies on the way already existing child development programs actually work, and the effect they really have on children. We should consider his findings very soberly while we are debating this legislation—incidentally, the committee report quotes Dr. Meer's testimony extensively but also very selectively, in such a way as to leave the absolutely false impression that he was basically in favor of the bill—which was not the case. Dr. Meers, for example, visited a number of child care centers in Eastern Europe and the Soviet Union. He found that Czechoslovakia is now encouraging its citizens not to place children in the state child centers. He also quotes a Hungarian official in the field of child care to the effect that Hungary hopes to limit day care programs only to those in dire economic need. This same Hungarian official was astonished that the wealthy United States would voluntarily wish to embark upon a program

of the type the Eastern European countries are striving to eliminate.

Dr. Meers' observations of the children directly involved in these programs in Eastern Europe are scarcely more encouraging. He said:

In speaking with staff about the age at which different children had entered particular day care centers, it seemed to me that one could visually discern a direct relationship between the passivity (of the children) and the length of time the children had been enrolled.

Although Dr. Meers discounts the fear which I have felt and which Senator BUCKLEY and others expressed during debates last year that the apparatus that would be established by this legislation could instill in the child particular sets of values not endorsed by the society as a whole, Dr. Meers was quite concerned about these programs' overall effect on children at a later time:

But I am most concerned that the conditions of group child care may lead to inhibitions in independent functioning as an inevitable consequence of early conditioning. If social disaster is to come insidiously through massive programs in childhood experiments, then it will come, I am convinced, via depersonalization, subtle developmental failures in personality structure, and in marginal intellectual capabilities.

Thus Dr. Meers makes it clear that we should entertain serious reservations about the inevitability of doing good for the children for whom we are supposed to be legislating.

Perhaps the crux of the problem of possible damage to small children from such programs, Mr. President, lies in the substitution of what is in truth the "cash nexus" for the love, affection, and discipline which the family should provide its youngest members. However weak the link between parent and child may be now, at least it is a human one, and not one determined by a day's pay for a day's work. Although this is a question which would require more detailed consideration, it is germane at this point to stop and consider what the eventual fiscal costs of this proposed program may be.

The current bill asks for $2.9 billion spread over the next 3 years. However, once the Congress accepts the principle of child development, may be quite certain that these costs will balloon. The committee offered an estimate of $1,600 per child, but there are a number of indications that this figure is far too low for quality child care. For example, during last year's subcommittee consideration of child development legislation, a representative of the AFL–CIO described a child care center run by a union in Chicago which is regarded as a model for development of this type of institution. Now the union does not dispose of such unlimited resources as the Federal Government, and it assuredly made a serious attempt to keep costs down. Still, it spent some $140,000 in 1 year to operate a quality day care center for the children of its workers, only about 60 in number. The union maintained a high adult-child ratio, and estimated that the cost per year per child was about $2,800. This is surely more realistic, but if the Government were involved in operating such day care centers the costs per child would probably be even higher. In any case, though nobody really knows exactly how much these programs might cost in the end, President Nixon has estimated they might run as high as $20 billion, a figure apparently concurred in by Selma Mushkin. Others have placed the price tag as high as $40 billion, which may be excessive, but perhaps not really if we genuinely wish to undertake all the things for children described in this bill. As a means of comparison, let us note that all governments in the United States spend a total of only some $12 billion for the first five grades of elementary school.

Mr. President, I could raise a number of questions about the mechanics of the proposed programs, but this is essentially pointless since I believe the program to be erroneous at the core. Instead of embarking upon programs which have not been notably successful in other countries where they have been tried, we should build upon the positive features of the Headstart program and orient our efforts specifically toward the impoverished and those on welfare, as we shall when H.R. 1 comes before the Senate. Mr. President, I do not see how the presently proposed legislation can be corrected in such a way as to meet the objections which I have just raised—and several others which I have not discussed. I urge my colleagues to join me in considering the serious questions I have discussed, and then to vote with me in opposition to this bill.

Mr. DOMINICK. Mr. President, I send to the desk three amendments which have been revised in handwriting. I ask the clerk to read them, and following that, I ask unanimous consent that they be considered en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will read the amendments.

The assistant legislative clerk read the amendments, as follows:

On page 27, lines 21 through 25, and page 28, lines 1 and 2, delete subsection (3) and insert the following subsection in lieu thereof:

(3) Such Council shall be entitled to exercise the power of approval consistent with section 102 (b)(4), and the Council's disapproval shall require a majority vote of the Council present and voting within thirty days after submission of the issue to the Council for such a vote and in the absence of such action by the Council, the issue will be deemed to have been approved. A majority of the Council shall constitute a quorum for the purpose of transacting business.

On page 17, line 22, delete the period and insert in lieu thereof a semi-colon and the word "and", and add the following new paragraph:

"(E) to assure that the local program council's disapproval shall require a majority vote of the council present and voting within thirty days of submission of the issue to the council for such a vote and in the absence of such action by the council, the issue shall be deemed to have been approved. A majority of the council shall constitute a quorum for the purpose of transacting business."

On page 30, line 10 after the word "area" insert the following: ", in accordance with section 102(b)(8)(E);".

On page 37, between lines 14 and 15 insert the following new paragraph:

(6) that the project policy committee's disapproval shall require a majority vote of the committee present and voting within thirty days of submission of the issue to the committee for such a vote and in the absence of such action by the committee, the issue shall be deemed to have been approved; and a majority of the Council shall constitute a quorum for the purpose of transacting business.

On page 37, line 15, strike out "(6)" and insert in lieu thereof "(7)", and renumber succeeding paragraphs accordingly.

Mr. DOMINICK. Mr. President, I yield myself 10 minutes.

Mr. ROBERT C. BYRD. Mr. President, may we have order in the Senate while the Senator is addressing the Senate?

The PRESIDING OFFICER. The Senate will be in order.

Mr. DOMINICK. Mr. President, under this bill the Child and Family Services Council is charged with the responsibility of approving program statements, basic goals, policies and procedures, and the selection or establishment and annual renewal of an administering agency or agencies and is responsible for annual and ongoing evaluation of the programs.

The local program councils must approve the program and must approve all operational contracts. Each project applicant must secure project policy committee approval for basic goals, policies, actions, procedures, planning, overall conduct, budgeting, location of centers and facilities, and direction and evaluation of projects.

Mr. President, I gather that I have obtained unanimous consent that the amendments be considered en bloc.

The PRESIDING OFFICER. The Senator is correct.

Mr. DOMINICK. Mr. President, this amendment is simply designed to stop what could be a major source of irritant, namely, that the councils would not take any action or that they would have a divided vote and that they would have no way of proceeding, because of the operational authority which these councils and committees have, unless approval were obtained.

In order to prevent these delays, what I have proposed, with what I hope will be the concurrence of the manager of the bill, is that if they do not act within 30 days by a majority of a quorum, it will then be considered as approved, so that the whole thing will not be bogged down in the local project committees and local project councils and child and family service councils.

The amendment retains parental participation. It does not alter the membership of the councils and the committees. It retains the requirement that the councils and committees approve of the prime sponsor's operational decisions. But it seems to me that a prompt indication one way or another by these committees can only enhance the effectiveness of the programs and make their administration far more effective.

So I would ask my friend the distinguished Senator from Wisconsin if this amendment as modified would meet with his approval.

Mr. NELSON. Mr. President, I think that this is a good suggestion that will make the functioning of the councils more effective, and I am perfectly willing to accept the amendments. I will accept

the amendments, and I yield back the remainder of my time.

Mr. DOMINICK. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time on the amendments has been yielded back.

The question is on agreeing to the amendments, en bloc.

The amendments were agreed to.

QUORUM CALL

Mr. NELSON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. On whose time?

Mr. NELSON. The time to be taken equally from each side of the bill.

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

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.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States, submitting nominations, were communicated to the Senate by Mr. Geisler, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session, the Presiding Officer (Mr. TUNNEY) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(The nominations received today are printed at the end of Senate proceedings.)

AUTHORIZATION FOR THE COMMITTEE ON COMMERCE TO FILE REPORTS UNTIL MIDNIGHT TONIGHT

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Committee on Commerce be authorized to file committee reports until midnight tonight.

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

ORDER FOR RECOGNITION OF SENATOR HUGHES TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that on tomorrow, following the recognition of the distinguished Senator from Delaware (Mr. ROTH), the distinguished Senator from Iowa (Mr. HUGHES) be recognized for not to exceed 15 minutes.

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

QUORUM CALL

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum under the same conditions as heretofore agreed to.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

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

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

COMPREHENSIVE HEADSTART, CHILD DEVELOPMENT, AND FAMILY SERVICES ACT OF 1972

The Senate continued with the consideration of the bill (S. 3617) to strengthen and expand the Headstart program, with priority to the economically disadvantaged, to amend the Economic Opportunity Act of 1964, and for other purposes.

Mr. HOLLINGS. Mr. President——

Mr. ROBERT C. BYRD. How much time does the distinguished Senator from South Carolina wish?

Mr. HOLLINGS. Five minutes.

Mr. ROBERT C. BYRD. On behalf of the Senator from Wisconsin (Mr. NELSON) I yield the Senator from South Carolina 5 minutes.

Mr. HOLLINGS. I appreciate that, and thank the distinguished assistant majority leader.

Mr. President, more than 3 years ago, in considering the problems of the poor and disadvantaged in my own State, South Carolina, I recommended a far-reaching program of day care centers for young children. In my book, "The Case Against Hunger," I said:

> Children must escape from the poverty cycle. To help them achieve this, day-care centers should be made available throughout the United States. These centers should incorporate the Headstart ideals of reaching children, not only with the most advanced training, motivational techniques and health practices, but with good food as well. These centers should be available from infancy on.

My proposal was based upon the observation that children from homes of poverty and disadvantaged often are far behind their more privileged classmates when they enter the first grade. From that point on they fall farther and farther behind, often dropping out before they even reach the sixth grade.

The legislation being addressed by the Senate today, S. 3617, can stop this vicious cycle in its tracks. We have found that one-third of the mothers with preschool children in this country, more than 4½ million of them, are working full or part time today. Because of this more than 5 million preschool children need some kind of day care services while their mothers work. But, as the Committee on Labor and Public Welfare has so aptly demonstrated, fewer than 700,000 spaces are available in licensed day care programs to serve these children.

My position on this legislation has always been clear. On December 10, 1971, I opposed President Nixon's veto of the day-care bill. At the same time President Nixon was working in favor of the guaranteed annual wage, he was vetoing a bill which would have been a sensible, tried, and true program. When President Nixon recommended his welfare reform program, he tried to do away with food stamps, he tried to do away with the prescription feeding program for expectant mothers and young minors under the age of 6, and he tried to do away with the expanded school lunch program. These were programs which were tested and were found to be workable. They were eliminating hunger and malnutrition in this country. But what did President Nixon do? He instituted the guaranteed annual wage, claiming that this would eliminate all the problems, and then turned around and tried to wipe out all these really effective programs.

The bill before us today approaches the poverty problem at its center—the child—and we can begin to turn that cycle around. We know the problem of poverty is like a multiple injury in an automobile accident. A person has a broken arm, broken leg, a broken neck, or a fractured skull. Many injuries cause suffering to one person. Many factors can lead to recovery. Here in America we have problems on health, on housing, on job training, and rehabilitation. We have hunger and malnutrition in the most wealthy nation in the world.

We have children who never reach their full capacity because they are held back emotionally and intellectually and physically because of malnutrition and because of the inability to participate in the world around them. This bill will go toward solving this problem. This bill will allow these children to have some contact with the outside world, to learn while their mothers work and not be shut away in some room in a custodial care situation.

We have heard charges that children in day-care centers will have their minds molded. But how are they being molded now? They are being molded by the despair, the lack of instruction, the lack of food, and the lack of health care.

The idea provided by this legislation is that many of these children would be brought into society for the first time. If we leave them alone, many will never even know how to turn the page of a book by the time they reach the first grade. We are paying for our mistakes now. When President Nixon complains about a "$2 billion extravaganza" that is a fallacious charge. This is a well-studied program to get down to the problems which have been perpetuated in this country for generations. This child development program will deliberately improve upon the successful Headstart program ideals which at present are only helping about 10 percent of the poor children in this country. In addition, this legislation will provide the proper prenatal, nutritional, and other needs which, even as President Nixon has noted, are currently being unmet in this country for those who need them most. Rather than disturbing the family, this kind of legislation will actually strengthen it.

It will provide child development programs which are totally voluntary. In addition it provides an entire series of services not only to children, but to families as well, so as to improve the family unit. And the program makes day care available only to those children whose parents are out of the hom[illegible] all

day. This is not going to be a glorified babysitting service. It is going to get right to the heart of our problem in this country of providing good day care for children who need it so that their parents too, can participate in the free enterprise system of this Nation.

I say, Mr. President, that now is the time to act on this legislation. For too long we in Congress have sat by and watched while the Chief Executive vetoed important programs or allowed others to die through inactivity. We have seen it in food stamps, we have seen it in commodity feeding, we have seen it in prescription feeding, we have seen it in the day care bill, we have seen it in the health legislation, and we have seen it in the all-important prescription feeding program for young children. Are we going to let it happen on this bill too? I think not. We must save the children. The children are the future of this country. We cannot visit upon the child the sins of the parents. I believe there are many who would like to punish children because the parents have not met the standards which our country might impose upon them. This is forcing us to pay the costs not only of our criticism of the parent, but also of our blind neglect of the child. We are paying in spades in this country, and that is why the bill to solve the welfare problem continues to go up and up and up. In my own State, I know the need is great. There are literally thousands and thousands of children who receive only custodial care while mothers work at borderline employment. This could be changed. These thousands of children in my own State could be assured a better future, and this legislation is the way to go about it.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. ROBERT C. BYRD. Mr. President, I yield 5 additional minutes to the Senator from North Carolina against the time on the bill under the control of the Senator from Wisconsin (Mr. NELSON).

The PRESIDING OFFICER. The Senator is recognized for an additional 5 minutes.

Mr. HOLLINGS. I thank the Senator.

Mr. President, the proposed legislation is really only part and parcel of the overall reform of the welfare mess. Some days ago, I issued in a newsletter to my constituents a discourse on the welfare mess, stating what I thought to be an analysis of what others consider the welfare mess constitutes—exactly the approaches of Senator McGOVERN, President Nixon, and others—and then I tried to outline a solution. I ask unanimous consent to have this portion of my newsletter, entitled "The Welfare Mess," printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE WELFARE MESS

Everyone talks about the welfare mess, but no one does anything about it. The reason: the Congress is kept too busy trying to block the guaranteed annual income plans of the President, Sen. McGovern and the National Welfare Rights Organization. All these proposals for "Family Assistance" and "Welfare Reform" will, in fact, create a bigger mess.

What is the welfare mess? Most people think: (1) too many people are on welfare; (2) administrative costs are prohibitive—there is too much time and money spent investigating; (3) too many welfare cheaters; (4) welfare promotes freeloading; and (5) welfare imprisons the poor with such a pittance that they can never escape.

Now for the proposals. President Nixon proposes to give every family of four in poverty $200 per month or $2,400 per year. Sen. McGovern proposes $4,000 a year and the welfare rights group demands $6,500 a year. President Nixon and the Welfare Righters would double the welfare rolls from 14 million to 28 million recipients. And, Sen. McGovern would put 104 million Americans or half the nation's population on welfare. The Nixon proposal costs $11.7 billion, the Welfare Righters' costs $50 billion and Sen. McGovern's costs $72 billion. The Nixon and Welfare Rights proposal would require 80,000 more Federal employees and it would be 18 months before the first check could be issued. McGovern says he doesn't know how many more employees his program would require. It is obvious that these proposals make the welfare mess messier. And once again we have overpromised and underperformed. We tell the taxpayer the welfare mess has been eliminated and we tell the welfare recipient, "Your problems are over." But the problems for both have just begun. None of these plans provides for education, local participation, or for needed institutions. Supposedly welfare families will get their $2400 or $4000 or $6500, which in theory will not only solve their food problems—but also health, housing, education, and jobs. Not one of these plans provides one more doctor or hospital bed or classroom or a single additional dwelling. Even with money, where will the poor find these?

Without local participation and local administration—with just mailing out that check—where will the money end up?

Higher grocery bills because of increased food prices, higher rents because the landlord knows he can get more money, excessive finance costs because the loan shark sees an opportunity for more profit and rising health care costs like we have seen with Medicare. Just throwing money at a problem will not solve it. Look at New York City—they have tried it. They give $1 billion each year to their 1 million citizens on the dole—$1,000 a person. And New York has the biggest mess of all.

Today we are heading in exactly the wrong direction. Instead of building up institutions and service programs, the Administration is tearing them down. Give them cash, the President says, as he eliminates day care centers and emergency feeding programs, plays numbers games with school lunch statistics while millions go hungry, and phases out food stamp and other feeding programs. A year after the guaranteed annual wage goes into effect, the overburdened taxpayer will be shouting, "Now you have the money—shape up, you bums." And the poor will still be distraught and hungry.

HUNGER

The Supreme Court has just ruled that states may pay families with dependent children smaller welfare benefits than those paid to the aged and disabled. The rationale is that "the young are more adaptable than the sick and elderly, especially because the latter have less hope of improving their situation in the years remaining to them." Thus we have enshrined into American jurisprudence the fallacy that the critical time in life is old age—that dependent children can improve their situation. False! Absolutely false! Forbid that we deny either the aged or the child. But of one thing we are sure: the greatest injury to the human brain is caused by malnutrition at infancy; and once suffered there is no "hope of improving their situation in the years remaining to them."

The human brain consists of 13 billion brain cells. Ten of these 13 billion develop the first five months in the mother's womb, but as many as two billion or 20 per cent of the cells never develop in some infants because of malnutrition of the mother. Once lost, these cells never repair. Later, the child can drink milk, take vitamins; body and bones will grow strong but the child will still end up a drone. From birth until five years of age, the brain continues its rapid development. During this critical period, children born with normal brains can still lose growth from malnutrition and for the rest of life, the brain won't concentrate, it won't assimilate, it won't respond. All the rehabilitation and training you can give it will be just like water off a duck's back. And this injured human will be labeled a lazy bum. Everyone always asks who is going to pay for all this welfare.

Already we have been paying through the nose. Those with underdeveloped brains fall behind in school, get out of sorts with their own age groups, resort to mischief, and end up in jail. And the retarded suffer illnesses to a greater degree. Accordingly we build bigger jails, we readily pay $70 a day for hospital rooms, we appropriate millions for rehabilitation and mental institutions—continuing to treat the result rather than the cause. Hunger is the beginning of poverty. The poverty cycle goes from hunger to poor housing to inferior environment to ill health to faulty training to jail or joblessless to welfare. There are families who have been on welfare for five generations. To me, this is the welfare mess that must be corrected.

SOLUTION

First, the child in the mother's womb must be adequately nourished. Society scorns the expectant mother who cannot identify the father. But rather than penalizing the expectant mother, we should be worrying about breaking the vicious cycle by improving her offspring. Regardless of what we think about the mother's morality or deservedness, the child is not immoral. The child is coming, and it is society's child. This means nourishment for the child during those all-important months in the mother's womb. If the child is denied that, we can forget about he or she ever becoming a fully productive member of society.

Step Two—Give the child a hot breakfast.

Step Three—Provide a day care center. Then the mother can work, or at least the child can receive training in the proper environment. We voted for this in Congress, but President Nixon vetoed it calling it communal living. It is a cruel joke to look upon the welfare child's situation as a normal home. Rather than communal living, day care centers provide their only chance.

Step Four—Complete the food stamp program and school lunchroom program. These have had shaky starts but are now proving their worth. The biggest objection we have to food stamps is that the poor swap the stamps for luxury foods or liquor. We should improve the policing of this but certainly the solution is not to give cash.

Step Five—Get at our health needs with comprehensive health centers that have worked extremely well along with our feeding programs but have for all intents and purposes been eliminated in this Administration.

Of course, feeding programs for the elderly as well as children would be provided. Thereupon you would have the hunger and health problems being properly treated and you could move on up the line to housing, education and job training. Poverty must be treated on a case basis. The programs of government are all there. The elements of local participation and local administration so necessary to the success of any program are all there. We have the categories of hunger care, health care, dependent children, welfare mothers, the aged, blind, sick and

disabled. What adulterates all the proposals before Congress is the attempt to bring poverty families above the poverty line—$4,110 for a family of four. This involves putting millions of marginal wage earners on welfare. It involves massive forced-work schemes costing billions to create jobs and administer, which in turn creates more mess than before. Income maintenance for the marginal wage earner can be supplied by extending the food stamp program to the 15 million that are eligible and have yet to receive them, and putting food services in the 23,000 schools in America that still lack feeding facilities. We can complete the housing program and institute health insurance. But let's hold up on cash until we get some facilities built and these basic problems solved.

I don't believe we ought to tax one man to pay another man who won't work, and I don't think government should make welfare more attractive than work. But this is no reason why we can't go to the heart of America's welfare mess—hunger. After giving 81,000 complete physicals in 10 States, the National Nutrition Survey found there were 15 million hardcore hungry in America. We were on course and about to solve this problem until Mr. Nixon came along with his grandiose guaranteed annual wage. Since that time we have been squabbling over workfare and welfare. The hungry have gone hungrier, and the taxpayer pays more and receives less.

COST OF SOLUTION

1. The number of people on welfare would remain practically the same—8 million children under the age of 21; 4 million disabled and elderly; 2 million mothers of dependent children; with 126,000 able-bodied men—less than one per cent on welfare able to work.

2. The cost for expanded family feeding programs—$3 billion; for an adequate school lunch program—another $1 billion; for a school breakfast system—$500 million; for day care centers—$2 billion; for comprehensive health centers—$5 billion. That is $11.5 billion.

Where do we get the money? Last December, I voted against the $15-billion tax cut. Granting business investment credits and depreciation allowances—these are the tax loopholes that everyone now wants to close.

The cost of 535,000 troops and dependents in Europe is $19 billion a year. Cut this back like President Eisenhower suggested in 1963 to 100,000, saving $12 billion. Spend $2 billion on the Sixth Fleet strengthening defense, and take $10 billion to solve the welfare mess. Eliminate the President's proposed Volunteer Army, saving $3 billion. This is $28 billion for starters—and all we need is 11.5. There is no need to increase taxes.

Mr. HOLLINGS. At this point, I also wish to bring into issue an article by James J. Kilpatrick, published in the Washington Star of Sunday, June 11, entitled "Child Development: Once More Into the Swamp." I ask unanimous consent to have the article printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CHILD DEVELOPMENT: ONCE MORE INTO THE SWAMP

(By James J. Kilpatrick)

If our Republic dies before the end of this century, it likely will die not from Soviet missiles, but from our own internal frustrations. For an agonizing example of frustration in motion, consider the latest child development bill: It offers a fine manifestation of our national talent for making bad matters worse.

The bill was reported May 16 by the Senate Committee on Labor and Public Welfare. Even Colorado's conservative Sen. Peter H. Dominick, though he voiced reservations, voted to send the bill to the floor. It is entirely probable that the bill will pass.

By any rational standard, or so it seems to me, this is a bad bill. To be sure, it is not as bad as the monstrous measure that President Nixon vetoed last December. In its revised form, the proposed child development program would cost a little less than the earlier version, at least at the outset, and perhaps it would not be quite so impossible to administer. When that has been said, the best has been said.

The new bill is directed toward some 2,000 cities of more than 25,000 population. In each of these, one or more child development centers would be created. These would not be mere day-care facilities. The bill makes that clear. The purpose of the program is not merely to care for children, but to develop them. The idea is to provide "educational, nutritional, health, and other services," including the diagnosis and treatment of "physical, mental, psychological, and emotional barriers to full participation in programs."

The cost per pre-school child is estimated at $2,372 per year.

The bill proposes a start-up authorization of $150 million for the coming fiscal year, to be followed by authorizations up to $1.2 billion in fiscal '74 and $1.6 billion in fiscal '75.

The senators who have sponsored this bill, chiefly Mondale of Minnesota and Javits of New York, are not lunatics. They are good and decent men who are searching conscientiously for some way to break an iron ring that hobbles society.

All of us are dimly aware of this imprisoning circle. The ghetto child, born to poverty, passes his first few critical years in an atmosphere of social disruption. There is typically no father around; the mother works; the infant is dumped with any baby-sitter who may be handy. The child's medical and emotional needs are left unattended. He gets off to a poor start in kindergarten or the first grade. It is hardly to be wondered that the male child of this milieu grows up to rob service stations and the female child to spawn illegitimate offspring. Whereupon the process all begins anew.

If this depressing cycle could be broken for $2,372 per year per pre-school child, it might be the best money the taxpayers ever spent. Twenty years down the road, the program might deliver productive, law-abiding citizens. The ring might be broken.

But it is part of the frustration that no convincing evidence exists to suggest that the program will work. On the contrary, there is sound reason to believe it would fail. As Dr. Ernest van den Haag emphasized in testifying before the committee, we know little about the "right" way to deal with children. Who could insure that the centers would be staffed by competent persons? The nation's experience with teacher selection and with social workers, as he said, "is highly discouraging."

Add to the difficulties of competent staff the difficulties of efficient administration: The bill proposes a maze of overlapping councils and committees. Admit the virtual certainly that the costs are underestimated. Consider the failure of the present program of Aid to Families with Dependent Children. And let us pray over the wisdom of shifting to the state—to the taxpayers—one more obligation that ought to be the responsibility of the family instead.

I don't pretend to have a good and workable answer; but I have read this 79-page bill, and thought about the costly and cumbersome swamp the bill would provide, and I am satisfied this isn't it.

Mr. HOLLINGS. With respect to Mr. Kilpatrick's article, I bring into issue in my newsletter the very points we are trying to make in the present debate. I wish I could get into a debate with someone who has worked on this program; but, barring that, I would debate with my good friend, for whom I have the highest regard, Mr. Kilpatrick. He finds the same things we find—that it a mess and we have failed. Then he states further on that these day centers would not be mere day-care facilities, that the program is not only to care for children but to develop them.

The idea is to provide "educational, nutritional, health, and other services," including the diagnosis and treatment of "physical, mental, psychological, and emotional barriers to full participation in programs."

He speaks of that with alarm, just as many others refer to the present program, that this would give custodial care.

The President stated in his veto message that it would result in communal living. The inference is that something is wrong with day-care centers at ages 1 to 6. If there is a greatness to this land, it is the public school system. On what do we pride ourselves? On taking a child at 6 years of age and putting him in the first grade in the public school program, which means just that—public, publicly supported, and publicly operated and administered, at the local level, by the local PTA. But as soon as we propose a similar program for the 2-year-old or the 3-year-old or the 4-year-old, President Nixon calls it communal living and others call it communism and say that we are trying to mold the minds of the young children. Nothing could be further from the truth.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. ROBERT C. BYRD. I yield the Senator 1 additional minute.

Mr. HOLLINGS. The point is that their minds are being molded now. We are just on another program.

The Senator from Massachusetts (Mr. KENNEDY) and I are trying to help Bobby Lee Hunter, the two-time AAU flyweight champion of America, who has competed in the U.S. Olympics and is prepared to go to the International Olympics. He was born in "Do-As-You-Choose Alley" in my hometown. His mother was retarded. There was no family. He was a dropout from school, and he found himself charged with and convicted of manslaughter. He is serving his time. We are trying to rehabilitate him. But I am trying to prevent future Bobby Lee Hunters, so that they will have a home and will not grow up in "Do-As-You-Choose Alley."

Mr. Kilpatrick and the opponents of this bill say that all children in America can continue to be born and raised and exist in "Do-As-You-Choose Alley." I am trying to eliminate that with this bill, and I support the Senator from Wisconsin and the Senator from Minnesota in their very fine efforts in this regard.

I thank the distinguished Senator from West Virginia for yielding me the time.

QUORUM CALL

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

ask unanimous consent that the time be charged equally against both sides on the bill.

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

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.

A 20-MINUTE RECESS

Mr. ROBERT C. BYRD. Mr. President, I move that the Senate stand in recess for 20 minutes and that the time not be charged against either side.

The motion was agreed to; and at 1:27 p.m. the Senate took a recess for 20 minutes.

The Senate reassembled at 1:47 p.m., when called to order by the Presiding Officer (Mr. Moss).

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the bill (S. 3338) to amend title 38, United States Code, to increase the rates of compensation for disabled veterans, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the bill (S. 3343) to amend chapter 21 of title 38, United States Code, to increase the maximum amount of the grant payable for specially adapted housing for disabled veterans, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 12602. An act to amend title 5, United States Code, to improve the administration of the leave system for Federal employees;

H.R. 14423. An act to amend the Rural Electrification Act of 1936, as amended, to enhance the ability of the Rural Telephone Bank to obtain funds for the supplementary financing program on favorable terms and conditions;

H.R. 14974. An act to amend certain provisions of law relating to the compensation of the Federal representatives on the Southern and Western Interstate Nuclear Boards; and

H.R. 15048. An act to amend the Merchant Marine Act of 1970.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

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

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;

H.R. 9580. An act to authorize the Commissioner of the District of Columbia to enter into agreements with the Commonwealth of Virginia and the State of Maryland concerning fees for the operation of certain motor vehicles, and the enforcement of traffic laws; and

S.J. Res. 211. A joint resolution to amend title IV of the Consumer Credit Protection Act establishing the National Commission on Consumer Finance.

The enrolled bills and joint resolution were subsequently signed by the Acting President pro tempore (Mr. HARRY F. BYRD, JR.).

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred, as indicated:

H.R. 12602. An act to amend title 5, United States Code, to improve the administration of the leave system for Federal employees; to the Committee on Post Office and Civil Service.

H.R. 14423. An act to amend the Rural Electrification Act of 1936, as amended, to enhance the ability of the Rural Telephone Bank to obtain funds for the supplementary financing program on favorable terms and conditions; to the Committee on Agriculture and Forestry.

H.R. 14974. An act to amend certain provisions of law relating to the compensation of the Federal representatives on the Southern and Western Interstate Nuclear Boards; to the Committee on the Judiciary.

H.R. 15048. An act to amend the Merchant Marine Act of 1970; to the Committee on Commerce.

QUORUM CALL

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time for the quorum call not be charged against either side.

The PRESIDING OFFICER (Mr. Moss). Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. RIBICOFF). Without objection, it is so ordered.

COMPREHENSIVE HEADSTART, CHILD DEVELOPMENT, AND FAMILY SERVICES ACT OF 1972

The Senate continued with the consideration of the bill (S. 3617) to strengthen and expand the Headstart program, with priority to the economically disadvantaged, to amend the Economic Opportunity Act of 1964, and for other purposes.

Mr. JAVITS. Mr. President, with the permission of the Senator from Wisconsin, I yield myself 10 minutes on his time.

Mr. President, I urge the passage of this bill, having been closely a party to the way in which it was worked out.

Mr. President, I urge passage of the committee bill, S. 3617, the Comprehensive Headstart, Child Development, and Family Services Act of 1972, and it is my hope that a similar measure will be adopted by the other body and signed into law by the President.

This is a bipartisan proposal based upon S. 3228, a bill of that same title which I introduced on February 24, with Senators TAFT, SCHWEIKER, PACKWOOD, and STAFFORD—each members of the committee—and Senators BOGGS, BROOKE, CASE, COOK, HATFIELD, MATHIAS, PERCY, SAXBE, and STEVENS, and a similar measure contained in S. 3193, proposed by Senators NELSON and MONDALE.

The committee bill is designed to provide a legislative framework for increased educational and other developmental opportunities for preschool and other children whose parents request them in order to engage in employment, training or education or otherwise to enhance the well-being of their families; it authorizes $2.95 billion over a 3-year period for that purpose, with fiscal 1973 as a planning year. The program would become fully operative in fiscal year 1974.

Mr. President, in vetoing S. 2007, the Economic Opportunity Amendments of 1971, referring to the child development title, which had been included therein, the President said:

I . . . hold the conviction that such far-reaching national legislation should not, must not, be enacted in the absence of a great national debate upon its merit, and broad public acceptance of its principles.

We now can have that debate free of other issues because, at my urging and that of other Members of the minority, the bill is presented and the issue is framed free of the extension of the poverty program. The latter will be considered separately by the Senate in S. 3010, reported by the committee at the same time as this measure.

Mr. President, there are, in my opinion, two key questions before the Senate and the Nation. First, is a Federal commitment to developmental child care opportunities and related services in the interest of children and thus desirable as a matter of policy? Second, if so, does this particular proposal represent a viable means of implementing that commitment?

DESIRABILITY AS A MATTER OF POLICY

Mr. President, there can be little doubt that there is a substantial need for increased developmental child care opportunities and related family services.

At the present time, there are only 700,000 licensed child care "slots" available in the Nation.

In contrast, there are currently:

One million poor children under the age of 6 whose mothers work, and approximately 2 million children between the ages of 6 and 14 in such families.

One million preschool children, and 1 million schoolchildren in families with income between $4,000 and $7,000 with mothers in the working force;

Two and a half million preschool children in families below the poverty line where the mother is not working.

One and one third million mothers in all socioeconomic groups who are bringing up their children without a husband.

In 1971, 43 percent of the Nation's mothers worked outside the home compared with only 18 percent in 1948.

One in every three mothers is working today, compared with one in eight in 1948.

With only 700,000 licensed child care slots available in the Nation, and 8.8 million children who might benefit there-

from, it is legitimate to ask who is taking care of the children. The answer in thousands of cases is "no one." A survey conducted by the Women's Bureau of the Department of Labor in 1965 identified 18,000 latch-key children.

But for the most part, children of working mothers are being dropped in substandard child care facilities or in inadequate home care situations.

The report of the National Council of Jewish Women entitled "Windows on Day Care," issued just a month ago concluded, on the basis of an extensive survey, that only a small percentage of the children whose mothers are employed now benefit from developmental day care services.

The President's 1970 White House Conference on Children—bringing together parents, pediatricians, health, welfare, and other experts on children—voted as their first priority the provision of comprehensive family oriented child development programs.

And indeed this opinion of experts is supported by the public at large. A 1969 Gallup poll—conducted long before the issue was raised nationally—established that 65 percent of Americans support expanded funding for child care centers.

The sponsors of this legislation believe that the States and the cities cannot provide these opportunities without Federal assistance; thus, we feel that a legislative framework should be established in which communities themselves may provide opportunities for children and families in their own way.

REBUTTAL OF ARGUMENTS AGAINST CHILD DEVELOPMENT LEGISLATION

Mr. President, the opponents of child development legislation have put forth a number of arguments against such a commitment. Let us examine them closely.

First, they say that we do not know enough about child development programs to mount any significant Federal effort and suggest that programs may be damaging to children.

But the President himself said, in his February 1969 message to the Congress concerning child development:

> Much of our knowledge is new. But we are not on that ground absolved from the responsibility to respond to it. So crucial is the matter of early growth that we must make a national commitment of providing all American children an opportunity for healthful and stimulating development during the first five years of life.

And in his veto message regarding S. 2007, the President referred to the Headstart program—upon which we have based this legislation—as a "tried and tested program which paves the way for a wider application of successful techniques."

Mr. President, because some of our knowledge is new, we took great pains to include in the bill safeguards designed to insure that programs benefit and are not detrimental to children.

To this end, the bill provides that all programs are voluntary, for continual review of the appropriateness of activities with respect to each child, and special safeguards for young children.

Second. Opponents say that the provisions of Federal funding for a child development will act as an incentive for mothers to leave the home, encouraging a kind of "de facto desertion."

The issue is not whether mothers should be encouraged to leave the home but whether we are going to make it possible for mothers already in the labor force to have adequate developmental child care available to them.

Even with our bill, assuming that the $1.6 billion authorization for the third year were appropriated and applied to preschool opportunities—we could add less than 800,000 opportunities, to the 700,000 in being for a total of 1.5 million opportunities against the potential need of 8.8 million.

Third, opponents say that we are undermining the chance of the administration's welfare reform measure, H.R. 1, and its child care provisions and that any other child development legislation would be "redundant" to or "duplicative of" that proposed effort.

Mr. President, generally speaking, the sponsors of this legislation support welfare legislation; in fact last year we wrote the President to that effect and that commitment still holds.

We do not see this measure as a substitute for child care under welfare reform, rather we view it as a necessary supplement in both a qualitative and quantitative sense.

As a qualitative matter, our bill focuses on developmental activities, building on the Headstart program; in contrast H.R. 1 focuses on child care designed primarily to assist low-income persons to work their way off the welfare rolls.

Quantitatively, it may be noted that even if all of the 700,000 existing "slots" were applied to the poor and added to the 875,000 contemplated under H.R. 1, the resulting 1.7 million opportunities is inadequate to the 7.5 million poor and near poor children who are in or on the edge of welfare dependency, much less to meet the needs of other children whose mothers work.

Therefore our bill contains the fee schedule provisions worked out with the administration last year under which there would be no charge for services up to $4,320 for a family of four, and modest fees could apply for the "near poor" between $4,320 and $7,200, the Bureau of Labor Statistics "lower living standard"; the Secretary of Health, Education, and Welfare would establish the schedule beyond that point.

Fourth, and in my opinion most misleading, is the suggestion made by the opponents of Federal legislation that it would somehow "Sovietize" or "communize" the Nation's children or families.

Nothing could be further from the fact. Those who have studied programs in Communist countries know that there is a great distinction between their state-run compulsory system and the parent-controlled voluntary system which we propose.

MEANS OF IMPLEMENTATION

Mr. President, in his veto message, President Nixon said that the purpose of the vetoed title was "laudable" but that it had been "overshadowed by fiscal irresponsibility, administrative unworkability, and family weakening implications of the system it envisions."

We have sought in this measure, as we did in S. 3228, to meet these specific objections.

First, with respect to fiscal responsibility, the committee bill authorizes $1.2 billion for the first fully operative year, fiscal year 1974, and $1.6 billion in the following year, the same basic authorizations as were contained in S. 3228. This represents a substantial change from the vetoed title, which commenced with an authorization of $2 billion for the first fully operative year.

Second, with respect to administrative workability, we have given sponsors clear responsibility for conducting the program vis-a-vis the child development councils to be established at each level of administration, provided for statewide planning, and established coordination with other efforts.

Significantly, the bill requires that any city, county, or combination of local units of general government applying as prime sponsor serve a population of 25,000 or more persons as well as meet certain substantive criteria. Under this provision it is estimated that the Secretary would designate less than 2,000 prime sponsors, compared with 7,000 sponsors under the vetoed bill, which had a minimum population requirement of only 5,000. State governments will serve as prime sponsors for areas of the State for which a local prime sponsor does not qualify.

The most important result of these actions is that State governments—which the President described as having an "insignificant" role under the vetoed bill—would now have a substantial role.

Third, in terms of family strengthening aspects, the bill contains a number of elements to which we contributed to insure that child development programs will serve to strengthen the family. These include provisions emphasizing that child development services are voluntary; providing a greater number of options to parents; emphasizing the provision of child related services to other members of the family, such as prenatal care; providing for the involvement of parents in programs and extending special protection for young children. Importantly, at least half of the membership of councils to be established at the prime sponsorship area and project level are to be parents of children enrolled in child development programs.

Mr. President, I shall close as I began, with reference to the President's statement that such legislation should be enacted only after a debate upon its merit and broad acceptance of its principles.

The basic merit of this legislation is the provision of developmental child care for children who would otherwise be completely neglected or subjected to arrangements not clearly in their interest.

And the basic principles of this legislation are opportunity, decisionmaking at the community level, and parental involvement.

Mr. President, while I know that there will be amendments to this bill regarding the delivery system, I hope that there

will be agreement on its general merit and on these principles, which I believe are so essential to the future of the Nation's children.

Mr. President we really have no alternative, because there is no greater and dearer responsibility of government than with respect to damage to the children. The fact is that there is ongoing damage today, that there are enormous areas in which the parental responsibility simply will not extend unless the State extends it to the kind of care to which a child is entitled in order to be a decent American citizen, not only with security to himself or herself but also with security to the whole community in which he or she lives.

I ask unanimous consent to have printed at this point in the RECORD a memorandum of supplemental views which I submitted with Senators SCHWEIKER, TAFT, PACKWOOD, and STAFFORD, together with an editorial published in the May 19, 1972, issue of Parents magazine, by its publisher, George Hecht, as being upon our support of this bill.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SUPPLEMENTAL VIEWS OF MESSRS. JAVITS, SCHWEIKER, PACKWOOD, TAFT, AND STAFFORD

We support the "Comprehensive Headstart, Child Development and Family Services Act of 1972", which is a bipartisan compromise proposal based upon S. 3228, which we introduced on February 24 with 9 other Republican co-sponsors, and a similar measure contained in S. 3193.

We are pleased that the Committee chose to report this measure separately from the extension of the Economic Opportunity Act, as we urged, so that there will be full opportunity for debate on child development legislation, and the essential extension of our anti-poverty efforts will not be further delayed.

A separate bill, the Economic Opportunity Amendments of 1972, S. 3010, has been reported by the full Committee simultaneously with this measure.

We believe that a legislative framework should be provided for increased educational and other developmental opportunities for preschool and children whose parents request them in order to engage in employment, training, or education or otherwise to enhance the well being of their families.

At the present time there are only 700,000 licensed child care "slots" available in the Nation, while there are five million children of working mothers in families with incomes under $7,000, as well as 2.5 million low-income preschool children whose mothers are not employed. Overall, in 1971, 43% of the Nation's mothers worked outside the home compared with 18% in 1948.

The unfortunate result has been that millions of working mothers and many others who need supplemental educational and other services for their children have been unable to find adequate child development opportunities.

In his message of December 9, 1971, vetoing S. 2007, the Economic Opportunity Amendments of 1971, President Nixon stated that the "laudable" purpose of the child development title had been "overshadowed by": "fiscal irresponsibility, administrative unworkability, and family weakening implications of the system it envisions."

We have sought in this measure, as we did in S. 3228, to meet these specific objections relating to the system established under the vetoed bill.

First, with respect to fiscal responsibility, the Committee bill authorizes $1.2 billion for the first fully operative year, fiscal year 1974, and $1.6 billion in the following year, the same basic authorizations as were contained in S. 3228. This represents a substantial change from the vetoed title, which commenced with an authorization of $2 billion for the first fully operative year.

We consider these amounts to be fiscally responsible both in terms of the extent to which new resources may be effectively channelled through the system each year, and in light of the amounts spent upon remedial programs that attempt to correct the damage inflicted upon many children who lack such opportunities during early childhood.

Second, the bill contains a number of new provisions, many of which were adopted from S. 3228, to ensure its "administrative workability"; they include provisions:

Requiring that any city, county, or combination of local units of general government applying as prime sponsor serve a population of 25,000 or more persons as well as meet certain substantive criteria. Under this provision it is estimated that the Secretary would designate less than 2,000 prime sponsors, compared with 7,000 sponsors under the vetoed bill, which had a minimum population requirement of only 5,000. Importantly, state governments will serve as prime sponsors for areas of the State for which a local prime sponsor does not qualify;

Giving state and local prime sponsors clear administrative responsibility for conducting the programs. Under the vetoed bill, the lines of administrative responsibility between the prime sponsors and the child development councils established were unclear. The Committee bill limits the role of such councils to approving certain basic actions taken by the prime sponsor;

Providing for "annual family service plans" to be submitted by State governments, in conjunction with local prime sponsors, to ensure statewide coordination and maximum utilization of resources; and

Ensuring coordination with other efforts for children, including those conducted in the schools.

These provisions also will ensure a substantial role for State governments, which the President described as "insignificant" under the vetoed bill.

Third, in terms of family strengthening aspects, the bill contains a number of elements to which we contributed to ensure that child development programs will serve to strengthen the family. These include provisions:

Emphasizing that child development services are voluntary, that is provided only at the request of parents who choose to use them and not as a matter of universal application;

Providing a greater number of options to parents, ranging from full or part day services in centers to in-home services, in each case considered supplemental to family efforts;

Emphasizing the provision of child related services to other members of the family, such as prenatal care, so that child development centers will be family centers; and

Providing for the involvment of parents in programs.

Importantly, at least half of the membership of councils to be established at the prime sponsorship, area and project level are to be parents of children enrolled in child development programs.

In our opinion, these provisions distinguish the programs contemplated under the Committee bill from the state run compulsory system which exists in other countries.

We support the basic fee schedule provisions of the Committee bill, worked out with the Administration last year, under which free services would be provided to families with incomes up to $4320 for a family of four, with modest fees between that level and $7214, the so called Bureau of Labor Statistics "lower living standard". The Secretary would establish the fee schedule for families with incomes above that level.

Significantly, the Committee bill includes an additional provision from S. 3228 to ensure that any schedule established by the Secretary will permit continued participation as income rises, and that prime sponsors may request permission to charge fees below those prescribed in order to meet special local circumstances.

We also note that the bill authorizes greater funding for training than S. 2007, an aspect which the President considered deficient.

In conclusion, we believe that the Committee bill represents a viable means of implementing the objective, which the President articulated so well in February 1969, when he said:

"So crucial is the matter of early growth that we must make a national commitment to providing all American children with the opportunity for a healthful and stimulating development during the first five years of life."

We urge that the Committee bill be approved by the Congress and signed into law so that the Nation's commitment to full opportunity may be implemented fully.

Jacob K. Javits, Richard S. Schweiker, Bob Packwood, Robert Taft, Jr., Robert T. Stafford.

[From the Philadelphia Inquirer, Apr. 29, 1972]

ANTIPOVERTY BILL VOTED TO AVOID NIXON VETO

The Senate Labor Committee has passed a $9 billion antipoverty bill that comes closer to the requirements President Nixon sought when he vetoed a similar bill last December.

The committee added a key provision to the bill transferring the legal services program from the Office of Economic Opportunity to an independent corporation. It now goes beyond last December's measure by giving Mr. Nixon absolute control of the new agency.

The Persident turned down the previous bill because it didn't allow him direct control of the corporation.

Sen. Jacob Javits (R., N.Y.) added the provision giving Mr. Nixon that privilege because, Javits said, it was essential to prevent another veto.

The bill authorizes about $3 billion for the current fiscal year and each of the coming two fiscal years. The allotments would include $1 billion for regular OEO programs, $950 million for manpower training programs, $500 million for the Neighborhood Youth Corps., $500 million for pre-schoolers in Head Start and $100 million for the Follow Through program for children after they enter school.

[From the Washington Post, May 4, 1972]

SENATE PANEL PASSES ALTERED DAY CARE BILL

The Senate Labor and Public Welfare Committee yesterday approved a toned-down version of the day care bill vetoed last year by President Nixon.

The measure would provide free, high-quality day care for the children of the poor, subsidized care for low-income families, and care at fees set by the government for other children.

The bill authorizes expenditures of $1.2 billion for the year starting in mid-1973 and $1.6 billion the following year.

The bill was approved by voice vote with considerable Republican support. But Sen. Peter H. Dominick (R-Colo.) said he remained opposed and would fight the bill on the Senate floor. Sen. Jacob K. Javits (R N.Y.) said he felt changes made by the committee would meet Mr. Nixon's objections.

[From Parent's magazine]

WHAT MUST BE DONE TO MEET THE NEEDS OF ALL AMERICAN CHILDREN

(By George J. Hecht)

Why, in this, the richest nation of the world, do more than ten million children live in bitter poverty? Why is our infant mortality rate higher than that of twelve other countries, including England, Sweden, and Germany? And why is our illegitimacy rate so high—close to half a million babies born out of wedlock each year, nearly a third of them to mothers who are teenagers?

Why do we provide day care services for only 650,000 boys and girls when there are six million preschool-aged children of working mothers who desperately need such care, and more than a million more youngsters under fourteen who are left alone to look after themselves while their mothers work?

What about the need for good expanded foster care services for our hundreds of thousands of homeless children, the majority of whom are legally unadoptable? And what of those adoptable children for whom it is so hard to find a home—minority group youngsters and those who are physically or mentally handicapped? What of the heretofore largely hidden problem of the abused and battered children, estimated by authorities to vastly exceed the 7,000 reported last year?

What does it indicate about our nation that 50 per cent of all crimes are now committed by boys and girls under eighteen years of age? Did you know that about a million children will drop out of school this year because of the widespread, generalized failure of the schools to reach and teach the children who attend them, and because of inadequate preventive and remedial mental health programs?

These are among the urgent problems discussed in our special issue this month on the continuing needs of American children and what can—and must—be done to meet them.

In this issue of the magazine we describe some of the many fine programs, both public and private, which are now underway or being planned to foster the physical, emotional, and intellectual well-being of children, and to help them become productive and happy members of their families and of society at large. But unfortunately we also find that these programs are only a small fraction of what is—urgently—needed. Not nearly enough is yet being done for our youngest citizens.

We must have more federal legislation and more adequate appropriations, and we must have one central governmental body, perhaps an Office of Services to Children and Youth, to coordinate federal programs and funds so that all aspects of child welfare services are available, on ability-to-pay basis, to everyone who needs and wants them. All parents should write to their Congressmen urging them to support comprehensive child care programs. Our children are unable to speak for themselves; we must be their spokesmen, their advocates, working on their behalf to see that society as a whole plays its proper role in helping parents provide for, protect, and nurture our leaders of tomorrow.

Mr. MONDALE. Mr. President, I express my deep appreciation and admiration for the leadership which the Senator from New York (Mr. JAVITS) has provided in the area of care for the children of our country. No person in the Senate has been more concerned, in a more responsible way and for a longer period, than has the Senator from New York. Some of the earliest legislation in this field was introduced by him.

The fact that we have been able to develop, over the past 2 years, a bipartisan approach has been due largely to the commitment and genius of the Senator from New York. I am grateful to him for his message today, and even more so for his continued leadership and bipartisan spirit as we try to develop a measure to meet the profound need which the Senator has described.

Mr. JAVITS. I am very grateful to the Senator. There are few things in my entire legislative career that I have enjoyed more.

Mr. MONDALE. Mr. President, recently, the Senator from New York delivered a magnificent speech on this subject at Cornell, and I ask unanimous consent to have the speech printed at this point in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

SPEECH BY SENATOR JACOB K. JAVITS

I am very pleased to have this opportunity to participate in this "Institute on Children" and especially to return to Cornell University which has contributed so much to education generally and to the matter to which we address ourselves today.

We have, indeed made progress in our efforts on behalf of children. The child welfare movement which began by freeing children from exploitation in the factories of the early industrial revolution has more recently established the basic right to an education.

And yet, while children and youth make up nearly 40 percent of the Nation's population, they receive less than 2 percent of our Nation's gross national product.

We are stalled short of two necessary federal commitments regarding the affirmative rights of children: the Administration's "Family Assistance Act"—which would establish a basic national benefit level of $2400 for a family of four; and comprehensive child development legislation.

These proposals reflect different strategies. In the first case, there is an "income strategy" geared to the problems of poverty; in the second, a "services strategy" directed at the needs of parents and children generally. Both signify a growing concern with the rights of children and both are necessary.

We can still entertain a basic hope that welfare reform, as passed by the House, will be refined and win eventual acceptance in the Senate, where it may be considered next month.

But child development—despite the established truth that children develop intellectual skills and capacities at a rapid rate in the first five years of life—has a harder course to follow. It lacks full commitment and leadership from the Administration.

In vetoing the Economic Opportunity Amendments of 1971, which contained the child development title, President Nixon said:

". . . neither the immediate need nor the desirability of a national child development program of this character has been demonstrated."

The President noted that the "laudable purpose" of the legislation had been "overshadowed by":

"Fiscal irresponsibility, administrative unworkability and family weakening implications of the system it envisions."

Unfortunately, the Congress was unable to override the veto.

The principal sponsors of the legislation in the Senate, Senator Mondale (D. Minn.) and I determined not to let the matter drop but to pursue the matter again this year seeking bi-partisan support for proposals designed to meet the President's specific objections.

On February 24, with 13 Republican cosponsors I introduced S. 3228, the "Comprehensive Headstart, Child Development, and Family Services Act of 1972," a bill separate from the new legislation to extend the poverty program.

Another modified version of the vetoed title was proposed by Senator Gaylord Nelson (D. Wis.) and Senator Walter Mondale (D. Minn.) again as a part of legislation extending the Economic Opportunity Act.

The bill is separate from the OEO extension, as I had urged; another bill extending the Economic Opportunity Act was reported the same day.

It is with great satisfaction that I report that the Subcommittee on Employment, Manpower and Poverty, of the Senate Committee on Labor and Public Welfare reported to the full Committee, only twelve days ago a new bi-partisan bill, and including the best elements of both child development proposals.

The Subcommittee bill, entitled "The Comprehensive Headstart, Child Development and Family Services Act" would authorize, beginning in fiscal year 1974 and continuing in the following year a full range of quality developmental services and child care opportunities to children under the age of fourteen.

Like the vetoed bill, it would give particular emphasis to the needs of pre-school children and of the economically disadvantaged, with strong provisions for parental involvement and decision making at the local level.

The services to be made available from funds under the bill will be primarily developmental in nature as under the Head Start program, and thus they will include educational, health, nutritional and other services necessary for each child to reach his or her full potential.

It includes also the fee schedule provisions of the vetoed bill—which had been painstakingly worked out with the Administration last year. Under these provisions free services would be provided to poor children, modest fees would apply to children in families with income between $4320 and $7000 (based upon a family of four) and the Secretary would establish a sliding scale above that level.

Relevant to many areas in New York, it includes a new provision which I sought under which local prime sponsors would have some leeway in charging fees below those prescribed by the Secretary, in order to take into account actual living expenses in the particular area.

You may be interested also in another provision which I authored, to ensure that the experience of the public schools is channelled into programs and that there is continuity between pre-school programs and programs in the schools.

It is expected that this bill will be considered within the next week by the full committee and that a similar bill will be introduced in the House of Representatives after final committee action in the Senate.

Whether it will be signed into law may be determined by the extent to which it meets the President's specific objections which I cited earlier.

We believe that it should, in each major respect:

First, in terms of fiscal responsibility, it authorizes $1.2 billion in the first fully operative year, fiscal year 1974, and $1.6 billion in the second, with an authorization of $150 million for planning and training in fiscal 1973. This represents a substantial reduction from the vetoed title, which commenced with an authorization of $2 billion for the first fully operative year.

We consider these amounts clearly to be fiscally responsible both in terms of the extent to which new resources may be effectively "pumped into" the system in each year, and in light of the amounts spent on defense, and upon remedial programs that attempt to erase the damage inflicted upon many from underprivileged families during early childhood.

Second, in terms of administrative workability, we provide that any city, county or combination of local units of government having a population of 25,000 or more persons may be eligible for prime sponsorship and may submit plans directly to the Secretary of Health Education and Welfare. Under our proposal, the Secretary would approve approximately 2,000 plans of prime sponsors rather than 7,000 under the provision of the vetoed title, which established a 5,000 population requirement.

This means that many more localities will come under the provision of state administration than under the vetoed bill.

To ensure that parents and children in areas not eligible for prime sponsorship enjoy the same degree of autonomy and protection in their relationship to the states as the largest units of government would to the federal government, the bill requires the establishment of local family service areas and local approval of the applicable portion of plans for each area by a parent council.

Third, in terms of family strengthening aspects, the bill makes it clear that child care is to be provided only at the request of parents who choose to use them, not as a matter of universal application, and then as a supplemental service to family efforts.

The bill emphasizes that child care centers are to be extensions of the family, with services provided to older children and parents as well.

Basic decisions regarding programs would be approved at each level by a council at least one half of which would consist of parents of children in the program.

But even with these substantial changes, we cannot be sure that child development legislation will be signed into law. I am concerned that beyond these details related to the "hardware" of the delivery system, the public and the Administration itself still harbor some basic reservations about the general necessity for child development and the form that it should take.

First, is the conception that federal child development legislation would act to encourage mothers to leave the home, acting as an incentive as a kind of "de facto desertion".

The fact is that for many different reasons mothers are choosing to enter the labor force, without regard to the availability of child care—in most cases because they have to do so. With or without child care, this trend is likely to continue.

There are currently one million poor children under the age of six whose mothers work, and approximately 2 million children between the ages of 6 and 14 in such families.

In the $4,000 to $7,000 range—the so-called "near poor"—there are more than one million pre-school children and one million school age children in families with mothers in the working force.

In 1971, 43 percent of the Nation's mothers worked outside the home compared wtih only 18 percent in 1948.

One in every three mothers is working today, compared with one in eight in 1948.

With only 700,000 licensed child care slots available in the Nation, it is legitimate to ask who is taking care of the children. The answer in thousands of cases is "no one". A survey conducted by the Women's Bureau of the Department of Labor in 1965 identified 18,000 "latch-key" children.

But, for the most part, children of working mothers are being dropped in substandard child care facilities or in inadequate home care situations.

The report of the National Council of Jewish Women entitled "Windows on Day Care", issued early this month, confirms, on the basis of extensive surveys, that most current day care facilities lack adequate developmental child services.

Moreover, any Federal legislation should include continued authority for Head Start and similar programs which will be available to poor children without regard to whether or not the mother is working. There are currently 2.5 million poor children under six whose mothers are not in the labor market—many of whom could benefit from such supplementary educational and other services.

Second there is a conception that child development is suitable only for low-income persons and then principally to "get them off the welfare rolls."

This focus is best exemplified by the Administration's proposed child care provisions under H.R. 1, the welfare reform measure.

Under its provision 875,000 opportunities will be provided in each year.

It is important that any welfare reform measure include a special quotient for child care and these provisions will have my basic support subject to a number of amendments which Senator Mondale and I have proposed to ensure that they meet children's developmental needs.

But I reject the Administration's viewpoint that child care, under welfare reform, is about as far as we should go in terms of new programs and that any other more comprehensive proposal such as we now advance is merely "redundant."

The fact is that without comprehensive child development legislation existing and projected resources available solely to the poor will be inadequate even to cover that group not to mention the millions of others who need developmental child care. While there are 5.5 million poor children who could benefit from pre-school education or after-school care the Head Start program and the proposed family assistance act would together provide only 1.25 million slots.

The real injustice of excluding other persons is seen in the fact that there are currently 1.3 million mothers in all income groups who are bringing up children without a husband and thus need child care as an absolute necessity.

And to exclude other families is to overlook the basic fact that the poverty population is not a static group, but a class into which and out of which the working poor slide almost on a daily basis.

Third, is the notion, expressed also in the President's veto message, that the child care we propose is to be "communal" in nature—a term designed to bring to mind the worst aspects of communist society.

Nothing could be further from the truth. Those who have studied programs in communist countries know that there is a great distinction between their state-run compulsory system and the parent-controlled voluntary system which we propose.

In conclusion, I urge the Administration to support comprehensive child development legislation, which is now separate from legislation extending the poverty program and to abandon the misconceptions I have mentioned, to the extent that they may still exist. If they disagree with us still with respect to the details of the program, then let them come forward with positive alternatives.

The question before the Nation is not whether the expansion of developmental child care opportunities is desirable—as we believe they are—but whether they are to be expanded in a legislative framework established at the federal level.

With or without federal legislation, the legitimate needs which I have cited will find expression in greater funding for child care under existing authorities, which are now so splintered and unrelated to each other.

Nothing promises to be more administratively unworkable, fiscally irresponsible or family weakening than to pump more money into the existing system of isolated programs which are funded through different federal sources often without any guarantee as to parental involvement.

We can take warning from the existing manpower training system which has grown in much the same way without an established procedure for decision-making at the local level and which the Administration and the Congress, after ten years of experience, now struggle belatedly to reform.

Unlike manpower reform, child development is now in its infancy and the question is whether it is going to grow up unattended—like a "latch-key" child—or with federal direction and support.

In his veto message the President said that no commitment to child development should be made in the absence of a great national debate on its merits, and broad public acceptance of its principles.

The bill now moving through the Congress affords that opportunity for debate on the merits. I hope the Administration will be guided by it.

But let the Administration agree with us now on the basic principle, which the President himself articulated so well in February of 1969, when he said:

"So crucial is the matter of early growth that we must make a national commitment to providing all American children with the opportunity for a healthful and stimulating development during the first five years of life."

The key word is opportunity—not universality—a goal which all Americans should be able to agree upon as one of the highest priority. It is time that goal be given federal legislative sanction.

Mr. NELSON. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. NELSON. Mr. President, I join the distinguished Senator from Minnesota (Mr. MONDALE) in his remarks respecting the valuable and creative contribution that the Senator from New York (Mr. JAVITS) has made to the development of this bill, and also to all the other members of the minority who cooperated with the majority on the committee in working out what I think is a very good bill, modified substantially from the bill the President vetoed.

The bill was reported from the committee on a voice vote—without one dissenting vote.

We needed and found valuable the contribution of the Senator from New York as well as the contributions of the other members of the minority.

Mr. JAVITS. Mr. President, I thank my colleague from Wisconsin. I emphasize not only the bipartisan spirit in which we have worked together but also the spirit of complete dedication to the basic purposes of the bill which we are trying to serve, and which has been shown so well by the Senators from Wisconsin and Minnesota in their leadership as majority members on both the subcommittee and the full committee.

Mr. RIBICOFF. Mr. President, in February of 1969 President Nixon expressed his concern for child development when he said—

So critical is the matter of early growth that we must make a national commitment to providing all American children an opportunity for healthful and stimulating development during the first 5 years of life.

The opportunity to fulfill that commitment exists today in the Comprehensive Headstart, Child Development and Family Service Act of 1972.

This bill is the product of months of study, revision, and bipartisan consultation in response to the President's veto last year of S. 2007, the Economic Opportunity Amendments of 1971.

Everyone agrees that this Nation faces a critical shortage of quality day care and child development programs and facilities. One-third of all mothers with preschool children—a total of over 4½ million women—are working at full or part-time jobs. Some 5 million children need full- or part-time day-care services while their mothers are away from home. Yet there are less than 700,000 spaces in licensed day-care programs to serve them. And not all of these really provide quality day care.

We are not faced with a situation, as the President implied in his veto message, of legislation with "family weakening implications." Instead, we are faced with a changing society in which women voluntarily choose to work.

The problem, then, is to provide the programs and facilities which will enable these women to hold jobs and will provide the opportunity for children to develop—physically, intellectually, emotionally—in wholesome and safe surroundings while their parents are away from home—by choice—at work.

Other Senators including the distinguished Senator from Minnesota (Mr. MONDALE) have already described in full detail the elements of this landmark legislation. Therefore, I will confine my remarks to one aspect of this legislation—child-care standards.

Given the overwhelming shortage of day-care programs and facilities it is tempting to try to solve the day-care shortage problem immediately by diluting standards so that limited programs and facilities can be made available to more children.

I believe we should move more cautiously. Given a choice between many programs with weak standards and fewer programs with strong standards I would opt for high standards.

In that context I introduced an amendment last year to S. 2007 which set the 1968 Federal Interagency Day-Care Requirements as the floor below which the Department of Health, Education, and Welfare could not go in developing comprehensive day-care regulations. This amendment passed the Senate and was accepted by the conference. Such a standard is also included in my welfare reform legislation.

Although S. 2007 was vetoed by the President, it was my expectation that the administration would take note of the intention of Congress regarding the development of day-care regulations. In order to provide the administration with some flexibility in improving the 1968 requirements we wrote in language to S. 3617 allowing HEW to develop standards "consistent with" the 1968 requirements.

After reviewing drafts of the proposed 1972 standards, we find it is clear that there has been a misunderstanding as to what "consistent" means. Simply stated, "consistent" means that the standards must be at least as strong and comprehensive as the 1968 regulations.

The 1972 standards are seriously flawed in a number of respects and in no sense can they be termed "consistent."

First, they dilute child-staffing ratios so that fewer staff members would be caring for larger numbers of children. Under the 1968 standards group day-care home ratios would be set at five children to one adult when preschool children—age 3 to 6—are involved. No children under 3 could be placed in this type of care.

The proposed 1972 HEW standards requirements for babysitting, called in-home care and care provided by close relatives, specify neither the age nor the number of children that can be cared for even though it is apparent that HEW intends to provide a Federal subsidy for such care. HEW also moves one classification of group day-care homes—those serving more than 12 children—into the day-care center classification, thus avoiding certain restrictions as to the number and ages of children that may be served. Homes serving 12 children may have as few as two caregivers. Since HEW would allow four of the 12 children to be infants or toddlers under age 3, the remaining eight children could be as young as 3. This could very easily lead to situations where four infants were cared for by one caregiver and eight 3-year-olds by another.

In day-care centers, the 1968 requirements for children aged 3 to 6 involved an average ratio of 6 to 1. The 1972 requirements would set the ratio at 9 to 1. For school-age children, the 1968 requirements set the ratio at 10 to 1. The 1972 requirements set the ratio at 12 to 1 for children ages 1 through 8, 15 to 1 for ages 9 through 11, and 20 to 1 for ages 12 through 14.

Also critical are the inadequate staff-child ratios and the lack of any reference to the sizes of groups of children which are to be served; "herding" results in the kind of depersonalization that damages young children.

The 1972 requirements do not stop at increasing the number of children assigned to each care giver and allowing "herding" of young children—they also fail to require any ratio of care givers to children to be maintained at any one time. Instead, the 1972 requirements substitute "care giver hours" ratios which would allow ratios to be technically complied with but would make enforcement of even custodial standards extremely difficult.

Using HEW's own example, an operator seeking greater profits could staff a center receiving Federal funds as follows:

First, the owner is the director and works from 6 a.m. to 6 p.m., with 1 hour for lunch—from 12 to 1;

Second, five part-time employees are expected to work from 8 to 1 each day;

Third, another five part-time employees are expected to work from 3 to 6 p.m. each day.

This staffing meets the requirements of the 1972 draft; yet, there is only one person—the owner-operator—required to be on hand from 6 a.m. to 8 a.m. and from 1 to 3 p.m. each day. That one person has the sole care of 3 infants, 6 toddlers, and 18 preschoolers—27 children in all—during those four hours. Such an operation could be extremely profitable: part-time housewives and students could be employed for the brief periods required. A case could be made, in defense of the staff plan, that sufficient staff are present for the "important" times of day.

This staffing pattern assumes that the owner-operator is attempting to staff for maximum effective care of children while avoiding hiring full-time employees. Many other patterns could be used, all of which meet the "divisor ratio" suggested in the new draft guidelines, that would be less expensive and less able to meet children's needs.

For instance, an owner-operator could meet the new guidelines by relying solely on available part-time personnel from one of two pools—mothers with some child care responsibilities who are currently working "in the home" only; students, of either high school or college age, working for pay or as volunteers.

The owner-operator could hire seven housewives or obtain the services of seven students and schedule one shift from 9 to 12; a second shift of seven part-time employees could come to work from 12 to 3. In total, 42 hours of "care givers" would be tallied. If the operator worked from 6 to 10:30 a.m. and from 12:30 to 6 p.m., the requirement of 51 "care giver" hours would be met. Although the new guidelines would technically be complied with, there would only be one adult on the premises from 6 to 9 a.m.—caring for as many as 27 children. During the hours of 3 to 6 p.m., one adult would have the care of 39 children.

Such practices, were they to be allowed through imprecise rewriting of guidelines, could become widespread. May Dublin Keyserling's recent study, "Windows On Day Care," cites several such instances. A licensing worker was making an unannounced visit to a Florida center at 8:20 a.m. when she found one caretaker with 54 children.

The new guidelines are sufficiently loose to allow cooking and housekeeping duties to be performed by personnel counting as "care givers." One employee could work full time at such noncare giver tasks each day, on a rotating basis, without reaching the maximum percentage of time specified in the guidelines.

A second major flaw in HEW standards involves parental involvement in day care programs. Under the 1972 drafts it is effectively eliminated.

The current requirements are very specific, if somewhat modest. The requirements state that "—at that administrative level where most decisions are made—" there must be a policy advisory committee or its equivalent. Further, membership of that advisory committee "—should include not less than 50-percent parents or parent representatives, selected by the parents themselves in a democratic fashion." Seven specific functions are listed that must be performed by policy advisory committees.

In the draft requirements, two kinds of parent participation are discussed. Each facility serving more than 15 children must have an advisory council, and at least 50 percent of the members of the council must be parents of children

served—note that there are no functions that must be performed by the advisory council at this level, and that the membership is not selected by the parents themselves in a democratic fashion.

At the level of the administering agency, even less is required for evidence of satisfactory compliance. An unspecified percentage of parents of children enrolled in day care are to be included in a policy advisory group. That percentage may or may not be 50 percent; parents need not be representative or democratically selected. Instead of seven specific functions that must be performed, these parents are only to be provided, upon their request, information on administering agency policies, budgets, and evaluations. At best, parents are to be provided information.

There is one new addition to the requirements. Administering agencies must have a written grievance procedure by which parents may take complaints to the administering agency; the written grievance procedure must be presented and explained to each parent.

Under the current requirements, parents must have a voice in day care programs. Under the new HEW draft, parents have no voice but they must be given a piece of paper which tells them how to take their grievances to an administering agency.

Much of text of the new HEW draft contains definitions and generalizations—too little of it is devoted to specific actions required to give evidence of satisfactory compliance. An example is health requirements under the 1968 requirements and the new HEW draft.

The sole evidence required under the HEW draft to assure satisfactory compliance with health requirements for staff is that each staff member "is free from communicable tuberculosis and communicable syphilis."

Are all other communicable diseases—and mental illness—allowable?

Compliance with the requirements outlined in the current interagency requirements would seem to be more advisable:

Staff of the facility and volunteers must have periodic assessments of their physical and mental competence *to care for children.* (Emphasis added.)

Tuberculin tests or chest x-rays should ensure that all persons having contact with the children are free of tuberculosis. Physical and mental competence are better assured by regular visiting and supervision by competent supervisors than by routine medical tests or examinations. The operating or administering agency must ensure that adequate health records are maintained on every child and every staff member who has contact with children.

Another area of significant difference is in the provision of social services. Six specific requirements are listed in the 1968 requirements. All that is required under the new HEW draft is:

The administering agency possesses and makes available a current *list* (emphasis added) of the social services and social services agencies in the community. The phone number to call for information about social services is posted at each facility and a general description of the kinds of services available has been provided to each operator.

Perhaps these "social services"—a list and a phone number—can be provided within the day care cost projections supplied by the Office of Child Development during hearings before the Senate Finance Committee.

It is clear that the level of social services contemplated in HEW's 1967 cost projections for center day care at an "acceptable" level—$65 per child per year—is not to be provided. Eliminating this one requirement from the budget projections, by eliminating the required service from the new HEW draft, can "save" $65 for each of the preschool children that the administration proposes to serve under H.R. 1. If the administration only economizes to the extent of cutting out social services for preschool children, almost $10 million can be "saved." It is such subtle changes in rules and regulations that short circuit Congress intention to adequately serve America's children; it is such moves that shortchange America's children.

A full discussion of the shortcomings of the new HEW draft would fill many pages and would certainly prolong, needlessly, consideration of this obviously deficient document.

I put it to HEW once again, plainly and clearly: Congress has no intention of allowing this administration to alter by rule and regulation what it cannot alter by the legislative process. Whether for the aged, the youngsters who go to camp, or the children whose parents wish day care to be available for them—the Congress will insist on quality services, guaranteed by standards that are enforced, not weakened.

Without quality standards and enforcement, child care legislation is worthless. It is imperative then that more public attention be focused on this issue.

For that reason Senator MONDALE and I recently wrote the Secretary of HEW urging him to consult fully with legislators, parents, communities and organizations which have as their concern the children—especially the poor and minority-group children of this country—before regulations are published in the Federal Register. I ask unanimous consent that this letter be inserted at the conclusion of my remarks.

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

Mr. RIBICOFF. Mr. President, too often Congress has allowed itself to believe that the seeds of success or failure of new social programs are to be found in the semantics of legislation. But success or failure, as we are learning, depends on implementation of programs based on sound regulations. Congress must begin to assume more of the responsibility of insuring that such regulations are formulated and enforced if programs such as comprehensive day care are to succeed.

EXHIBIT 1

U.S. SENATE,
Washington, D.C., June 12, 1972.

HON. ELLIOT L. RICHARDSON,
Secretary, Department of Health, Education, and Welfare, Washington, D.C.

DEAR MR. SECRETARY: As members of the Senate Finance Committee and the Senate Labor and Public Welfare Committee, we were alarmed by the reports of efforts in the Department to seriously lower standards for federally-supported day care services.

If there is difficulty in enforcing the current standards, as has been suggested, then we must consider legislative and administrative action to assure effective monitoring and enforcement and to provide the resources and technical assistance to enable child care operators to meet these requirements. Under no circumstances are we willing to sacrifice the quality of care our youngest children receive because of bureaucratic inability to enforce decent standards or reluctance to finance them.

We herewith formally request the opportunity to review the requirements you are considering before they are published, and urge you to consult fully with the broadest possible range of parents, communities and organizations which have as their concern the children—especially the poor and minority children—of this country.

Sincerely,

ABRAHAM RIBICOFF,
WALTER F. MONDALE.

AMENDMENT NO. 1247

Mr. BUCKLEY. Mr. President, I call up amendment No. 1247 and ask that it be stated.

The PRESIDING OFFICER (Mr. RIBICOFF). The amendment will be stated.

The assistant legislative clerk read as follows:

On page 74, line 15, insert a new section (2) as follows and renumber succeeding sections:

(2) In the case of parents who request full day child care services made available under this Act, the Secretary shall inform them in writing of the following: (a) that the mother-infant relationship is the cornerstone of healthy development for the vast majority of children; (b) that group day care is primarily a remedial or emergency device whose value extends mainly to children who are developmentally disadvantaged, handicapped, abused, neglected, or are otherwise receiving harmful care; and (c) that separation from the mother or mother figure on a systematic basis, or for long periods of time, combined with placement in a group care facility, can cause psychological harm to the child, and especially to those under three years of age.

Mr. BUCKLEY. Mr. President, the purpose of my amendment is not dissimilar to the purpose of those who sell medicines, who alert the patient to certain possible harmful side effects of the medicine. I am very much concerned that the potential for harm to young children under the day care programs provided for in this bill far outweighs the good contained in other parts of the bill now before us. While there is unquestionably a need for remedial services for "developmentally disadvantaged" or neglected children, no convincing demonstration has been made for the type of broad-reaching programs here authorized.

A fundamental objection to the overall tone and intent of this bill is what I would call the overselling of the concepts of child development and day care. In the first place, the assumption is conveyed that the Government and its agents know how to provide "healthful and stimulating development" of children. As Dr. Ernest Van Den Haag, psychoanalyst and sociologist at New York University, recently observed in congressional testimony:

If the government has such knowledge it is a well kept secret of which the scientific

community is quite unaware. . . . The assumption that social science has as yet produced a tested theory of child rearing is sheer fantasy. Only a few variables have been detected. And they suggest that family care should be encouraged, not replaced.

The simple fact is that the state of the art of child development is as yet primitive. Mr. Jule Sugarman, former Director of the Office of Child Development, underscored this fact in testimony before Congress in December of 1969 when he said:

As we enter the 1970's we are still seriously deficient in (a) our understanding of how children develop, (b) the causes and nature of the deficits found among disadvantaged children, (c) the techniques for appraising the state of development and (d) the design and delivery of programs and curriculum to prevent or overcome developmental deficits.

He went on to say:

Early childhood programs are being created and operated on an inadequate base of knowledge. There is general agreement that the early years have great importance in the growth and development of the child. There is also general agreement that high proportions of children from economically disadvantaged families begin to show developmental deficits very early in life.

But, he added—and I wish to emphasize this very strongly, Mr. President:

There is far less agreement on what constitutes effective intervention to improve the opportunities for development of such children.

I am informed that Mr. Sugarman is a supporter of the pending legislation, as indeed he was of last year's bill. But if what he said in December of 1969 is true—and I believe it is—I cannot for the life of me see how he can be so bold in his support of the current bill. Has there been some dramatic breakthrough in the art or science of child development since December of 1969? Has some hitherto undiscovered body of knowledge come to light since then? I do not believe it has, and know of no one who claims it has. While some progress has been made, the description of the state of the art offered by Mr. Sugarman in December 1969 holds true today. As Dr. Zigler indicated in testimony in 1971, and if it is true, Congress would be premature to enact such a far-reaching program as that proposed today.

There is, in short, much disagreement in the field of child development today. At present, the educational approach to child development seems to be most popular. Indeed S. 3617 reflects this preoccupation with educational preschool programs. Yet there is widespread criticism by respected child specialists of the current emphasis on academic training for young children. It is argued that attempts at programed cognitive stimulation can destroy the creative and developmental value of play and, by pressure for performance, virtually make our children old and gray before their time.

In addition, attempts to increase the cognitive level of children outside of the home have usually been relatively ineffective, or else the successes have been of short duration. On the other hand, efforts to increase the parents' knowledge of good child-rearing techniques, such as the Homestart program, have been markedly successful in their resulting effects upon the development and well-being of the children, while at a much lower cost than preschool programs like Headstart.

My purpose in mentioning these disagreements is only to point out that a Federal program of child development will necessarliy tend to impose one approach to child development on perhaps millions of children—and it could turn out to be the wrong approach.

The field of child development and preschool education is not a value-free, objective science. It is a field of controversy involving diverse value judgments about a variety of sensitive issues, from permissiveness versus discipline to the teaching of belief in God or sex education. It is an area in which Congress would be well advised to tread cautiously.

The fact is that group day care has been oversold. It has been made to appear to be a safe, indeed desirable, form of child rearing and education for virtually all children. S. 2007 is intended to make day care centers eventually available to all children, from birth to 14. The distinguished Senator from Minnesota (Mr. MONDALE) even stated last year, "I hope that we can come up with a national, pre-school developmental program. . . ." While S. 3617 is not as explicit in this regard, nonetheless, the spirit remains the same and both its wording and provisions enable and encourage future expansion on a universal basis. But such an optimistic view of the potential of day care, even the developmental kind, is erroneous on at least two counts. First, child specialists have accumulated strong evidence indicating that the institutional environment of day care centers, even the better ones, can actually be harmful to the psychological well-being and development of young children. Second, as Dale Meers, child psychoanalyst at Childrens Hospital here in Washington, and an authority on international day care recently pointed out, the notion that day care offers some general educational advantage is in error.

I do not understand where this idea originated—

He said—

Though I once shared it as a prejudice. The U.S.S.R. does not try to use day care as an educational vehicle; indeed, that country initiates its educational efforts a year later than we do in our public schools.

Mr. Meers explained that developmental day care has potential value as a remedial measure for those children who have been socially deprived, neglected, or handicapped in order to circumvent developmental decline. He further stated:

In failing to designate that day care is remedial in its intent, the legislation infers that intact families can securely use such facilities; and . . . since day care is only remedial at best, it bypasses the basic problem of prevention.

The potential harm in day care involves the by now fairly well established fact that the early childhood years, especially 0 to 3, and to a lesser extent 3 to 5, are crucial to a child's later emotional and intellectual development. The quality of parental care and the experiences, or lack thereof, during these years significantly affect how well a child will eventually develop physically, mentally, and emotionally.

In connection with this finding it was learned through years of experience and research that many children who were raised in institutions, who spent long periods of their early years away from their mothers and a normal family environment, were significantly retarded in their development and suffered from psychological disturbances of varying degrees of severity. The primary cause of these problems was determined to be "maternal deprivation," that is, the absence or the inadequacy of (1) a relationship to a mother figure who need not be the real mother, (2) the continucus loving care of such a person, as well as (3) the lack of proper emotional and sensory stimulation as a result of such absence or inadequacy.

John Bowlby, a distinguished British doctor, reviewed the extensive research on the effects of many child specialists in his famous monograph "Maternal Care and Mental Health" (1951). He concluded from the evidence that—

It is plain that, when deprived of maternal care, the child's development is almost always retarded—physically, intellectually, and socially—and that symptoms of physical and mental illness may appear. Such evidence is disquieting, but skeptics may question whether the retardation is permanent and whether the symptoms of illness may not easily be overcome. The retrospective and follow-up studies make it clear that such optimism is not always justified and that some children are gravely damaged for life. This is a somber conclusion which must now be regarded as established.

In the succeeding years a great deal of research and investigation into these issues has shed valuable light on the processes of child development and the circumstances and effects of "maternal deprivation." Nearly all studies have tended to confirm Bowlby's basic hypotheses, with several qualifications. Maternal deprivation can mean the absence of a "mother figure," which need not be the real mother; maternal deprivation also refers to the absence of the emotional relationship and sensory involvement which the mother figure uniquely provides; the effects of institutional care are not always as severe or irreversible as he had thought.

Now, how do these findings relate to the question of a large increase in the number of day care centers which this bill encourages?

First, we must realize that day care centers are institutions and offer institutional care. Second, the essential factor of institutional care is not the nature of the facilities, but rather the institutionalization of human relationships—the impersonal, the necessarily formal and homogeneous nature of the care. Third, the time an infant spends in a center represents most of his formative, waking hours. Thus, the quality of the center experience is critical and can have a great effect on a child's development.

Because, in nine cases out of 10, care in a center is much the same as that in a full-time institution, there is widespread agreement among child specialists

that center care should be avoided, if possible, for children under the age of 3.

The Federal Government's interagency day care requirements state that:

Day care centers should not accept children under three years of age unless the care available approximates the mothering in the family home. Centers usually do not attempt to stimulate family living.

The Child Welfare League of America recommends that a family day care home or some other variation of family environment be used if a mother is unable to care for her children. The league also advises that for children over the age of 3, careful consideration ought to be given to each child's needs and condition in determining whether or not he should be placed in a center. In general, the domestic atmosphere and personal scale of care in a decent family day care home is preferred as safer and more appropriate than care in a center.

The reason for this caution and concern about center care or, indeed, any form of group care, is that group day care exposes children to many of the same conditions and hazards which are found in full-time children's institutions. The hazard of the "material deprivation" syndrome exists in nearly all centers, due to the lack of trained staff, high child to staff ratios, and the necessarily lesser concern and interest felt by the staff toward the children, as opposed to the concern of the children's parents or relatives. In an article in 1970 Margaret Mead noted that—

Paid, well trained nurses who are trustworthy, intelligent and have the character appropriate for the continuous care of an infant are almost nonexistent today. And no State-supported child care center can afford enough well trained, nurturing persons.

The Child Welfare League of America, in a 1962 policy statement, observed that "research and clinical experience have given evidence that group care of preschool children may result in emotional and intellectual damage." The multiple and intermittent mothering that is—infrequent care given by several different people—and lack of sufficient personnel in day care centers results in a situation where a young child cannot form the vital, continuous and close relationship with one particular adult. Furthermore, the child almost never receives sufficient stimulation, especially verbal, necessary for his cognitive and other developmental needs. Indeed, the common absence of socially stimulating conditions in exchanges with adults, for example, probably accounts for the backwardness in speech often found in children in day care centers.

PRIVILEGE OF THE FLOOR

Mr. President, at this time I ask unanimous consent that a member of my staff, Mr. Michael Uhlmann, be granted the privilege of the floor for the duration of the day.

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

Mr. BUCKLEY. Mr. President, this situation arises not only from lack of sufficient personnel, but, more fundamentally, from the depersonalizing nature of institutional child care. Psychoanalyst Meers, whom I earlier quoted, points out in a recent article on day care that:

The most consequential and controversial question of early day care is that of potential danger and damage to the very children for whom the centers are designed. . . . The significant causal variable appears to be the depersonalization of human relationships that are vital to the child's healthy maturation. . . . Depersonalization can readily take place in institutions. . . . It is a chronic potentiality in group care of children.

In a cautionary article, "Psychiatry and Day Care Centers" in the care of children in day care centers, published by the World Health Organization in 1964, Dr. S. Lebovici, the noted French child psychiatrist, remarks that some day care centers which pride themselves on maintaining quiet and order and cleanliness, and which point proudly to rapid progress in certain areas of development may create an excellent first impression on the superficial observer. But, he says:

It is easy, perhaps, in such cases to lose sight of the fact that the children are dull and apathetic, respond passively to the demands of their educators and demand too much of themselves. This may have serious effects upon personality formation.

A study of emotional deprivation in a nursery by M. David and G. Appel in 1962 found much evidence of depersonalization:

The routine of day-nursery as a rule protects the nurse against establishing any link with the children by obliging her to pass quickly from one to the other. Accomplishing her tasks conscientiously and skillfully, able to obtain a smile here and a look there, the question of real contact with the children does not arise, and she feels no need of it in the tasks she performs. This attitude prevents any attachment but also any feeling of aversion to a child—which is painful—and it also avoids any painful separation at the end.

It is easy to see from this that the nursery routine "is useful to the nursing staff, and why they oppose change—even apparently simple and obviously necessary change. Such change in fact exposes the nurse to a frustrating experience, either because she cannot give sufficient time to her favorite child—from whom, moreover, she must eventually separate—or because she finds herself faced with indifference or hostility which makes her feel guilty and risks giving her misgivings about her capacity for motherhood.

Meers points out that the greatest potential for harm to children exists—

In the early years since babies will adapt to anything. The price of accommodation to noise, confusion and different types of handling in day care centers is that babies retreat involuntarily into passivity. They respond by apathy, they stop crying and retreat within themselves. For example, I've seen one nursery in Budapest where hungry infants under the age of six months were almost totally silent. They appear to abandon their genetic potential for crying and activity (as expressions of distress) as they retreat into passivity. If some measure of pain and distress were the only question, that is if babies would outgrow the consequences, it might be alright. But the evidence is anything but clear that this is so. "The price of adaptation may be a severe psychiatric disability, and it seems probable that even physiological damage may ensue, as in our 'failure to thrive children. In East Germany, Czechoslovakia, and Hungary, it looked to me, as a clinical observer, that one could visibly discern, by age five, which children had been placed in day care centers since birth, since two or four years of age. That is, the *older* they were when they went in, the more alert and responsive they were. Conversely, the earlier they went in, the more passive, retiring and perhaps retarded."

Dr. Lebovici explains that even temporary separation of the child from the mother may result in frustrational pathology:

In the opinion of many authors, frustrational pathology includes certain mental disorders in the fields of psychopathy, delinquency and even schizophrenia. In any case, the study of frustrational pathology should be extended to cover not only the limited field of sudden complete separation but also the more subtle effects of temporary and partial separations and especially of what has been called emotional or sensory deprivation.

This, as indicated above, may represent ill-timed and delicate changes in the mother-child relationship (and may throw light on the conflict between the mother's contribution and social demands in regard to the child's needs.)

In addition to the psychological problems associated with day care centers, there is the question of the social effects of group care. As the Auerbach Corporation's report on the work incentive program comments, in its section on child care—

Health and education authorities are continually discussing the merits of all-day care, because children growing up in groups are different from children who do not grow up in groups. Young children who spend most of their time with a group of other children (and "day care" covers most of a young child's waking hours) learn to function in a group environment; they do not necessarily function equally well without the group. There is a possibility that "day care" and other full-time group facilities for children may develop too conforming a group of children—children who are more comfortable in the group setting and who will find it difficult to function alone.

Mrs. Mary Rowe, a noted child care economic consultant, commented in congressional testimony on the loss of individuality amongst children in Soviet day care centers:

In the Soviet Union I have seen groups where women were taking care of 15 or 30 small children, ages 3, 4, and 5. Those children are decorous, well-behaved, they move in circles, in groups. The child who steps out of the circle to pick up a leaf or to run around a tree, as a child will, is quietly and gently called back to the circle. The circle moves together to eat, moves together to the bathroom.

Meers notes that in Russia and the Eastern European countries, where day care and preschool centers have long been provided by the government for preschool children, there is growing concern over the effects of such care on the children. Recent research has led to a reevaluation of the desirability of these programs. In Czechoslovakia, for example, the Government no longer allows infants under 3 to be placed in centers, and child researchers are reviewing their desirability for the 3- to 5-year-olds. In other countries child specialists would like to cut down on day care programs, which were once necessitated by a postwar shortage of manpower.

Dr. Sally Provence of the Yale Child Study Center poses some important questions concerning group care in her book, "The Care of Infants in Groups":

Will there be significant differences in the

personality structure of children reared in groups by persons not their own parents compared with children reared in families? Will children reared largely in group settings be able as adults to form families and care for their own children? How does a long period of group care, with the many parent figures inevitably involved, influence such aspects of personality as the development of internalized controls over behavior or the capacity to love? What are its effects on intellectual development and on creativity? How will our society be influenced if large numbers of its members are reared from infancy in group care settings?

Can we as legislators authorize such a program as is here proposed without concrete answers to these vital questions?

Prof. B. Gornicki, Director of National Research at Poland's Mother and Child Institute, in an article on day care centers published by the World Health Organization in 1964, felt obliged to point out that—

The environment of a well organized day care center does not *markedly retard* the child's psychomotor development or, in the majority of children, cause behavior disorders or particular difficulties other than those found in children of the same age brought up in their own homes.

But this very statement is an admission that the center experience causes retardation in most children and significant behavior disorders in at least some children.

Dr. Humberto Nagera, director of the child psychoanalytic study program at Childrens Hospital, University of Michigan, has recently written an impressive paper on the developmental and psychiatric problems of day care centers entitled "Day Care Centers: Red Light, Green Light, or Amber Light?" in it he speaks of the "violence that is introduced into the developmental patterns of the young baby and toddler, by a day care situation." He concludes that—

On the basis of the information available regarding different types of child-rearing practices and their known outcomes, as well as our present day knowledge of the basic needs of the human infant to develop normally and ideally, I cannot but seriously question (for the age group I have been referring to) the advisability of moving to the establishment of day care centers in the grand scale that this country is now planning. I fear that widespread and unthoughtful use of such facilities in this country, for infants in the age range between birth and two and a half years of age, could someday result in the United States mass-producing large numbers of children with serious emotional problems and psychopathology. Furthermore, we may mass-produce large numbers of low achievement, low I.Q. youngsters, babies whose brains are understimulated and mismanaged, whose emotional development has been interfered with by inappropriate day care center's practices.

We in the United States must ask ourselves whether or not we are willing to give unqualified endorsement and support to a program, such as is authorized in this pending legislation which could have these kinds of adverse effects on significant numbers of our children.

As Meers warns:

I think that the dangers of a comprehensive day care program for children under three years of age are so problematic that it's like asking Congress to approve a new drug for the market that will relieve headaches, though we already suspect that this drug may have a carcinogenic side effect. There are so many real and significant dangers we know of in institutional type care (and institutional care is not confined to four walls, but refers to institutionalization of human relationships) that this proposal entails a potential and very real danger. To establish day care centers across the country without having empirical, psychiatric assessments over time, is an undue and foolhardy risk. Why should be expose large percentages of our children to such risk when there are potentials for severe psychiatric danger?

It can be argued that the dangers outlined above may in fact be present in existing day care centers, and that one of the purposes of this legislation is to eliminate them by providing quality, comprehensive day care and development centers. This may be possible, but I believe it is unlikely for the following reasons:

First. There is as yet insufficient knowledge and an uncertainty both as to just what constitutes good developmental care and as to what causes and how to prevent early developing psychological and emotional disorders;

Second. Quality standards of care, especially in terms of personnel will be very hard to meet and maintain for a large scale program; and

Third. The problem of impersonal, comparatively uninterested care by paid attendants will continue indefinitely.

The problem of the lack of knowledge in the field of child development has been discussed earlier in an attempt to remedy these deficits in understanding concerning proper child development and child care policies, The Department of Health, Education and Welfare is currently involved in a variety of experimental child care programs designed to evaluate the different kinds of approaches and their effects and costs. Training programs are also being devised. Final results will begin to accumulate after 1973, when the experiments are completed. The very important longitudinal study which will describe the long range effects of the different approaches is to be completed in 1976.

If, rather than mounting the large scale day care program that will report from this bill, we instead expand a systematic program of research and experimentation into various approaches to center care and environment, we may at least be able to identify the more effective techniques for cushioning the impact of the potentially traumatic conditions arising in day care centers, and perhaps develop more desirable alternatives.

In the absence of such concrete knowledge, I ask you whether the implementation of a large-scale day care program, with its attendant risks, should be permitted.

Realizing that day care centers are a reality and, in some cases, a necessity for children who are developmentally disadvantaged, handicapped, abused, neglected, or otherwise receiving harmful care, we must insure that centers have high standards, not only for facilities—which, given certain minimums, are secondary in importance—but especially for quality of staff and programs. The Child Welfare League of America sets forth the requirements for good developmentally oriented centers in its standards for day care service. Most important, of course, is the number of staff and their training and attitudes. The CWLA recommends, when there is no superior alternative available, that infants be cared for in groups of not more than four, with one adult per two children, and that they receive "individualized, consistent, and continuous care from one person with whom the child can interact . . ."

But finding qualified and appropriate staff personnel is a difficult task. Staff members are thus expected to understand the developmental processes and needs of children and to be trained in the methods of transmitting the appropriate skills and assisting children in discovering themselves and the world around them. They must be of a temperament which is willing and able to relate to and give continuous and individualized care to each of their charges.

Good care, in short, should try to approximate the concern and attention of a good, average mother.

Good care, then, necessarily costs a lot of money; the operating cost of good, developmental care is usually considered to run about $2,500–$3,000 per child, with staff expenses accounting for approximately 75 percent of the total. But to meet the desirable staff/child ratios, the costs of care in a center may be as much as $4,000 per child, not including any construction costs.

Before Congress passes a major program, it must consider whether the goals of the legislation can be achieved in fact, and whether there is reasonable hope that they will be achieved. Let us consider S. 3617 in this regard.

The effect of the legislation before Congress would be the establishment of federally supported and regulated child care and development facilities across the Nation. Its supporters claim that it will not only meet the existing need for such facilities, but also provide the desired high quality, developmental care. The original legislation, which was vetoed, was intended to establish centers for millions of children, eventually making them available to all children through age 14, regardless of whether or not their mothers work, but for the time being this aspect has been toned down.

Such proposals, idealistically conceived and intended, may sound good on paper. But, aside from the issue, which I have discussed above, of the desirability of launching a full scale program of public child care as opposed to family oriented approaches, there are good grounds for questioning whether the reality of such a program will correspond to its theory.

Mr. President, I submit that it will be nearly impossible to achieve and maintain the high quality care required to prevent damage to young children if the number of day care facilities is swelled significantly by a large increase in Federal funds for that purpose. The reasons for this are essentially threefold: First, the high cost of care, second, inadequate knowledge, and third, lack of trained and capable human resources. The high cost per child for good care is related in particular to the number of staff. The

large increase in demand for staff which would result from a major Government program, would force up the costs of staffing significantly. Gwen Morgan, day care consultant to the State of Massachusetts, says that—

> Many day-care operators think they can pay the staff low wages, because most States only require the director of a day care center to have full credentials in the field of early childhood development. But, as the industry grows, there will be a lot of pressure for parity with the teaching profession—look at what happened in New York City.

She refers to a several-week-long strike by day care employees in the fall of 1969, out of which the employees won a 25-percent pay increase in 1970, followed by a 13-percent hike in 1971.

Even more important than costs is the lack of the necessary knowledge. As discussed earlier, specialists are uncertain as to how a child develops and as to what specifically should be done to promote a child's optimum development. They are even more in the dark as to the prevention of childhood psychological, emotional, and behavior disorders. We simply do not know enough at present to give the right answers.

As regards to the problems of staffing, the number of trained personnel available to staff future centers is woefully inadequate, even for present needs. The Auerbach report on the work incentive program found in 1970 that—

> As the situation now stands, the number of graduates from early childhood education (child development nursery school management, or whatever name it is given), who have also had a few years experience and could therefore qualify as head teachers and directors, is too small to meet the present need, much less any expansion in the number of facilities. . . . The major barrier is still lack of training of staff.

Currently there are very few colleges or universities offering undergraduate or graduate degrees of this nature.

Dr. Humberto Nagera, director of the child psychoanalytic study program at the University of Michigan, Ann Arbor, was reported in a recent interview in the Detroit News as feeling that there are no more than 300 people in America knowledgeable and qualified enough to be directors of developmental day care centers. Yet estimates of the number of new facilities to be set up under recently proposed legislation run as high as 40,000.

His view brings to mind again the statement of Margaret Meade that the type of persons needed to make a good day care center are "amost nonexistent today."

The shortage of good staff is perhaps the major concern, for it is at the crux of good care as Dr. Lebovici noted in regard to the Paris system.

Mr. Meers has some pertinent comments regarding personnel problems:

> We sometimes assume that recruitment, staffing and training of day care personnel should be elementary. The assumption is most questionable. The status of mothers, and their substitutes (whether babysitters or caregivers), is minimal in the hierarchy of U.S. social conventions. Since we lack the emotional nest of the kibbutzin or the ideological thrust of the Communist world, it appears singularly unlikely that U.S. recruitment of caregivers could be maintained at a level much beyond that of France or East Germany. One might expect that the principle of lesser employability would determine the caregiver's self-selection and that, in lieu of high pay or high status, mobility of caregivers would be considerable.

The mobility of staff is a serious matter because it further reduces the possibility of continuity of care and results in the breaking up of whatever close personal relationships the caregiver may have established with some children. It is an aggravation of the problem of "multiple mothering." Meers adds that it is a widespread problem in European day care center operations, as well as our own.

Finally, Mr. President, we can expect to see a widespread substitution of these centers for the current arrangements of working mothers, mothers taking advantage of this subsidy to seek work, and a number of mothers who find it easier to let the government rear their children than to accept and fulfill this responsibility themselves—which, by the way, seems to be a perfect inducement to parental neglect. As Muriel Katz, director of New York City's day care program observed in 1970:

> Every time we open a new center, especially in a new neighborhood, it just seems to stimulate demand that much more.

Dr. Zigler, Director of the Office of Child Development, recently made a revealing observation in regard to this problem:

> If nothing else, women's liberation will see to it that we have day care. I know it is coming, but I am apprehensive. I am concerned that we may destroy family life.

Given the numbers of children potentially involved under the proposed Federal program and the lack of qualified personnel available, not to mention facilities, it seems that the quality of care given to children will necessarily have to suffer. Standards will have to be waived or lowered in order to accommodate the crush of children created by the availability of relatively free, Government subsidized and approved day care facilities. The first thing to go will undoubtedly be the very important high staff/child ratio requirements. Indeed, because of complaints from States and localities that the high staff/child ratio requirements of the existing Federal interagency day care standards are too expensive and inhibit this expansion of facilities, the Department of HEW is currently circulating a proposed revision of standards which lowers staff requirements.

In the Soviet Union, Meers found that—

> The vast extension of the programs appears to have made recruiting demands that do not permit the quality of staff selection aspired to by planners.

The Soviet experience has great relevance to our own situation. If we greatly expand day care facilities, as is proposed, not only may we have to make do with less staff than is required for good care, but we will be forced to hire people who are both inadequately trained and who lack the warmth and the concern so necessary for the successful development of children. In fact, we run the serious risk not only of putting the children of working mothers and others into depersonalized and potentially hazardous institutional settings, but also of putting them into the hands of people who may be less capable of and less interested in giving them good care than many of those who now look after them.

Mr. President, I want to say that I had marvelous cooperation with the sponsors of the bill, the Senator from Wisconsin and the Senator from Minnesota. I agreed I would not ask for the yeas and nays on this amendment but rather that I would submit it for a voice vote, which I am prepared to do at this time.

Mr. NELSON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. NELSON. Is the Senator from New York prepared to yield back the remainder of his time?

Mr. BUCKLEY. I yield back the remainder of my time.

Mr. NELSON. I yield back the remainder of my time.

The PRESIDING OFFICER. All time is yielded back. The question is on agreeing to the amendment. (Putting the question.)

The nays appear to have it. The nays do have it. The amendment is rejected.

Mr. MONDALE. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. JAVITS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. BUCKLEY. Mr. President, the sponsors of the bill and I have agreed to a series of amendments which I would like to call up one at a time and have a vote for them all en bloc.

The PRESIDING OFFICER. Is there objection? The Chair hears no objection, and it is so ordered.

Mr. BUCKLEY. Mr. President, the first amendment is an amendment which is not printed, which I send to the desk. This amendment would make clear that nothing in this act shall be construed to authorize the creation or maintenance of child advocacy programs unless specifically authorized by statute.

The PRESIDING OFFICER. The amendment will be stated.

The amendment was read as follows:

> On page 76, line 11, before "Repeal" insert the following additional paragraph (c):
>
> "(c) Nothing in this Act shall be construed to authorize the creation or maintenance of Child Advocacy programs, nor shall any funds appropriated under the authority of this Act be used for the creation or maintenance of Child Advocacy programs unless specifically authorized by statute."

Mr. BUCKLEY. Mr. President, I believe that the amendment is self-explanatory. I have no further remarks to make on it.

Mr. President, my second amendment is a substitute for my amendment No. 1248, which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The amendment was read as follows:

On page 3, between lines 9 and 10 insert the following new subsection:

"(c) Congress finds that the family is the cornerstone of healthy physical and psychological development for children, that the value of day-care services extends primarily to economically disadvantaged children, with special emphasis upon those children who have special developmental needs or other hardships, and to other children for whom suitable care is not otherwise available, and that day-care services outside the child's own home must be designed to supplement and support, and never to replace, the parent-child relationship. This Act is not intended or designed to provide a framework for the universal application of outside-the-home care to children in general."

Mr. JAVITS. Mr. President, would the Senator yield?

Mr. BUCKLEY. I yield.

Mr. JAVITS. I believe the clerk read "physiological" and I think the amendment states "psychological."

Mr. BUCKLEY. That is correct. I thank the Senator.

Mr. President, the amendment is self-explanatory. The purpose is to focus the resources under the bill to those who are mostly in need. The resources are limited and I am sure that all concerned want them to go to those who cannot get suitable care.

Mr. President, the next amendment I call up is amendment No. 1246.

The PRESIDING OFFICER. The amendment will be stated.

The amendment was read as follows:

The Senator from New York (Mr. BUCKLEY) for himself and the Senator from Texas (Mr. TOWER) propose an amendment as follows:

On page 68, line 14, strike the period and insert the following at the end of the line: "operated or funded by the Federal Government."

Mr. BUCKLEY. Mr. President, this is purely a technical amendment. The amendment would make sure that where the Federal Government is authorized to coordinate 16 programs in the child-care field, we are talking about programs operated or funded by the Federal Government.

Mr. President, my next amendment is No. 1245.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. BUCKLEY. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with. The sponsors and I have agreed to certain modifications which I ask be incorporated in amendment No. 1245; namely, on line 3, strike out the word "three" and insert the word "two"; on line 8, strike out the word "three" and insert the word "two"; on page 2, line 2, insert the word "suitable" after the word "other"; on line 5, strike out the word "three" and insert the word "two"; and on line 8, page 2, insert "to the extent possible" after the word "receive".

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

The amendment, as modified, is as follows:

Mr. BUCKLEY, for himself, and Mr. TOWER proposes an amendment:

On page 59, line 3, after the date "1968.", insert the following: "*Provided, however,* That in the case of group care facilities, the ratio of caregivers to children under two shall not be more than one to two, such care to be provided for in groups of not more than four."

On page 75, line 8, after the word "served—", insert the following and renumber the succeeding paragraphs:

"(1) Children under the age of two shall not be placed in group care facilities unless it is deemed necessary and unless other suitable alternatives are unavailable. In any case where group care is provided for such children, the ratio of caregivers to children under the age of two shall not be more than one to two, such care to be provided for in groups of not more than four. Such care must approximate the mothering in the family home. Each child must receive to the extent possible individualized, consistent, and continuous care from one person with whom the child can interact."

Mr. BUCKLEY. Mr. President, the next amendment which I send to the desk is technical in nature.

The PRESIDING OFFICER. The amendment will be stated.

The amendment was read as follows:

On page 6, line 12, after "homes" and before the period (.), insert the following: ", including family day care homes."

Mr. BUCKLEY. Mr. President, again, the purpose of the amendment is clear. It is to make plain that it includes not only the child's own home, but any other home where the child can receive suitable environment and care.

Mr. President, those are the lot. Again I want to express my very great appreciation for the cooperation and help which I have received from the sponsors.

Mr. NELSON. Mr. President, the Senator from Minnesota (Mr. MONDALE) and I worked with the Senator from New York (Mr. BUCKLEY) in modifying some of his amendments.

We agreed upon modifications of some of the amendments he had introduced, and accepted some unmodified amendments, in particular technical amendments. We reached agreement on each of his proposals.

I am prepared to yield back the remainder of my time on all these amendments. My understanding is that the Senator from New York (Mr. BUCKLEY) has requested that they would be voted on en bloc.

The PRESIDING OFFICER. The amendments will be considered and voted on en bloc.

Mr. NELSON. Mr. President, unless a Senator wishes some time, I yield back my time.

The PRESIDING OFFICER. Does the Senator from New York yield back his time?

Mr. BUCKLEY. Mr. President, I yield back my time.

The PRESIDING OFFICER. All time on the amendments is yielded back. The question is on agreeing to the amendments en bloc.

The amendments were agreed to en bloc.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, third reading——

Mr. DOMINICK. Mr. President, if the Senator from New York would yield to the Senator from Maryland on the bill, I think it would help, and then I will have an amendment.

Mr. JAVITS. Mr. President, I yield 2 minutes to the Senator from Maryland.

Mr. BEALL. Mr. President, I would like to engage the manager of the bill in a colloquy for the purposes of clarifying congressional intent with respect to section 107, the "special cooperative programs with educational institutions and other projects sponsored." In other sections of the legislation nonpublic schools are eligible for participation in the program. A question has been raised regarding the eligibility of nonpublic schools to participate in section 107 programs. The actual language found in the section 107 does not cause any difficulties, but it is the wording of the committee report found on page 14 which uses the heading "public schools," and in the descriptive language the term "public schools" is also used.

Specifically, I would ask the manager of the bill if I am correct in my understanding that it is the intent of the committee that nonpublic schools, where appropriate, should be permitted to participate in the section 107 programs as they are able to participate in other sections of the legislation. I do believe that the wording of the committee report creates an ambiguity and I believe it is important that this matter be clarified as part of the legislative history of this measure.

I would appreciate it if the manager of the bill would make a clarification.

Mr. NELSON. Mr. President, the Senator is correct in his interpretation of the intent of the committee.

Mr. BEALL. I thank the Senator.

AMENDMENT NO. 1252

Mr. DOMINICK. Mr. President, I call up my amendment No. 1252.

The PRESIDING OFFICER. The amendment will be read.

The assistant legislative clerk read the amendment, as follows:

On page 13, line 7, strike out the word "twenty-five", and insert in lieu thereof the words "one hundred".

Mr. DOMINICK. Mr. President, I want to start out by congratulating the Senator from New York on what I think have been very constructive amendments, worked out with the distinguished Senator from Wisconsin. I think the amendment of the Senator from Maryland, giving priority to those areas where there are eligible seniors and students to participate in the programs, is of great assistance. So I think we are making progress so far as the bill is concerned, both in making it more effective and also in providing the necessary impetus so that no child need fear he is being dragooned in any kind of situation which would be difficult for him to live with.

In the same light, I am calling up this amendment, Mr. President. You will recall that when the President objected to and then vetoed the bill last year, one of the objections he had was to the number of eligible prime sponsors. At that time it was a unit of local government of 5,000 people or more, and it was computed that this would result in 7,000

potential grantees, which would have, in my opinion, swamped HEW and anybody else that was trying to review it.

It was stated by the President, in his veto message, as being "administratively unworkable" and creating "a new army of bureaucrats." He pointed out that since 1965, I believe, or whenever Headstart started, we have finally gotten 1,200 grantees under that program—this is in his veto message—and that it proved a very difficult management problem.

I can vouchsafe that, having been in the middle of a number of problems of Headstart, trying to work them out in my own State. Now we have them worked out, and I think the program is going quite well, as far as my State is concerned, although there are some problems in other areas still.

We have changed that 5,000 to 25,000 in this bill, and by so doing we have the approximately 7,000 eligible sponsors down to 2,100. That is still a great number of prime sponsors. It is at least 900 potential sponsors above the Headstart figure, and, as I pointed out, we have already had management problems with Headstart. So to jump into this program at this time in this massive way seems to me to be taking an administrative situation and making it very, very difficult to work out.

If we should move forward into my amendment, which calls for 100,000, we would be cutting the 2,100 potential grantees down to 484, which would be a manageable amount.

Is there any testimony or support behind this? First of all, I would say, for the purposes of the RECORD, that HEW suggested 500,000—not 100,000, but 500,000. This would have very substantially reduced the number of eligible grantees and perhaps even reduced them below what any of us would want.

Mr. Jule Sugarman, who is the administrator for the New York City Human Resources Administration, and a former Director of Headstart, testified that 100,000 should be the lowest figure allowed for prime sponsorship in order to facilitate Federal administration and to assure a sufficiently large population so that we could have a variety of programs offered and also to insure against unreasonable overhead costs.

It should be made plain that by putting in 100,000, as opposed to 25,000, we are not cutting out small areas. As I have said in this debate before, on page 13 of the bill we set forth who may be the prime sponsors, and subsection (3) provides that it can be any unit of general local government or any combination of those, without regard to population, if it can show that it has the capability to carry out the comprehensive child development and family service program and if there is a particular demand for services and availability of resources within the area to be served.

Consequently, this figure can be put in at 100,000 and we would still leave room to take care of the eligible participants in other areas, under subsection (3), under the definition of prime sponsorship.

A population requirement of 100,000 for prime sponsorship obviously, as I have said, is not an ironclad rule, but it will meet many of the objections set forth by the President in his veto message, it will insure that administrative costs are within reason, and it will insure that a sufficiently large enough number of children could be included within the program so that we could offer a variety of economically feasible services.

It is totally possible that since we have this provision in—which I think is a very good one—that no child can go to any of these centers without the family's consent, that in many areas of 25,000 or more they may have very limited use for the programs authorized under this bill. It seemed to me, therefore, that enlarging the scope of prime sponsorship would make available more of the resources with which we are trying to be of assistance to the young people as they progress from prekindergarten up to the secondary level of education. So it would be my hope, Mr. President, that this proposal will be adopted.

I reserve the remainder of my time.

Mr. NELSON. Mr. President, in the bill that we passed a year ago, we agreed in conference that the prime sponsorship area would have a population of 5,000 or over. We agreed in committee, by a 14-to-2 vote, that prime sponsors should be of 25,000 population or over. Earlier in the day, the Senator from Colorado succeeded in getting an amendment adopted which gave the Secretary the discretion to choose between an applicant for a prime sponsorship with a population of 25,000 or more, and the State government, on an equal basis.

Since it is the position of the administration that they would have preferred to have the prime sponsors have a population of 500,000 or more, the actual effect of this amendment is to say that no community is eligible to be a prime sponsor, as a matter of right, unless its population is 500,000 or more; and we find the Senator's amendment adopted this morning giving the Secretary discretion; so I assume, then, that no one in a population area of 100,000 or more may be a sponsor as a matter of right, but again must have his application given to the Secretary, and have his application compete on an equal basis with an application from the State.

So now if this amendment is agreed to, we will have places where cities of 100,000 do not have the right to be prime sponsors under the law, even though they could meet adequate standards and prove that they could perform the functions authorized under the law.

When this matter was before the committee, the following organizations supported the bill, including the provisions for prime sponsorship:

Black Child Development Institute.
Center for Community Change.
Child Welfare League of America.
Children's Foundation.
Common Cause.
Friends Committee on National Legislation.
Health and Welfare Council of the National Capital Area.
International Ladies Garment Workers Union.
Interstate Research Associates.
Leadership Conference on Civil Rights.
League of Women Voters.
National Board of the Young Women's Christian Association of the U.S.A.
National Council of Churches.
National Council of Jewish Women.
National Council of Negro Women.
National Council on Hunger and Malnutrition.
National Education Association.
National Urban Coalition.
National Urban League.
National Welfare Rights Organization.
United Auto Workers.

Thelma C. Adair, Coordination of Education Strategy, United Presbyterian Board of National Missions.

Mary Jane Patterson, United Presbyterian Church of the U.S.A., Washington Office.

Women's International League for Peace and Freedom.

Washington Research Project Action Council.

All of these groups were perfectly satisfied with the sponsorship at the 25,000 level. I think it would be a mistake for us now to adopt an amendment which, in effect, says that no city in America which has a population under 100,000 is eligible as a matter of right to be a prime sponsor of one of these programs, though I believe there is plenty of expertise within the cities of 25,000, 30,000, 40,000, 50,000, 60,000, 70,000, 80,000, or 90,000 to manage most effectively the kind of programs authorized in this bill.

This means that if the Secretary simply decided to follow the amendment, 72 percent of the population of the United States, then, would be under State programs, and the other 28 percent would be eligible to be considered to sponsor programs, and if the Secretary decided that he really did not want to sponsor cities of 100,000, he wanted them to be 200,000 or 300,000, under the amendment we adopted earlier in the day, he could eliminate local prime sponsors for almost the total population of the United States, and I think that would be the case.

Mr. MONDALE. Mr. President, will the Senator yield?

Mr. NELSON. I yield the Senator from Minnesota whatever time he needs.

Mr. MONDALE. The Senate, in dealing with the same amendment the last time this measure was before this body, overwhelmingly defeated this proposal. I do not have the exact vote, but I believe it was somewhere on the order of 2 to 1.

The key issue here, of course, is whether this program is intended to be one under local control, one which fits the needs of local communities—which is what the committee overwhelmingly decided was the best and what the Senate decided would be the best the last time we dealt with this measure—or whether it is to become essentially a State-run program, remote from the local community, conducted and directed by, in most cases, State welfare departments.

We think the experience of Headstart has shown that local parentally controlled programs are, without any doubt, the best. They are the closest to the people concerned. They guarantee that the children will be most sensitively handled. They are programs which build upon and

strengthen the family, and which build upon the strength of the community itself.

The notion that larger communities can do an exceptional job and that smaller communities cannot, I think, is without any basis. In fact, it has been my observation that just the reverse is true. If you look at the most troublesome programs, they are usually found in the major, massive central cities. This is not to be critical, because many times their problems are overwhelming. But in many of the larger communities, there is a lack of community, a lack of cohesiveness, and a difficulty in personalizing and humanizing these programs which smaller communities often do not face. That is one of the great strengths of rural America. If I were asked to say which communities are most likely to do a quality job in this field of helping children, and do it in a way which is sensitive and humane, I would say that the smaller communities are most likely to do the best job.

If this amendment were adopted, there would be many States in this Union in which not a single community of 100,000 would be entitled to be a direct prime sponsor in a single community. I do not think the State of Montana has a single community of 100,000. That is true of the State of West Virginia, and many others. My State has just three communities, Minneapolis, St. Paul, and Duluth, that would be considered eligible to run their own programs. Yet there are hundreds of other communities which are just as capable, just as qualified to establish and run their own programs. But what we would say by this amendment is, "You are too small."

I think one of the great problems with the institutions of this country is that they are too large. And we have, for too long, ignored the magnificent strengths of rural communities.

I have had a chance to see many poverty programs in smaller rural communities, and almost always they impress me by the sensitivity and humanity and compassion with which they conduct their affairs. Usually, they are the least expensive. They are almost always more sensitively adapted to the needs of an individual community than are remote bureaucratic programs.

We really want this program to be one which fits creatively the needs and desires of individual communities. And I believe the adoption of this amendment will weaken that much-desired objective.

Therefore, just as we rejected it the last time we dealt with this measure, I hope we will reject this amendment today.

Mr. DOMINICK. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DOMINICK. It is my understanding that Senator TAFT would like to offer an amendment to my proposal. What is the procedure by which this can be accomplished?

The PRESIDING OFFICER. The amendment would be in order when all time has been yielded back or used by the Senator from Colorado.

Mr. DOMINICK. I yield myself 2 minutes to reply briefly to the Senator from Wisconsin and the Senator from Minnesota.

Mr. President, we are dealing here not with a question of trying to cut out any small community. We have the saving clause to which I have referred, subparagraph (3) on page 13, which lets any governmental unit come in as long as they show the capability and have the resources to provide it.

What we are talking about is the prime sponsorship which the army of HEW faithful workers will have to wade through before they can decide who is going to be a prime sponsor in any area.

It seems to me that to the degree we can cut this down, to that degree we will get progress much more rapidly, we will get more diversification, we will get programs in effect more rapidly, and we will be going along with the advice of a man who probably knows more about this than anybody else, Mr. Sugarman, who is the former director of Headstart, under the Democratic administration, and who is now the head of the division of human resources in the city of New York. I think he has quite a good deal of knowledge on this subject, and I would hate to see us just say, "Well, forget what he told us; we're going to go down our own road on this," and go through all the mistakes that were made before, when we have evidence before us to show what we should do.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. DOMINICK. I yield.

Mr. TAFT. Yesterday, the Senator made considerable mention of the Project Policy Committee and the Family Service Council. I would not want the discussion on this amendment to omit mention of those bodies, because even where the State or a larger unit of Government is the prime sponsor, we still have the requirements of local participation and, in effect, the local veto power that exists in those bodies.

It seems to me that the danger that the Senator from Minnesota has attempted to point out with regard to a failure of local participation if we make this unit too big is not true, with the safeguards written into this bill.

Mr. DOMINICK. The Senator is correct, and I am glad he put that into the RECORD, because I think it is significant in this argument. I appreciate that contribution very much.

Mr. President, I yield back the remainder of my time, if the Senator from Wisconsin will yield back his time.

Mr. NELSON. I yield back the remainder of my time.

The PRESIDING OFFICER. All time on the amendment has been yielded back.

Mr. TAFT. Mr. President, I call up my amendment which is at the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read the amendment, as follows:

On page 1, line 2, of the amendment of the Senator from Colorado, No. 1252 strike "one hundred" and insert in lieu thereof "fifty."

Mr. TAFT. Mr. President, for the benefit of the Senate, the facts with regard to the relationship of the number of possible primary sponsors to the size of the unit of Government which might be a primary sponsor are set out on page 11 of the committee report.

In the considerations in the committee, an amendment was offered and—as the Senator from Minnesota indicated—was defeated on a 14 to 2 vote, on limiting the size of the prime sponsor to the 100,000 figure.

However, another amendment was offered, along the lines of the amendment to the amendment that I am proposing at this time. That amendment would have called for a minimum size of a prime sponsor governmental unit of 50,000 or less. The vote on that amendment, while unfavorable, was considerably more favorable than the vote on the prior amendment referred to.

It is my feeling that the 50,000 figure is about right. The effect of the 50,000 figure, as indicated on page 11, would be to make the number of possible prime sponsor governmental units of this size about 1,000. It has been estimated that the number of primary sponsors of various Headstart programs today is around 1,200, possibly somewhat higher over the entire life of the program, with some other contracts with special projects being involved. But we are dealing with a number with which the Department of Health, Education, and Welfare, in the case of Headstart, already has been able to work with a considerable degree of success—the 1,200 figure—and it seems to me that the 1,200 figure would not impose undue burden upon the Department of Health, Education, and Welfare in going through the applications for prime sponsorship.

But even more important than that, during this debate we have talked to a great extent about the degree of professionalism. I am sure we do not want to have all professionals in these programs. As indicated by my amendment which was agreed to yesterday, I think we ought to bring into this training process volunteers, the elderly, youth, and the entire community right across the board, for participation in these programs.

It is true that in order to run an effective program of this type, a degree of professional competence and professional guidance is necessary at the top of the program. I think it is unrealistic to expect a prime sponsor with a population of less than 50,000 to be able to carry the kind of financial burden that is involved in having the degree of professional competence and professional guidance that is required. There is a shortage of people trained in this field, anyway, in this country, in the group care area. We are attempting to remedy that with some provisions in this bill.

It seems to me that the 50,000 figure would take care of this to a greater degree. On the other hand, I think there are many cities of 50,000 which, from the point of view of administration, are as good as or even better than some other cities of larger size. When we get much below that figure, I feel that we are stretching reason to believe that we can

consistently obtain a degree of professional competence that is desirable in a program of this type that is to be sponsored by such a unit of Government.

Mr. President, I feel that this issue is one on which there is bound to be a good deal of discussion in conference with the House. That occurred in the conference committee on which I served when the bill the President vetoed came before the conference committee. For that reason, I anticipate asking for the yeas and nays on this amendment at an appropriate time.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. TAFT. I am glad to yield to the Senator from Colorado.

Mr. DOMINICK. I just want to say to the Senator from Ohio that we came far closer to getting the 50,000 in committee than we did the 100,000. Although I would like to see the 100,000, I will be happy to support his amendment. It is a step in the right direction in order to try to get rid of some of the harmful bureaucratic morass we otherwise will find ourselves in. That is what we both are trying to avoid. I congratulate the Senator from Ohio on what I think is a useful and will be a fruitful amendment. I am happy to support it.

Mr. TAFT. I thank the distinguished Senator from Colorado for his remarks and his cooperation.

Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. JAVITS. Mr. President, will the Senator from Ohio yield?

Mr. TAFT. I yield.

Mr. JAVITS. I wish to make an observation or two.

Mr. President, the bill that was introduced largely by Republican sponsorship—about 14—carried the figure of 50,000. I am glad that the Senator from Colorado (Mr. DOMINICK) has seen fit to join in that figure. I supported my colleagues in reporting the bill, but I did vote to support the 50,000, which was in my original bill. I shall do so again.

My reason is that it is pretty much an arbitrary proposition as to what figure we will get in order to break it down by any particular governmental unit. For example, there are some 230 standard metropolitan statistic areas in the country. A population of 100,000 will produce 450 sponsors; 50,000 will produce about 1,200 sponsors; 25,000 will produce 2,000 sponsors. The agency complains strongly about the problem of having too many sponsors to deal with.

On the overhead question, again we have taken care of that in the bill through an amendment introduced by the Senator from Maryland (Mr. BEALL). We have limited the overhead, except under unusual circumstances, to 5 percent. That is found at the bottom of page 14 of the bill. So I do not believe, on that ground, that we can make an argument either way. In deference to the strong departmental view that it does not want to deal with many sponsors and in deference to the fact that the 100,000 was thought to be too low in the committee in total number of sponsors, we have limited the overhead cost to the 5 percent figure. We have now given the Secretary authority, through adoption of the Dominick amendment, to pick a State over a locality. We also have a provision where we have no other way to deal with the problem to take a locality particularly able to carry out a program. As it is understood that the State will administer programs in areas which simply do not have enough population to warrant a program of their own, and we have provided for some degree of autonomy through councils in such areas, I believe that 50,000 is reasonable. As more funds are provided in later years, it may be desirable for localities to be permitted "spin off" and have their own programs.

It is pretty much the Republican alternative which we had offered, as I say, in respect of our bill.

While I appreciate the problems that my colleague, the manager of the bill, will have in accepting this figure, in view of the fact that it was voted on and rejected in committee, I shall support it.

Mr. NELSON. Mr. President, I think we are all aware of what the argument is as to the number involved as a prime sponsor. I oppose the figure of 50,000, the reason being that I believe that cities of 25,000 are perfectly capable of operating a child-care program.

Mr. President, I am prepared to yield back the remainder of my time, if the other side is.

Mr. TAFT. I yield back my time.

Mr. NELSON. I yield back my time.

The PRESIDING OFFICER (Mr. BUCKLEY). All time on this amendment has now expired.

The question is on agreeing to the amendment of the Senator from Ohio (Mr. TAFT) to the amendment of the Senator from Colorado (Mr. DOMINICK).

On this question the yeas and nays have been ordered and the clerk will call the roll.

The legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Georgia (Mr. GAMBRELL), the Senator from Alaska (Mr. GRAVEL), the Senator from Oklahoma (Mr. HARRIS), the Senator from Indiana (Mr. HARTKE), the Senator from Minnesota (Mr. HUMPHREY), the Senator from Hawaii (Mr. INOUYE), the Senator from South Dakota (Mr. MCGOVERN), the Senator from New Hampshire (Mr. MCINTYRE), the Senator from Montana (Mr. METCALF), and the Senator from Maine (Mr. MUSKIE) are necessarily absent.

I further announce that, if present and voting, the Senator from Minnesota (Mr. HUMPHREY) and the Senator from Georgia (Mr. GAMBRELL) would each vote "nay."

Mr. SCOTT. I announce that the Senator from Tennessee (Mr. BAKER) is necessarily absent.

The Senator from Vermont (Mr. STAFFORD) is absent on official business.

The Senator from Arizona (Mr. GOLDWATER) and the Senator from South Dakota (Mr. MUNDT) are absent because of illness.

The Senator from Michigan (Mr. GRIFFIN) is detained on official business.

If present and voting, the Senator from Vermont (Mr. STAFFORD) would vote "nay."

The result was announced—yeas 36, nays 49, as follows:

[No. 228 Leg.]

YEAS—36

Aiken	Dominick	Percy
Allott	Eastland	Roth
Beall	Fannin	Saxbe
Bennett	Fong	Scott
Boggs	Gurney	Stennis
Brock	Hansen	Taft
Buckley	Hruska	Talmadge
Byrd, Harry F., Jr.	Javits	Thurmond
Cooper	Jordan, Idaho	Tower
Cotton	Mathias	Weicker
Curtis	McClellan	Young
Dole	Miller	
	Pearson	

NAYS—49

Allen	Ervin	Packwood
Anderson	Fulbright	Pastore
Bayh	Hart	Pell
Bellmon	Hatfield	Proxmire
Bentsen	Hollings	Randolph
Bible	Hughes	Ribicoff
Brooke	Jackson	Schweiker
Burdick	Jordan, N.C.	Smith
Byrd, Robert C.	Kennedy	Sparkman
Cannon	Long	Spong
Case	Magnuson	Stevens
Chiles	Mansfield	Stevenson
Church	McGee	Symington
Cook	Mondale	Tunney
Cranston	Montoya	Williams
Eagleton	Moss	
Ellender	Nelson	

NOT VOTING—15

Baker	Harris	McIntyre
Gambrell	Hartke	Metcalf
Goldwater	Humphrey	Mundt
Gravel	Inouye	Muskie
Griffin	McGovern	Stafford

So Mr. TAFT's amendment to the Dominick amendment was rejected.

The PRESIDING OFFICER. The question recurs on the amendment by the Senator from Colorado (Mr. DOMINICK). (Putting the question.)

The nays appear to have it. The nays have it. The amendment is rejected.

The bill is open to further amendment.

AMENDMENT NO. 1253

Mr. DOMINICK. Mr. President, I call up my amendment No. 1253.

The PRESIDING OFFICER. The amendment will be stated.

The amendment was read as follows:

On page 3, line 12, strike out "$1,200,000,000 and insert in lieu thereof "$950,000,000".

On page 3, line 13, strike out "$1,600,000,000" and insert in lieu thereof "$1,250,000,000".

Mr. NELSON. Mr. President, may we have order in the Chamber so we may hear what the Senator from Colorado has to say?

The PRESIDING OFFICER. The Senate will be in order. Senators will please be seated.

Mr. DOMINICK. Mr. President, while the membership is here I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. DOMINICK. Mr. President, this is a money amendment and I think it is pretty important. The amendment would cut back $650 million from the proposed authorization. I shall take only 5 or 6 minutes of the Senate's time because I think the amendment is easy to understand.

The President characterized last year's authorization of $2.1 billion over a 2-year period as "fiscal irresponsibility." It was one of the major reasons he gave for vetoing the bill.

Now, what we have done in this bill,

if Senators will look at page 3 of the bill, is to put in a 3-year authorization of $150 million for fiscal year 1973, which I am not touching by this amendment.

Then we go to fiscal year 1974 and 1975. In that 2-year period we are proposing to spend $2.8 billion, or $700 million more than the President vetoed last year, when he called it "fiscal irresponsibility."

I have heard on a number of occasions many Members of this body say we have to be extremely careful as to what we are doing in the expenditure of taxpayer funds, both in terms of authorization and appropriations.

I have no doubt whatever that the Committee on Appropriations would substantially cut down the amounts we are authorizing. One of the things we get hit with every time we go to conference with the House is, "Why does not the Senate bring an authorization somewhere within a reasonable limit of what the expected appropriation might be?"

Testimony before the committee by Mr. Jule Sugarman, former director of project Headstart, indicated that anything more than modest annual increases in expenditures would be wasteful and ineffective. Mr. Sugarman urged that annual increases be held to a $300 million limit due to the fact that there presently is not a sufficiently large number of qualified, competent child care personnel to either staff and run the programs or train others for this task.

Inherent in gearing up for a program of this magnitude is a significant timelag for training competent child development staffs. Based on the number of graduates with degrees in the early childhood field and utilization of these people in training others, Mr. Sugarman indicated that it would take a minimum of 3 or 4 years to train a sufficient number of qualified staff people.

Take note, Mr. President, that what we are doing is providing $150 million for training purposes in fiscal year 1973, just 1 year. Then we are jumping in with a proposed expenditure of $1.25 billion for 1974 and $1.6 billion for 1975.

We will not have the personnel. The testimony will go that far. The Committee on Appropriations is not going to appropriate that much money, and once again we will be building great iridescent dreams in the minds of those interested in this program and then not have the ability to fulfill those dreams.

Dr. Sugarman also cautioned that early childhood as an area of expertise is significantly different from the field of elementary education and the latter should not be relied on as a source of teachers or trainers for early childhood personnel.

Postponing the effective date of this bill for 1 year will not overcome the time lag problem described by Mr. Sugarman.

In line with his analysis, I offer an amendment which would reduce the authorization levels from $1.25 billion in fiscal year 1974 to $950 million and from $1.6 billion in fiscal year 1975 to $1.2 billion. Starting with the $150 million figure for the first year's planning, $500 million for Headstart and $300 million as recommended by Mr. Sugarman is added to fiscal year 1974, for a total authorization of $950 million for fiscal year 1974. An additional increase of $300 million for fiscal year 1975 brings that year's authorization to $1.25 billion.

I think it only fair to point out that the President who claimed that the $2.1 billion last year was fiscally irresponsible, even under my amendment, would be faced with a bill which is in excess of $2.1 billion. So I am not even cutting it down as much as the President indicated it should have been in past year's veto. What I am doing is retaining the committee theory that we can stretch this over 3 years and make more profitable use out of it. It seems that to cut $600 million out of a series of authorizations—which will not be appropriated, which will not be used, for which we do not have personnel—will bring this bill more in line so that perhaps we could avoid a veto.

Mr. President, I reserve the remainder of my time.

Mr. NELSON. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time be equally apportioned to both sides.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. NELSON. Mr. President, I yield whatever time the Senator from Minnesota needs.

Mr. MONDALE. Mr. President, I ask for 5 minutes.

I hope the present, pending amendment will be rejected. The committee, hoping to develop a bipartisan consensus, has gone a long, long way already to reduce authority for spending and for appropriations below that which was contained in the Child Development Act, adopted by the Senate and vetoed by the President earlier this year.

Last year's bill, passed by both Houses, authorized $2 billion in the first operational year. First, we sliced that figure by 40 percent, to $1.2 billion. In addition to that, we postponed the act for one full year. So funding was delayed for a full year, following the adoption of this measure, except for money which has been set aside for the purpose of training personnel, an objective which I think has been broadly supported by practically everyone in the Senate, and which is further highlighted by an amendment which we accepted, offered by the Senator from Ohio (Mr. TAFT), spelling out the need for training of personnel as we prepare for the operational commencement of this program.

That is the second step, the delay for one year which was taken in the hope that we could have a bipartisan consensus concerning funding levels for this proposal and for the measure itself.

Thirdly, a good deal of the money authorized in this bill is not for anything new. $500,000 of each year's program is not for the new initiatives under this measure, but for the purpose of funding on-going Headstart programs. So the additional authorization of only $700 million in the second year of the bill and $1.1 billion in the third year, a total of less than $2 billion over a 3-year period, is, as I have indicated earlier, a 40 percent reduction below the amount authorized in the bill adopted by the Senate earlier this year.

The present Headstart program reaches only 10 percent of those who are eligible for its services. If we slash the authority carried in this new bill, once again we will have resorted to the old process by which we authorize dreams and appropriate peanuts, only this time we will declare a new program, raise hopes and expectations in this country, and then destroy and crush them by the absence of any money to fulfill the objectives and purposes of the legislation.

This is not a minor reduction. This is a massive, bloody, and fatal cut in the program, to the extent that much of its hope will be taken away if the amendment is adopted.

I therefore hope that the amendment will be defeated.

Mr. JAVITS. Mr. President, will the Senator, on behalf of the Senator from Wisconsin, yield my 5 minues?

Mr. MONDALE. I yield the Senator from New York 5 minutes.

Mr. JAVITS. Mr. President, I oppose this amendment, because I think that the bill as now constituted provides affirmatively less money than the measure the President vetoed. This is a basic question of fact, and to me the facts seem very clear. In the bill the President vetoed, we had $100 million for start-up, and then $2 billion for the first operating year. Under this bill, we have $150 million for start-up, and $1.2 billion for the first operating year. The second operating year we have $1.6 billion, but if the bill the President vetoed had become law, we would have had a second operating year with a materially increased figure, probably over $2 billion. So I deeply feel that the argument that this bill provides more money than the bill the President vetoed simply does not square with what the bill says.

The critical point, to me, is the shortfall in what we are trying to accomplish. There seems to be general agreement in the country—even the Gallup polls show it—that the time has come to provide opportunities for working mothers. The bill which we have before the Senate would provide just about double the number of opportunities now in being and, even if doubled, it would still not come to a third, probably even less than that, of the opportunities which are urgently needed. This is one of the grave deficiencies of America. Therefore, why short-change it even more in the authorization?

If this were more than adequate, or if we were trying to do something which could not be handled or absorbed, it would be different, but communities and States are crying for this money. It is not a matter of giving them anything they cannot use or do not want. They want it very urgently, very badly, and it is one of the crying social needs of our time.

I noticed with great interest the statement of my friend from Colorado, who

used the phrase, "iridescent dreams," that there would be iridescent dreams created if we allowed $1.2 billion and $1.6 billion, respectively.

I would like to ask Senators the question whether anyone believes there will be no iridescent dreams that did not exist before if we allow $950 million and $1.25 billion. It is strictly a matter of our judgment as to what is necessary in order honestly to try to do as much as we can do in this field.

I do not see that the order of magnitude is greatly different, and that people will have some illusions about an authorization of $1.2 billion that they would not have about $950 million. To the people who have these dreams, $950 million is a lot of money, too. But we understand, or at least we should, what is required in this situation, and how far short we are falling, actually, of the very urgent need testified to by every witness from the local communities and the States.

I would like my colleagues to take a look at the record and ask themselves, "Did anyone from my State come in and say, 'This is too much, we cannot use it'?" Did anyone from your State say, "You are giving us dreams we cannot realize," and so forth?

Not at all. From small States, big States, rural States, city States—that is, States with large cities—southern, northern, eastern, western, everybody felt this was an extremely urgent need, and they were devastated by the veto of the bill.

We have made some effort to repair it, I think in good faith, to meet the President's view, by materially scaling down the authorization. Again I come back to that basic point: The Senator from Colorado said we are providing $700 million more than the President vetoed, but he does not take account of the fact that the President vetoed a 2-year bill, and this is a 3-year bill; or, put another way, that the President vetoed a bill which, for the first operating year, had $2 billion as against $1.2 billion in this particular bill.

So, Mr. President, I feel that we would not be measuring up to the responsibility which we assume by agreeing to this amendment, in view of the fact that it does not by any means meet the need, anyway, but nevertheless, in deference to the President's views we have not increased it but cut it $800 million for the first operating year. No one knows what we could have gotten for the next operating year, because it was not in the vetoed bill, but we have cut $800 million from the first operating year, and that is a fact.

Therefore, I hope the Senate will sustain us and defeat this amendment.

The PRESIDING OFFICER. Who yields time?

Mr. MONDALE. Mr. President, I am glad to yield the Senator from South Carolina such time as he may require.

Mr. HOLLINGS. Mr. President, I thank my distinguished colleague from Minnesota.

I have tried my best to fathom the amendment of the Senator from Colorado relative to the amounts, and how he arrived at these particular cuts. It seems to me that in an orderly approach to the day care center program and the Child Development Act, we cannot arbitrarily be cutting millions and millions of dollars, when we know that the number of children far exceeds what has already been authorized. Quite to the point, the first year authorization of $150 million is not going to do it, and I think the committee has already compromised too much in this regard. As I understand, the authorization for the first year would be about $150 million, the second year $700 million for an operational amount, and, going to the third year, $1.1 billion.

The Senator from Colorado proposes to cut out, for that particular program, some $250 million the second year and an additional $350 million for the third year. It strikes me, Mr. President, that we are in real need of anywhere from $2 to $3 billion to go into a program. We just cannot stop at this time and say, "Which of the children are going to be cared for?"

For an adequate day care center program, some of the best authorities that I could find have said that we would need immediately some $2 billion. I tried to arrive at this figure by talking to various authorities making surveys. I have spoken with the authorities of the National Nutrition Survey. These are not political judgments. These are medical findings. The National Nutrition Survey went into some 10 States in America over a 3-year period after the Surgeon General of the United States came before Congress and we asked how many hungry we have in America. The Surgeon General replied that he knew how many hungry they had in 33 other countries, but in the United States he was appalled at the question. So Congress gave him $5 million and sent him into 10 States, and in 3 years they took 81.000 complete physicals.

When Elmo Roper, Louis Harris, George Gallup, or anybody else takes a poll, they think a good national poll is testing between 1,700 and 2,300 persons. But medically, with dental tests, blood tests, and the like, at the direction of this Congress, we have gone into 10 States and found 15 million hard-core hungry, and at least half of them are minors under the age of 6.

I was talking with the sponsors of this bill and they were talking first of a 3 million figure, but then they corrected me and said that was 3 million without working mothers. With working mothers, it was another 3 to 4 million. This conforms to the National Nutrition Survey of those who need to be brought out of the hovels and shanties and the ghettos and given some chance, and in turn, as taxpayers, if we are conservatives, as I am, save taxpayers' money.

We are paying through the nose. This amendment does not save 1 red cent. It continues to pay on the other end of the line at a higher rate than what it would cause to prevent the problems by building day care centers. Oh, they say give us a rehabilitation center, a retarded children's center, a jail. There is no shortage of jails in America. We will build the jails and fill them up with the children. But if we want to build a day care center, we get high and mighty about the whole thing and start talking about communalism, communism, conforming minds, and everything else. There are no families out there.

I have found in my State that in the three retarded children's centers we are paying $137,000 per retarded child, because once admitted they never come out. So when the amendment purports to save the taxpayers' money, it is really wasting the taxpayers' money because of continuing higher cost at the other end of the line.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. NELSON. Mr. President, how much time do we have remaining?

The PRESIDING OFFICER. Eleven minutes.

Mr. NELSON. I yield the Senator whatever time he requires.

Mr. HOLLINGS. I have been sitting with the Subcommittee on Health, Education, and Welfare on Appropriations, of which Senator MAGNUSON is the distinguished chairman. We have been adding x millions of dollars to manpower training. We have a bill in HEW that approximates $29 billion. One-third of that goes into the shortsightedness of this particular amendment. We have been treating the results rather than the cause. That is what we have been doing in government over many, many years—all on the premise of so-called communal living.

Ask anybody at the country club where their kid is, and they will say, "It's a kindergarten." But ask any poor folks and it is a day care center, and then all of a sudden the kindergarten becomes communism and communal living and you are trying to conform their brains, as if they are not being conformed now by negligence and lack of care by this Congress.

The Senator from Wisconsin and the Senator from Minnesota give leadership to this particular program. To turn around and act as though you are saving money is pure poppycock. We have been wasting millions and billions of dollars. Every time health care goes up, the jail bills go up. Where do you think they get the jails from?

The Senator from Massachusetts and I are now engaged in helping one young lad who has responded to rehabilitation—Bobby Lee Hunter, two-time AAU champion—admitted into the Olympics.

Do you know where he was born? In "Do-As-You-Choose Alley" in Charleston, S.C. That is where this amendment wants to put everybody, back in "Do-As-You-Choose Alley." His mother was retarded. He was a dropout from school. He got into crime. He is serving 18 years for manslaughter. Now we are trying to rehabilitate him. Nobody came with a shortage of jails. We got him a big enough jail. We will keep building the jails. But if he had had some kind of environment, some kind of hot breakfast and meals, a Child Development Act, a day care center, that fellow would have been saved, in my judgment, and he would not be the subject of a manslaughter charge, and the taxpayers would not be paying to keep him in jail.

The Child Development Act goes to the poverty question, the child itself.

When the distinguished Senator from

Colorado goes for the integration process, the emergency provisions, I find by the record that in the emergency school assistance fund, $1.5 billion went back on a district basis. To how many districts? To 20,000. But when this one comes along, all of a sudden he starts talking about it being cumbersome, that you cannot handle it. If you can handle it for integration in busing, you certainly can handle it for the poor children.

By cutting it down now $250 million and $350 million and talking about saving, what is really attempted to be done is to oppose the very concept and to waste money by paying in spades. We are not saving money.

The only time we can break that cycle, I say to the Senator from Minnesota, is to help that little child and not try to penalize the parent. I do not know of any greater scourge in society than to have an expectant mother who has had eight children and is going to have the ninth and cannot identify the father.

They say, "We are going to take care of her. We are going to cut her off from aid to dependent children. She is not going to get food stamps. She is immoral and degenerate, and we are going to penalize her."

The fact remains that that child is going to come; and the child is not immoral; and that child, we hoped, would have had 13 billion brain cells, just as you and I. Medically speaking, we know that 10 billion of those 13 billion cells are formulated in the mother's womb, and that child is going to lose as much as 20 percent of brain cell development—2 billion cells—because the mother is not going to get proper nourishment, as she would get under the Child Development Act. That brain will continue to grow from birth until 5 years of age.

Ask George Wallace. He will tell you. Those cells do not repair. You can put all you want into rehabilitation centers, jails, schools for the retarded, and the like. Our society will take them on once they get to be 16 or 18 years of age. Those nerve cells do not repair. You can drink milk and get stronger bones, but you will never get a repaired mind.

Every time we get around to getting something for the poor children of America, to give them a chance and make them useful citizens of America, we get an economy mood. The space shuttle will cost $35 billion to $40 billion. It started with an appropriation of $250 million. To put a man in space, we are willing to start at $250 million, and the Senator from Colorado voted for that, and so did I. Why cut this proposal to start a man on his feet to $150 million and then put in an amendment to cut it the second year? The Senator is not saving money. Does he think more of getting a man in space than he does of getting a man on his feet? I think it is ridiculous. I think we ought to understand what this bill is all about. I strongly oppose the amendment.

Mr. MONDALE. Mr. President, that is one of the best speeches I have heard in the 8 years I have been in the Senate.

Mr. DOMINICK. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. Sixteen minutes.

Mr. DOMINICK. I yield myself 8 minutes.

Mr. President, I listened to the speech of the Senator from South Carolina, and I covered myself with sack cloth and ashes and put high fins on and breathed smoke out of my mouth, because I am obviously an evil man, according to his statement. As a matter of fact, I probably would vote against the whole bill. Maybe that is what the Senator is trying to get me to do—I am not sure.

Apparently, the Senator does not listen very carefully Apparently, the Senator has not looked into this very thoroughly. What I said this time is, I hope the bill will not get vetoed. I would like to see it get through. I think the Senator would, too, from his speech.

Last year, when the bill was vetoed, we had $2.1 billion in the bill over 2 years. This time, if we separate the operating funds and the training funds which are for next year, we have $2.8 billion in the bill.

The President said about the state of the budget, just as Members here talk about the budget, that we have got to do something about expenditures. Well, why does not Congress do something about it? This has been an effort to try to do something about it.

Let us go beyond that for just a minute. We are trying to make a program that will work. We have a child care program going on right now in my State. I do not know whether the Senator from South Carolina has one going on in his State. I presume that they do. The OEO is investigating it now, saying it will not get any more funds unless they change the board of directors and change the management. If they do not have the necessary personnel to be able to run it properly, then we will put in 1 year of funds to try and train the specialists to run the centers and the development programs, as well as the in-house services, including medicine, nutrition, in-home service, day care, education, and reading. We will spend $150 million in 1 year in order to get the expertise possible to run the $2.8 billion program over 2 years.

Well, I will say to the Senator from South Carolina, the Senator from Wisconsin, and the Senator from Minnesota, that this does not jibe with the views of the person who has had probably more experience in developing these things than any other single person—Mr. Jule Sugarman—whom I have quoted again and again and whom most members of the Democratic Party seem to want to forget these days, because they do not like what he says. He is now head of the Human Resources Administration Division in New York City, and a former head of Headstart. He says that we cannot develop the personnel and that we can effectively put in only a $300 million a year increase if we are going to have any kind of efficient program.

That is where my figure came from, to try to add the amount on that he recommended, so that we can have an effective program, and not simply sitting around and saying we have great good in our hearts, it is a beautiful dream, and then pour the taxpayers' funds out, when you and I, Mr. President, know that the Appropriations Committee will not appropriate the money to begin with; and if it does, they cannot spend it because we do not have the personnel to be able to take care of it and do it effectively.

So I would say to the Senator from South Carolina that it was a great speech he made, but just because we are trying to make this an effective program does not mean that we do not like children, or that we do not want to do something about their problems, or want to see them all going to jail. That is not reasonable debate, if I may say so.

What I am saying is, we will retain the $150 million for fiscal 1973 for training personnel. The Senator from Ohio (Mr. TAFT) has an amendment, which was accepted, which helps that. Then I am suggesting that we spend $950 million in operating funds, $500 million for Headstart, $300 million in order to be able to put it into an operating program.

Next year, we will spend the $500 million plus $1.2 billion, which is another $300 million added on top, going along the same way. Mr. Sugarman, who has more expertise than anyone in this Chamber, including myself, has recommended this annual increase to the committee.

So, with all due respect to the Senator from South Carolina, I would say to him that this is not an effort to try to shove more people in jail, that this is not an effort to do nothing for the little people. This is an effort to try to make an effective program that people can use, that people can enjoy, and from which we can get some hopeful results.

We cannot get it by saying we will turn the tap loose in the U.S. Treasury and pour the money upon everyone, which is what the Senator from South Dakota (Mr. MCGOVERN) is proposing with his $1,000 a year—which does not work very well, so far as I can see.

So all I say to you, Mr. President, at this point, is that I hope the amendment will be adopted, but I presume it will have some tough sledding.

Mr. HOLLINGS. Mr. President, if this were turning the tap loose, I would not support it. In fact, that is why I differ with the Senator from South Dakota (Mr. MCGOVERN) on his hunger program. I do not believe we can solve problems by just throwing away money.

The Senator from Colorado referred to the New York psychiatrist. I have some knowledge of the kindergarten program and the training and taking care of children. As a matter of fact, we started it down in Beaufort County some years ago, where Joe Frazier was born. He put on an exhibition boxing match at Parris Island, the Marine depot, and he got money enough to start up day-care centers. Two were completed and two ran out of money. We therefore came to Washington, and do you know what those Washington-New York psychiatrists told us, Mr. President? They said that they were running a program. They said, "Senator, you need $40,000 to complete the program. We have two $20,000 items we can put in and we can give you two consultants." Two men who were psychiatrists, mind you, but not $40,000 to build day-care centers. Finally, under a State program, we are now beginning to

do just that. We have over 15,000 children in kindergartens but do not have enough people to take care—I do not know why it is they can run all the private kindergartens and private schools in America that blossomed when desegregation began. They blossomed in my backyard, and there was no shortage of personnel to run them. The Senator from Alabama knows what I am talking about.

We found that the poor can be trained. Clemson University—not the New York psychiatrists—but Clemson University took some women who had never been to public school in their lives and trained them in a matter of 6 weeks as aides to nutritionists and sent 33 into the area to teach the people, using the free food stamp program, what to buy, how to buy it, how to care for the home, and how to care for their little children. They are now serving in the day-care centers and Clemson University trained them. The very same personnel give guidance on how the children are to be kept clean, and the children learn good manners and good personal habits. That is what the Child Development Act is.

But coming in out of New York and spending $300 million on 67 million needy children—and the only reason New York is spending $300 million is that they do not have the personnel—that is foolishness, and the Senator from Colorado knows it. We can take all the psychiatrists' statements made in New York—I do not want to start in on the State of New York, but that is what they have got in New York State, 1 billion for 1 million. There are 1 million persons on welfare at a cost of $1 billion. That is $1,000 per person. That is like the McGovern plan.

It is the biggest mess in the United States. When we talk about the welfare mess, what we are talking in the main about is New York.

The PRESIDING OFFICER (Mr. BENNETT). The time of the Senator has expired.

Mr. NELSON. Mr. President, how much time remains?

The PRESIDING OFFICER. Two minutes remain to the Senator.

Mr. NELSON. Mr. President, I yield my time to the Senator from South Carolina.

The PRESIDING OFFICER. Two minutes has been yielded to the Senator from South Carolina.

Mr. HOLLINGS. Mr. President, I appreciate the indulgence of the Senate. I have just seen the situation, and I have studied it. I backed into this thing. All one has to do, Mr. President, is to bring industry into his State like I did, thinking that when I got through everyone was going to have a job. I traveled day and night stealing industry from Rhode Island and New York and Wisconsin. We got industry from Wisconsin. We got Elgin Watch Co. from Illinois. If the Senator wants me to name the people we stole from his State, I can do so.

We started the momentum and it has continued with the ensuing Governors for over 10 years. However, we look around and we still have unemployment. We still have 300,000 on food stamps in South Carolina—360,000, to be exact. It is not a matter of just getting them jobs. We are talking about the people who are incapable of performing work. We are talking about the person who as a child was rendered inadequate for work.

I learned the hard way and not from the New York psychiatrists. They have not gotten a job for anybody. I want to invite the New York psychiatrist down to show him the situation in South Carolina.

We need a great deal more money than is provided in the bill. I hope that we reject the amendment.

Mr. JAVITS. Mr. President, I yield myself 3 minutes.

The PRESIDING OFFICER. The Senator from New York is recognized for 3 minutes on the bill.

Mr. JAVITS. Mr. President, if there were not some open questions of fact, I would not speak to the matter. However, I have listened to the arguments of my friend, the Senator from Colorado, and one of the nicest elements about working with him has been our work together in the committee.

I have listened to him state that we are authorizing more than the President vetoed. I believe deeply that we are not. We are cutting the figure $800 million. I wish to repeat the fact. The fact is that the bill the President vetoed provided $100 million for startup in 1 year and $2 billion for operations in the next fiscal year. This bill provides $150 million for startup and $1.2 billion in the next fiscal year.

The bill that the President vetoed did not deal with the second operational year at all. This one does and authorizes $1.6 billion. That should not give us the right to accumulate the two figures so as to compare this bill with the bill that was vetoed.

My friend, the Senator from Colorado, has depended heavily upon the testimony from Jules Sugarman. He testified over a year ago that an increase of $250 to $350 million a year was appropriate.

I have great respect for Mr. Sugarman.

Mr. President, that was over a year ago. We are talking about a period 2 or 3 years after that in terms of the amounts we provide under the pending bill. His view would not necessarily be what is actually needed now, although I think he gives his honest and sincere judgment. However, we are not bound by that in the order of magnitude. The amount of money involved, $1.2 billion and $1.6 billion is within the ball park.

We add his figure to the $500 million that we basically provide for Headstart.

So I would feel that the arguments made in support of the amendment are not conclusive.

I hope very much that the Senate will reject the amendment.

We know that we will have to go through the appropriations process. We know that if we appropriate the whole amount, it would still only be one-third of what is needed. And I do not believe that we ought to cut it at this authorization stage.

The PRESIDING OFFICER. The Senator's time has expired. Who yields time? The Senator from Colorida has 10 minutes remaining on the amendment. The opponents of the amendment have used all of their time.

Mr. DOMINICK. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time has expired or been yielded back. The question is on agreeing to the amendment of the Senator from Colorado. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Alaska (Mr. GRAVEL), the Senator from Georgia (Mr. GAMBRELL), the Senator from Indiana (Mr. HARTKE), the Senator from Minnesota (Mr. HUMPHREY), the Senator from Hawaii (Mr. INOUYE), the Senator from South Dakota (Mr. McGOVERN), the Senator from New Hampshire (Mr. McINTYRE), the Senator from Montana (Mr. METCALF), and the Senator from Maine (Mr. MUSKIE) are necessarily absent.

On this vote, the Senator from Georgia (Mr. GAMBRELL) is paired with the Senator from Minnesota (Mr. HUMPHREY).

If present and voting, the Senator from Georgia would vote "yea" and the Senator from Minnesota would vote "nay."

I further announce that, if present and voting, the Senator from Alaska (Mr. GRAVEL) and the Senator from South Dakota (Mr. McGOVERN) would each vote "nay."

Mr. GRIFFIN. I announce that the Senators from Tennessee (Mr. BAKER and Mr. BROCK) are necessarily absent.

The Senator from Vermont (Mr. STAFFORD) is absent on official business.

The Senator from Arizona (Mr. GOLDWATER) and the Senator from South Dakota (Mr. MUNDT) are absent because of illness.

If present and voting, the Senator from Vermont (Mr. STAFFORD) would vote "nay."

The result was announced—yeas 25, nays 61, as follows:

[No. 229 Leg.]

YEAS—25

Allen	Curtis	Miller
Allott	Dole	Roth
Beall	Dominick	Saxbe
Bellmon	Ervin	Taft
Bennett	Fannin	Talmadge
Buckley	Gurney	Thurmond
Byrd, Harry F., Jr.	Hansen	Tower
Cooper	Hruska	Young
	Jordan, Idaho	

NAYS—61

Aiken	Griffin	Packwood
Anderson	Harris	Pastore
Bayh	Hart	Pearson
Bentsen	Hatfield	Pell
Bible	Hollings	Percy
Boggs	Hughes	Proxmire
Brooke	Jackson	Randolph
Burdick	Javits	Ribicoff
Byrd, Robert C.	Jordan, N.C.	Schweiker
Cannon	Kennedy	Scott
Case	Long	Smith
Chiles	Magnuson	Sparkman
Church	Mansfield	Spong
Cook	Mathias	Stennis
Cotton	McClellan	Stevens
Cranston	McGee	Stevenson
Eagleton	Mondale	Symington
Eastland	Montoya	Tunney
Ellender	Moss	Weicker
Fong	Nelson	Williams
Fulbright		

NOT VOTING—14

Baker	Hartke	Metcalf
Brock	Humphrey	Mundt
Gambrell	Inouye	Muskie
Goldwater	McGovern	Stafford
Gravel	McIntyre	

So Mr. DOMINICK's amendment No. 1253 was rejected.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. NELSON. Mr. President, I yield 2 minutes to the Senator from Nevada (Mr. BIBLE).

ESTABLISHMENT OF SAWTOOTH NATIONAL RECREATION AREA, IDAHO

Mr. BIBLE. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on H.R. 6957.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H.R. 6957) to establish the Sawtooth National Recreation Area in the State of Idaho, to temporarily withdraw certain national forest land in the State of Idaho from the operation of the U.S. mining laws, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. BIBLE. Mr. President, I move that the Senate insist upon its amendment and agree to the request of the House for a conference on the disagreeing votes of the two Houses thereon, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. BIBLE, Mr. CHURCH, Mr. MOSS, Mr. HANSEN, and Mr. JORDAN of Idaho conferees on the part of the Senate.

ENROLLED BILL AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that today, June 20, 1972, he presented to the President of the United States the following enrolled bill and joint resolution:

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.J. Res. 211. A joint resolution to amend title IV of the Consumer Credit Protection Act establishing the National Commission on Consumer Finance.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed without amendment, the bill (S. 513) for the relief of Maria Badalamenti.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H.R. 7088) to provide for the establishment of the Tinicum National Environmental Center in the Commonwealth of Pennsylvania, and for other purposes.

THE COMPREHENSIVE HEADSTART, CHILD DEVELOPMENT, AND FAMILY SERVICES ACT OF 1972

The Senate resumed the consideration of the bill (S. 3617) to strengthen and expand the Headstart program with priority to the economically disadvantaged, to amend the Economic Opportunity Act of 1964, and for other purposes.

Mr. NELSON. Mr. President, when we were taking up the amendments by the Senator from New York (Mr. BUCKLEY), he neglected to bring up one that we had previously agreed upon. I yield to the Senator from New York, so he may bring up that amendment, which I am prepared to accept.

AMENDMENT NO. 1244

Mr. BUCKLEY. Mr. President, I thank the Senator.

I call up my amendment No. 1244, on behalf of myself and the Senator from Texas (Mr. TOWER).

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read the amendment (No. 1244) as follows:

On page 9, line 19, after the word "and", insert the following: ", with the prior written consent of the parent or parents,".

On page 74, line 21, strike section (3) and insert the following:

"(3) No child participating in a program assisted under this Act shall be required to undergo medical or psychological examination, immunization (except to the extent necessary to protect the public from epidemics of contagious diseases), or treatment without the prior written consent of the child's parent or guardian."

The PRESIDING OFFICER. Who yields time?

Mr. BUCKLEY. Mr. President, I yield myself 1 minute.

The purpose of the amendment is to make sure that no child involved in one of the programs authorized under this legislation will undergo medical or psychological examination, immunizations, and so forth, without the express consent of the child's parent or guardian.

It is similar to an amendment which was adopted in connection with S. 2007, which was vetoed earlier this year.

As the Senator from Wisconsin has indicated he has no objection to the amendment.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. BUCKLEY. I yield.

Mr. JAVITS. The Senator said "express consent." It is a fact, however, that it calls for written consent.

Mr. ROBERT C. BYRD. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

Who yields time?

Mr. JAVITS. I will yield myself 1 minute on the bill.

There is no question of the fact that this amendment will slow up the administration of the law, make it more cumbersome, and produce an additional bureaucracy, and I appreciate that although the Senator used the word "express," he meant "written consent." I know how difficult it is to get that, and the number of gyrations we have to go through. Nevertheless, I am inclined to agree with the Senator from Wisconsin that that is our intent—that no child, without full consent, as the Senator has said, should undergo any examination. So even though it will make it more expensive and slow it up I agree with the Senator from Wisconsin that we should accept the amendment.

Mr. NELSON. Mr. President, I am ready to accept the amendment. I yield back the remainder of my time.

Mr. BUCKLEY. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time on the amendment has been yielded back.

The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. COOPER. Mr. President, I send to the desk an amendment and ask that it be read.

The PRESIDING OFFICER. The amendment will be read.

The assistant legislative clerk read the amendment, as follows:

On page 30, lines 8, 9 and 10, strike all language after the word "only" in line 8, and insert "after the local program council has adequate opportunity to comment and make recommendations."

The PRESIDING OFFICER. Who yields time?

Mr. COOPER. Mr. President, I yield myself 5 minutes.

In offering this amendment, I would like to say that I appreciate very much the work that the Labor and Public Welfare Committee has done and also those who are engaged in managing the bill, the distinguished Senator from Wisconsin (Mr. NELSON) and the distinguished Senator from New York (Mr. JAVITS). I have served on the Committee on Labor and Public Welfare when I had the opportunity to work closely with legislation in this area for several years. During my service in the Senate I have continually supported legislation to advance the educational opportunities of the children of this country.

I have read the bill and studied it, as well as the report. I must say I find it one of the most difficult bills, from the procedural standpoint, to understand as almost any bill dealing with education that I have seen. It is terribly difficult to find what body or what council actually has any authority under this bill

I believe there was merit in the amendment offered earlier today by the Senator from Colorado (Mr. DOMINICK), which cleared from the bill a gross discrimination, which practically forbade a State from being a prime sponsor. As I understand the substance of the amendment which was offered and adopted by the Senate, it removed various prohibitions against the State as a prime sponsor and declared that if the State was an advocate and there was a conflict between the State and some other body, the Secretary had to make a decision on the merits.

My interest in the administrative procedures of this program also arose from the fact that I have had the opportunity to observe the operation of various Federal programs in my own State including the poverty program under the Office of Economic Opportunity. I have sponsored and supported some of those bills because I believed the programs authorized provided needed services in the areas of health,

nutrition, and education. Yet I have seen, throughout the years, great sums of money appropriated and wasted with little or no coordination of the programs. I think, whatever our views are on any of these bills, we certainly want these programs to go for the benefit of those for whom the money is intended, rather than the building up of a bureaucracy.

Now I get to the point I want to make in this amendment. I hope the Senate will consider the reasons for my offering it.

On page 28 of the bill, under the heading "Program statements," section 104 (a) provides that financial assistance under this title may be provided by the Secretary for any fiscal year to a price sponsor. However, before any approval by the Secretary is given, the State shall provide a comprehensive program statement which is the basis for the approval of the application. Following that, there are several sections which provide the criteria which must be observed in the program statement. Otherwise, it cannot be approved.

This leads me to my amendment.

On page 30, in subsection (8), the language in the bill which would be affected reads as follows:

(8) provides in the case of a prime sponsor which is a State—

It does not require this against other prime sponsors, but only a prime sponsor which is a State—

That project applications shall be approved by the prime sponsor only if previously approved by the local program council for the appropriate local family service area;

Senators will recall the local program council is to be composed of not less than 50 percent of parents of the children to be served and the remainder to be representatives of the community.

This, in my mind, unless I am persuaded otherwise gives the veto to the local council—although the State is the prime sponsor and although it must provide the funds. As the bill stands, the council must approve the project applicant before the State, as prime sponsor, can grant approval of the applicant.

The PRESIDING OFFICER. The Senator's 5 minutes have expired.

Mr. COOPER. I yield myself 5 more minutes.

I do not think that is right. My amendment would do this: It would eliminate this language "only if previously approved by the local program council for the appropriate local family service area," and place in lieu of that "after the local program council has adequate opportunity to comment and make recommendations." So the section, as amended, would read as follows:

(8) provides in the case of a prime sponsor which is a State that project applications shall be approved by the prime sponsor only after the local program council has adequate opportunity to comment and make recommendations.

States would present the project applications, and the local council would have an adequate opportunity—and I assume the Secretary would be regulation provide for the period of time—to review that project application and to make recommendations.

It may be argued that we would be taking away from the local council its authority and its interest, and making it impossible for it to work on its own program. However, other provisions of the bill, require the participation of the local program council in the development of the State's program statement as well as the council's approval of such statement. I believe this gives the local policy council a strong voice in the program. This same section, 102 subsection (c) provides that the local program council may appeal to the Secretary if it is thought that the State does not properly meet the provision of the program statement provisions of this act.

So it seems to me that my amendment would clarify the authority and duty of the State, in the first instance, and would give full opportunity to the local council to make such recommendations or objections to the project applicant as it desires, and then—and this is to protect the local council—if the objections and recommendations are not accepted by the State and if the council believes that the State's decision violates the provisions of the act, the council could appeal directly to the Secretary for his decision.

I believe that is very proper. I think this would also give to the State some possibility for coordination of programs, something which is lacking almost entirely today in such programs as OEO and others which I have observed.

I offer this as an amendment which I think is fair both to the State and to the local council, with review by the Secretary, and would make more clear the lines of authority.

The PRESIDING OFFICER. Who yields time?

Mr. NELSON. I yield the Senator from Minnesota such time as he may require.

Mr. MONDALE. Mr. President, I would suggest to the manager of the bill that I hope he will oppose this amendment.

The amendment seeks to make the local program councils purely advisory. Under the amendments which were adopted by the committee, and under the changes that have been made today on the Senate floor, a substantial proportion of the programs conducted under this bill will be run by the States, usually through the State departments of welfare. In a few States it may be the State departments of education.

It was the feeling of the committee that where the programs are run by the States, there ought to be some mechanisms by which the State would be required to shape programs in a form wanted by the local communities. The way we agreed this should be done was through the establishment of a local program council, which is made up of the public officials in the area, mayors and county board members typically, and parents whose children are in the program, about 50 percent of each.

This council would not run the program in the local community, but its approval would be required as a matter of policy, as a condition for the State program in that community, and it would pass on the annual program, on the budget, and on local projects. It would not be a management organization; it would simply assure that State-run programs would be sympathetic and responsive to the needs as seen by the local elected officials and the parents whose children are in the program.

We felt that without this it would be possible for State administrations to be unresponsive to the local needs of the communities, and that it was better, if we wanted to be sure that the local desires were responded to, that the locally elected officials have the power, not to run the programs, but to pass judgment in terms of policies bearing upon those programs.

The amendment offered by the Senator from Kentucky would deny that power to the local program council. It would be entirely possible for a State to go completely around the desires of local governments and establish programs which may not be wanted, or establish programs with undesirable parts to them, in complete derogation of the desires of the local communities. One would hope that that would not always occur, and I assume it would not always occur, but it could occur. We felt that this modest amount of local consent as a condition to establishing such programs was a minimal compromise to assure responsiveness to local desires. It was the result of a compromise worked out in the committee by a bipartisan majority, and I hope the amendment will be rejected.

The PRESIDING OFFICER. Who yields time?

Mr. COOPER. Mr. President, I yield myself 3 minutes.

I appreciate the fact that the Senator from Minnesota has worked very faithfully on this bill, and I know his humane interests. But he has stated that this local program council, as I understood him, had no authority to operate the program.

On page 17, paragraph (D), line 18, one of the functions and powers of the local program council is stated as follows:

To assure that contracts for the operation of programs through public or private agencies or organizations shall be entered into only if previously approved by the local program council for the appropriate local family service area.

I am very conscious of the fact that the basis of this program and similar programs, like OEO, is to secure local participation and local decisions in programs which relate to the needs of that community. On the other hand, looking more at OEO—I do not know specifically how it would work with respect to this program—I believe that a great many of those programs have not been run very well. They have wasted millions of dollars. There have been instances of corruption. I do understand that this could happen, perhaps, in any body.

Under my amendment project applications would be presented to the local program council which then have the opportunity to review it, to make such recommendations as the council thought appropriate. If the State would not be responsive, the local program council, under this bill, has the authority to appeal directly to the Secretary and have his decision upon the merits.

It seems to me that it protects the local body; it protects the State in trying to coordinate programs; it protects the purpose of the bill. Certainly, we have to assume that the Secretary is going to carry out its purposes. Also, it would tend to insure that the great sums of money we appropriate—and if they are used properly, I have no objection to it—will go to the benefit of the actual beneficiaries rather than being used up in this bureaucracy which has been built up.

I hope the Senate will adopt the amendment.

Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. NELSON. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 26 minutes.

Mr. NELSON. Mr. President, I will comment briefly on this matter.

We went into the question of whether or not the program council should be advisory or should have some real authority, and we came down on the side of giving some real authority to the program council. We took into consideration the viewpoint expressed today by the distinguished Senator from Kentucky who wishes to make the program councils only advisory. We think they ought to be participants in a real way. They are, at the local level. The councils are made up of parents and local officials. They understand the local circumstance better than the State government understands it.

This does not block action, of course. This simply says that the program council must approve the project plan that is sent down to them by the State. If they do not approve, there will not be a program. So there will be a strong inclination on the part of the program council to approve a project that comes to them. But if they have real reasons not to approve it, there is no doubt in our minds that the necessary adjustments in the project proposal will be made and agreement reached, and then there will be approval by the local program council.

So I would hope that this amendment would not be adopted.

Mr. MONDALE. Mr. President, will the Senator yield?

Mr. NELSON. I yield.

Mr. MONDALE. I should like the attention of the Senator from Kentucky on this point.

The Senator from Kentucky made reference to some of the unhappy experiences that have been had with some of the local community action programs under the poverty program. It is true that some of these community action programs, which were composed almost wholly of local citizenry who had not been regularly elected to public offices, often were inexperienced; and, regrettably, in a few rare instances there were examples of corruption as well as waste.

The board we have established here seeks to learn from that experience. It is not a board made up exclusively of citizenry not in public office. This board is an entirely different matter. Fifty percent of this board is made up of elected local officers. These are local mayors and county board members. The other half is composed of parents whose children are in the program.

So this is a board designed to be responsive to the will of the people who elect public officers, who are serving in office, because of the respect of the citizenry of that community. I think that far more stability and far more responsibility and experience will be possessed by this local program council than was the case with some of the earlier experiences with the so-called community action program. I think that distinction may help somewhat in assuring a sense of responsiveness and responsibility by this council.

Mr. DOMINICK. Mr. President, will the Senator yield 5 minutes to me?

Mr. COOPER. I yield.

Mr. DOMINICK. Mr. President, the Senator from Kentucky is dealing with a very complicated area, one to which I addressed myself in my opening statement, and one on which I offered an amendment which was accepted by the Senator from Wisconsin and the Senator from Minnesota—the suggestion that we should have some provision in here which would require a decision by these councils. With some modification, to make sure that I was just talking about a majority of the quorum, this was accepted and is now part of the revised bill.

I ask all Senators to look at page 58 of the report, where we drew up a chart to try to depict visually some of the problems involved in the areas of control in this bill.

In the Cooper amendment, we are dealing with the State as a prime sponsor. This particular amendment just indicates what control a local program council will have over whether it ever becomes a prime sponsor. If Senators will look at the left-hand side of that chart, they will see that the State has to go under the Child and Family Service Council, which is responsible for all types of things, including the program statement annually, the goals, the policies, the procedures, and the selection and establishment or renewal of a project applicant.

Then we go down from there to the local program council, which is what the Senator from Kentucky has been talking about. Below that, we go to project policy committees. These are locally sponsored. They are in the control of the parents of the children who will be in these development camps. Here, those parents are responsible for approving the basic goals, the policies, the actions, and the procedures for the applicant. So there certainly is an enormous amount of local control in the policy committees and in the child and family service council. To interpose still a third one, as this local project council is, as a bellwether as to whether or not a State can even get its application certified for approval, seems to me to be going a little far.

The amendment I was going to offer would have made the child and family service council advisory instead of doing it this way. But it seems to me that either way we go, we ought to have one of them as advisory, so that we do not have overlapping of necessarily conflicting groups. We will not get anywhere that way, insofar as getting any kind of effective administration of the program is concerned.

So I am happy to support the amendment of the Senator from Kentucky (Mr. COOPER), and if it is adopted, I do not plan to offer my amendment.

Mr. NELSON. Mr. President, I yield back the remainder of my time.

Mr. COOPER. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER (Mr. BENNETT). All time on the amendment has now been yielded back.

The question is on agreeing to the amendment of the Senator from Kentucky (Mr. COOPER).

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Georgia (Mr. GAMBRELL), the Senator from Alaska (Mr. GRAVEL), the Senator from Indiana (Mr. HARTKE), the Senator from Minnesota (Mr. HUMPHREY), the Senator from Hawaii (Mr. INOUYE), the Senator from South Dakota (Mr. MCGOVERN), the Senator from New Hampshire (Mr. MCINTYRE), the Senator from Montana (Mr. METCALF), and the Senator from Maine (Mr. MUSKIE) are necessarily absent.

On this vote, the Senator from Georgia (Mr. GAMBRELL) is paired with the Senator from Minnesota (Mr. HUMPHREY). If present and voting, the Senator from Georgia would vote "yea," and the Senator from Minnesota would vote "nay."

Mr. GRIFFIN. I announce that the Senators from Tennessee (Mr. BAKER and Mr. BROCK) are necessarily absent.

The Senator from Vermont (Mr. STAFFORD) is absent on official business.

The Senator from Arizona (Mr. GOLDWATER) and the Senator from South Dakota (Mr. MUNDT) are absent because of illness.

If present and voting, the Senator from Vermont (Mr. STAFFORD) would vote "nay."

The result was announced—yeas 33, nays 53, as follows:

[No. 230 Leg.]

YEAS—33

Aiken	Dominick	McClellan
Allen	Eastland	Roth
Allott	Ellender	Saxbe
Beall	Ervin	Smith
Bellmon	Fannin	Sparkman
Bennett	Gurney	Stennis
Buckley	Hansen	Talmadge
Byrd, Harry F., Jr.	Hruska	Thurmond
Cooper	Jordan, N.C.	Tower
Cotton	Jordan, Idaho	Young
Dole	Long	
	Mathias	

NAYS—53

Anderson	Eagleton	Miller
Bayh	Fong	Mondale
Bentsen	Fulbright	Montoya
Bible	Griffin	Moss
Boggs	Harris	Nelson
Brooke	Hart	Packwood
Burdick	Hatfield	Pastore
Byrd, Robert C.	Hollings	Pearson
Cannon	Hughes	Pell
Case	Jackson	Percy
Chiles	Javits	Proxmire
Church	Kennedy	Randolph
Cook	Magnuson	Ribicoff
Cranston	Mansfield	Schweiker
Curtis	McGee	Scott

Spong	Symington	Weicker
Stevens	Taft	Williams
Stevenson	Tunney	

NOT VOTING—14

Baker	Hartke	Metcalf
Brock	Humphrey	Mundt
Gambrell	Inouye	Muskie
Goldwater	McGovern	Stafford
Gravel	McIntyre	

So Mr. COOPER's amendment was rejected.

The PRESIDING OFFICER. The bill is open to further amendment.

The Senator from Ohio is recognized.

Mr. TAFT. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

On page 12, after line 7, insert the following:

"(8) programs operated by or with the assistance of students or faculty members of a college or university located in the community served, provided the program otherwise meets the standards established by this Act;

Renumber subsections 8 through 11 of section 101(b).

Mr. TAFT. Mr. President, I yield such time as I may require.

The PRESIDING OFFICER. The Senator from Ohio is recognized.

Mr. TAFT. Mr. President, the bill before us in section 101(b) actually lists various types of financial assistance that may be used for various purposes.

My amendment adds another category to include States where colleges or universities wish to participate in programs of this type.

I found on investigation that Kent State University in Ohio is already operating such a program.

The PRESIDING OFFICER (Mr. ALLEN). The Senate will be in order.

The Senator from Ohio may proceed.

Mr. TAFT. Mr. President, I also on inquiry found that a number of other universities and colleges which I know of are anxious to get into the communities in which they are located and to participate and assist in the conduct of this kind of program. I believe that this is an excellent idea and it is well to assure specifically under language of the bill that this can be done.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. TAFT. I yield to the Senator from New York.

Mr. JAVITS. Mr. President, I thoroughly agree with the Senator. This is a very desirable addition. I certainly would favor it strongly and also hope very much that the manager accepts the amendment.

However, I would like to ask this. The word "program" is not connected with any definition. What program? If the Senator will look at the language on page 9, line 3 he will see that it states, "Financial assistance under this title may be used for—" without referring back to section 101(a), which is the basic purpose of the legislation.

Therefore, I would like the Senator to consider whether it would not be proper to say, "Programs pursuant to section 101(a) operated by" and so on.

This is just a suggestion, but it is not all programs that the Senator wants to assist.

Mr. TAFT. I concur in the suggestion. I have no objection to the language. I had hoped we covered it by the proviso at the end of the amendment, but it might be well to spell it out.

I modify my amendment to provide as the Senator suggests.

Mr. NELSON. Mr. President, I find the amendment to be a constructive addition to the bill and I am perfectly willing to accept it.

Is the amendment in proper form?

Mr. JAVITS. I would suggest after the word "programs" to insert the words "pursuant to subsection (A) of this section."

The PRESIDING OFFICER. Does the Senator from Ohio agree to the modification?

Mr. TAFT. I so request.

The PRESIDING OFFICER. Will the Senator from New York send the modification to the desk in writing?

Mr. TAFT. Yes.

The amendment, as modified, is as follows:

On page 12, insert the following: after line 7 insert the following:

"(8) programs pursuant to subsection (a) of this section operated by or with the assistance of students or faculty members of a college or university located in the community served, provided the program otherwise meets the standards established by this Act;

Renumber subsections 8 through 11 of section 101(b).

Mr. TAFT. Mr. President, I am ready to yield back the remainder of my time.

Mr. NELSON. I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back. The question is on agreeing to the amendment offered by the Senator from Ohio, as modified.

The amendment, as modified, was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. KENNEDY. Mr. President, I am pleased to support S. 3617, the Comprehensive Headstart, Child Development, and Family Services Act of 1972.

Last December when the President vetoed the child care measure along with the Economic Opportunity Amendments of 1971, I expressed my dismay at the callous way that the Chief Executive brushed aside that legislative proposal. It was clearly designed to begin meeting the vital concerns of our needy children. The President argued that there has not been adequate national debate to sufficiently assess the merits of the need for a comprehensive child care program. With a detailed list of nine objectives he told the Nation that:

Such far reaching national legislation should not, must not, be enacted in the absence of . . . broad public acceptance of its principles.

Yet, his response denied the delivery of seriously needed care to 5 million preschool children whose mothers work.

There are more than 12 million working mothers in this country. Only one-third of them have preschool age children, but the child care facilities simply are not available to serve the demand. Child care facilities exist for only 700,000 children.

Prof. Urie Bronfenbrenner says that the worth of a nation may be measured by "the concern of one generation for the next." According to the Bronfenbrenner yardstick, the value we place on our youth at the most critical time of their lives is shamefully low.

I am confident that Senate approval of S. 3617 will assure high quality developmental services for children in those families that most require help in providing for their developmental needs. Moreover, I am certain that the extensive review this legislation received under the leadership of the distinguished chairman of the Subcommitee on Poverty, Senator NELSON, simply increases existing widespread public understanding of the need for a broad based child care program.

When the President says, this legislation "deserves national debate upon its merits," he implies that low- and middle-income families of this Nation do not deserve to enjoy the benefits and services that higher income has delivered to the children of wealthier families.

If that is what he meant when he refused to sign the child care bill into law last December, then maybe we should hold a national debate on the credibility of the President's message in 1969 that:

So critical is the matter of early growth that we must make a national commitment to providing all American children an opportunity for healthful and stimulating development during the first five years of life.

I believe that the American people accepted that statement as a good faith expression or our Government's concern for needy children. It was in this context that the committee reviewed the objectives and answered them in the provisions of S. 3617. This bill has the bipartisan support of 14 Democrats and 14 Republicans. Its development by the subcommittee is a direct tribute to the deft care and attention from the able direction of the chairman of the Subcommittee on Children and Youth, Senator MONDALE. He has worked diligently to produce a measure that provides the necessary fundamentals of adequate child care assistance in a bill that has been tailored to answer each of the specific concerns expressed by the President.

Child care is clearly one vital, national concern that has received broad public support from the White House Conference on Children, educational groups, civil rights organizations, labor unions, mayors, church groups and women's groups—a coalition of many people who have devoted interest, time and energy to the creation of an effective child care program.

I share their belief that comprehensive child development makes sense in many ways. Comprehensive child development legislation is the best long range welfare reform legislation the Congress can enact. For, it can be effective in ending the cycle of dependency of the poor.

Comprehensive child development is an effective national health insurance program because it will detect and pro-

tect against the debilitating effects of early childhood disease.

Comprehensive child development legislation is the best public service employment program we can invest in, for, it will meet the critical demands for jobs that parents and unemployed youth want so badly.

Comprehensive child development legislation is the most direct anti-hunger program we might enact, because it includes mechanisms for family nutritional counseling and guarantees balanced meals to young during the years of greatest need.

Finally, this measure is the optimum in educational programs because it starts early to develop the potential of our youth.

Mr. President, I strongly support the bill pending before the Senate and I urge each Senator to vote for its passage. This is not a measure that presents new concepts to the Senate. But rather, this is a revised version of the proposal approved by the Senate as part of the economic opportunity amendments of 1971. We have carefully studied and reviewed all of the bill's provisions. This bill will provide for the delivery of a whole series of services to children and families. It is not restricted just to day care, or to programs in day-care centers. Instead this bill creates opportunities for families to choose from a wide variety of family supporting services, like Headstart, after school, or full day developmental day care for children of working mothers, prenatal services, inhouse tutoring and child development classes for parents and prospective parents.

Thus, the package authorizing nearly $3 billion to begin delivering the kind of services that every child in this Nation deserves to receive, has been produced after testimony from many witnesses during 13 days of hearings over the past 2 years.

The Comprehensive Headstart, Child Development and Family Services Act of 1972 clearly deserves the full support of the Senate. I will be pleased to see its approval by the Senate.

Mr. WILLIAMS. Mr. President, I strongly support the enactment of S. 3617, the Comprehensive Headstart, Child Development, and Family Services Act of 1972.

A critical shortage of day care and child development facilities exists for working women with young children, especially for low-income families. Approximately 43 percent of the Nation's mothers now work outside the home, in contrast to 18 percent in 1948. Moreover, about one out of every three mothers with preschool children is working today, compared to only one out of eight in 1948. But, there are fewer than 700,000 spaces in licensed day care centers to serve the more than 5 million preschool children whose mothers work.

And there is clear and convincing evidence to suggest that the demand for day care and child development programs will accelerate during the 1970's. First, the dramatic rise of working mothers is expected to continue during the years ahead. In fact, leading experts have projected that 50 percent of all women will be in the work force by 1985.

The need, I believe is clear. It is imperative therefore that we insure that programs set up for the care of children provide good care, that they provide comprehensive services, and that the care provided is supervised by the parents and run in the community where the family lives. In my judgment S. 3617 represents a sound effort to provide this developmental care for working parents with children.

As the former chairman of the Senate Committee on Aging and now the chairman of the Labor and Public Welfare Committee I derive special satisfaction from the fact that this legislation will include a proposal of mine to encourage the employment of older Americans in child development programs.

This is particularly wise, it seems to me, because the foster grandparents program has already amply demonstrated the natural empathy between the elderly and the young. Besides providing badly needed supportive services for young children, the foster grandparent program has an added dividend. It has provided a dignified means for thousands of low-income persons 60 and over to help themselves out of poverty by helping others.

In my own State of New Jersey, I have had a personal opportunity to observe the effectiveness of older persons in working with young children.

The potential opportunity to maximize employment opportunities for older persons in day care facilities cannot be understated because individuals 55 and over have been particularly hard hit by the widespread joblessness throughout our Nation. More than 500,000 are now unemployed, approximately 97 percent more than in January 1969. Another 640,000 men and women aged 55 to 64 have withdrawn from the labor force during this same period. In many cases this departure is involuntary.

And this trend undoubtedly has contributed to the rise in poverty by nearly 100,000 for persons 55 and over from 1968 to 1970, reversing a longstanding downward trend.

However, the measure which I have sponsored can provide thousands of jobs for these older Americans, while at the same time offer important supportive services for young children whose mothers work.

Mr. President, for these reasons, I again urge the adoption of S. 3617.

Mr. MONDALE. Mr. President, two of the underlying principles of this legislation and overriding concerns of its supporters, are that: First, programs be developmental, rather than custodial; and second, that parents maintain control of the lives of their children through involvement in the decisions of programs in which their children are enrolled.

S. 3617 attempts to accomplish the first of these objectives by requiring comprehensive programs with education, health, nutritional, and social services components, and the second by establishing 50-percent parent councils which share in decisionmaking at both the project and the prime sponsor level.

We also attempt to insure these principles by a recommitment to the 1968 federal interagency day care requirements, the standards which now must be met by all day care programs receiving currently available Federal funds. We do not say that they cannot, or should not be changed—in fact, we established the mechanism for a regular review of these standards. What we do insist upon is that these Requirements, however they may be revised to meet changing needs, continue to embody the principles of developmental programs and parental involvement.

For example, the interagency requirements mandate maximum child-staff ratios, so that every program serving 3- and 4-year-olds has at least 1 staff person for every 5 children. A program serving 4- to 6-year-olds must maintain a 7-to-1 child staff ratio; and one for 6- to 14-year-olds must have at least 1 staff person for every 10 children. Some would like to see those ratios even lower, such as one staff member for every four young child, instead of one for every five—and there is nothing in the requirements that would prohibit a program from adopting lower ratios. Others would prefer higher child-staff ratios, and there are disturbing reports that the administration is now moving in that direction.

All of the evidence indicates that child-staff ratios are the single most important factor in determining the cost and quality of child care. It is true that costs can be cut by increasing ratios, but this can be done only by sacrificing the quality of services provided for children.

Mrs. Mary P. Rowe, a child care economic consultant with ABT Associates and an adviser to the Office of Child Development, presented impressive testimony during the Senate Finance Committee hearings on child care last September, in which she analyzed the differences between custodial and developmental care.

She said:

> One role of the Federal Government is clearly to prevent abuse, and preventing abuse requires an objective criterion. The best single objective measure that we have seems to be the number of staff working with children.

She continued:

> Favorable ratios are the implicit mechanism of ensuring quality.

Mrs. Rowe analyzed three separate studies which have been done recently for the Federal Government by outside organizations: ABT Associates, the Day Care & Child Development Association, and Westinghouse Learning Corp., and Westad Research. Each of these studies delineated custodial, adequate and desirable or developmental programs. In each study, Mrs. Rowe concluded:

> The teacher-child ratio thus appears by far the most powerful influence on both costs and "quality" . . . and is mainly responsible for the designations "desirable" and "developmental."

Mr. President, if we are serious about developmental programs which meet the needs of children, if we are going to insure that children in day-care program—to the greatest extent possible—receive the kind of warmth, affection and attention they would have at home with their

parents, then we cannot afford to water down these child-staff ratios.

Another essential feature in the 1968 Interagency Requirements is the strong insistence upon parent involvement in child care programs. Every operating and administering agency which provides care for at least 40 children must have a policy advisory committee, at least 50 percent of whom are parents, democratically selected. These committees share fully in the essential decisions affecting program operations, including applications for funding, development of programs and program improvement, complaints and communication with other parents. That kind of real parent participation is absolutely essential if programs are truly to meet the needs of children, as those needs are perceived by parents as well as by professionals. Any move to eliminate or water down the parent involvement provisions of the 1968 requirements is a move against parents and against family centered programs and cannot be justified or permitted. President Nixon has expressed concern about day care programs which would remove parental authority and control over the lives of their children. Maintenance of these 1968 requirements is one way to assure that this does not happen.

In the conclusion of her testimony on the quality and costs of child care, Mrs. Rowe made an eloquent charge to the Senate and to the Nation:

> Children have no powerful lobby; poor parents often feel they can only vote with their feet—trying to avoid poor child care which does not really meet their needs, trying to seek warm responsive care that is as good as a good home. But one-third of the nation's children now live in poor and near-poor families. Their present lives need support and encouragement. Their future lives will inescapably affect those of us who are presently adult. Today you have a chance to make a difference in the lives of children; tomorrow they will have the chance to make a difference in our lives. How will we plan for children—the nations' chief resources.

We have a chance today, to make a difference in the lives of children, and thus to make a difference in our own lives, both by enacting this major new commitment to our youngest children and by guaranteeing that the principles which have already been established in the administration of Federal programs will not be destroyed.

Mr. CHILES. Mr. President, I am pleased to support the Comprehensive Headstart, Child Development, and Family Services Act of 1972. Last year I voted against the conference report on S. 2007, because I felt funding for these programs should be at the State and local level rather than in Washington. The report would have required a massive new Federal bureaucracy because it enabled many individual groups to deal directly with the Federal Government instead of working through States and local governments. I fully supported then, as I fully support now, the concept of child care support and felt this concept should be implemented and funded adequately if we are to ever break the vicious welfare cycle. But I was and remain opposed to enlarging the Federal bureaucracy and keeping the control center of these kinds of programs here in Washington, D.C.

With the adoption of the Dominick amendment, the reservation I experienced the last time the Senate considered this measure is removed.

The recent report of the President's Commission on School Finance stated:

> We cannot ignore many research findings which lead us to believe that much of the lack of success of past efforts has been because we started too late in a child's life.
>
> We believe that the Federal Government should encourage the development of early childhood education programs for all children and that financial assistance should be provided for children from low-income families.

This bill assures that early childhood education programs will be available. It puts the emphasis where we need to put it—in providing an opportunity for all American children for a healthful and stimulating development during the first few years of their life. I feel our money is better spent in these kinds of programs for early childhood development than in welfare assistance or in assistance to school dropouts. In Florida we have had encouraging success with our early education programs and our programs with migrant workers. This bill will allow for expansion of these services which I believe are badly needed.

Without preschooling for the disadvantaged there is little possibility of achieving equality in education. S. 3617 will go a long way in enabling all children to develop their full potential.

Mr. FANNIN. Mr. President, the Comprehensive Headstart, Child Development, and Family Services Act of 1972 now before us for consideration is based on some fundamental assumptions which require careful scrutiny and discussion. Indeed, the President made a point of this in vetoing the legislation containing this bill last December, when he said that a step of this nature should not be taken without extensive discussion of its "family weakening" implications. The supporters of the legislation argue that it will strengthen rather than undermine the family, and thus they have implied that they, too, consider that the family should be the social unit bearing the prime responsibility for child rearing. In particular, they maintain that family services provided in the home rather than in outside day care centers will have the effect of strengthening the family as a viable social unit. In addition, of course, they argue that the comprehensive services which they back will benefit the child. Indeed, some of the bill's language has a utopian flavor to it; the programs it would initiate are to include: diagnosis, identification, and treatment of visual, hearing, speech, medical, dental, nutritional, and other physical, mental, psychological, and emotional barriers to full participation in programs.

In any case, before we appropriate the $1.2 billion requested in this bill for the fiscal year ending June 30, 1974, we should pause awhile to consider what impact these child development programs are likely to have upon the structure of the family and the well-being of the child, quite independently of the good intentions of the bill's proponents.

As for the likely impact upon the family, let us note to begin with that this legislation, no matter how it may be interpreted, certainly legitimizes a much greater degree of Federal control and interference in private and family matters than we have seen in this country up to now. This circumstance in and of itself will cause troubled families to look more and more, not to themselves or to private and church-related agencies for assistance, but rather to the State. This will develop in the citizenry, even more than is now the case, the sort of attitude which holds that we must run to the State for solace whenever anything goes wrong. The State thus becomes the final arbiter of the most private arena still left to us, that of the family.

The American family, we all know, has its problems. The family unit is becoming less and less cohesive, and even the "nuclear" family has a difficult time maintaining itself. The rapid expansion of private and public nursing homes and Federal medical aid programs have made it possible for the older members of the extended family to be put out of sight and therefore, out of mind; the expansion of day care centers under the aegis of the Federal Government will make it ever easier for children to be treated the same way. At that point, the family becomes very "nuclear" indeed, and probably will explode, or at least disintegrate, because there will be so little of shared responsibility to keep husband and wife together. Their principal function will be procreation. Once this function is accomplished, there will in many cases be no more reason for the family to continue in being. Now it may well be that the family will develop in this way with or without legislation of the type now before us. But there can be little doubt that the establishment of widespread child development centers to take over one of the family's crucial functions would speed the process of that deterioration markedly. If you believe that the family should be basically responsible for raising children in our society, you must oppose this bill.

An additional point to consider in this debate is the fact that under the proposed bill what would happen in effect is that families in which only one parent works and the other—presumably the mother—stays at home to attend to her children, that such families would be subsidizing families in which both parents work. By their tax money, they would be supporting child care centers so that families in which both parents work, could earn a larger income. Whatever else this may be, it is not just, and it certainly does not support the family as the chief child-raising entity in society.

Second, let us consider what the effect of this bill upon the child will be, leaving aside for the moment the question of the extremely disadvantaged and impoverished children of the slums. Although we know little enough about the psychology of child rearing, we can be relatively certain that in his first 5 or 6 years, a child is extremely impressionable, and if the family wishes to inculcate its values and outlook in him, raise him

in the way he should go, then it must be the dominant environmental factor in his first years. It seems to me indisputable that in the first 2 years or so of life the presence of a mother is of crucial importance to an infant, and that a mother's love can under no circumstances be replaced by institutional care without extreme damage to the chlid. Dr. Ernest van den Haag, in testifying before the Senate Committee on Labor and Public Welfare against this legislation, on behalf of the Emergency Committee for Children, said:

Nothing could be more harmful than the repeated disappearance of adult figures in whom the child has vested affection. Depending on age, the development of object relations and later of a superego will suffer if the child is repeatedly having important relationships with people who disappear. And nothing could be more cruel to impose on small children than these perceived abandonments."

I think we can almost all agree that "institutionalization" of children at very early ages can have most harmful effects.

When we consider children between the ages of, say, two and six, the potential damage done by this sort of legislation is not quite so severe. Currently nearly everyone agrees that at least by age 6 a child may relatively safely be removed from the family environment for large parts of the day. And certainly there are many families which have made use of kindergartens and similar establishments for children of 4 and 5 without great detriment to them. However, in this bill we are speaking of establishing a centrally controlled chain of schools and putting the great resources of the Federal Government behind what may well turn out in effect to be a lowering of the age for mandatory school attendance. Moreover, these schools, unlike the established elementary and secondary schools, would begin with the assumption that they would not simply train a child's intellectual capacities, but they would be responsible for his "whole being," his emotional, psychological and physical welfare. In addition, they would not be locally controlled, as are our school districts now; they would ultimately be run from the center, despite all the provisions for local control written into the bill. Funding is, after all, the ultimate control, and if local child development centers do not meet the requirements of the Department of Health, Education, and Welfare they will almost certainly cease to exist, no matter how well they may satisfy local needs.

Mr. President, if my analysis of the likely effects of this legislation upon the family is accurate, then this legislation is indeed harmful, and contrary to the best interests and the wishes of the vast majority of the American people. I urge that it be rejected.

S. 3617, COMPREHENSIVE HEADSTART, CHILD DEVELOPMENT, AND FAMILY SERVICES ACT OF 1972: AMERICA'S CHILDREN DESERVE NO LESS

Mr. CRANSTON. Mr. President, I rise to add my strong support to that of my colleagues who have been urging passage of S. 3617, the proposed Comprehensive Headstart, Child Development, and Family Services Act of 1972.

This legislation is the result of a bipartisan effort to shape a comprehensive child development bill which would meet both the needs of underprivileged children and the objections of President Nixon to the comprehensive child development provisions of S. 2007, a bill to extend the Economic Opportunity Act, which he vetoed last December. I was pleased to have had the opportunity to contribute to the development of this vital legislation as a member of both the Subcommittee on Children and Youth and the Subcommittee on Employment, Manpower, and Poverty of the Committee on Labor and Public Welfare.

I am grateful to Senator MONDALE, chairman of the Subcommittee on Children and Youth, and to Senator NELSON, chairman of the Subcommittee on Employment, Manpower, and Poverty, for exerting the kind of leadership necessary for the formation of such a strong, bipartisan measure, reflecting an awareness of and sensitivity to the needs of America's children. And without the cooperation and insight offered by the ranking minority member of the full committee (Mr. JAVITS) and the contributions of Senator TAFT, ranking minority member of the two subcommittees, this bill could not have come to fruition. I would like to add a special thanks, too, to the very able staff members—Richard Johnson and William Spring for Senator NELSON, Sidney Johnson for Senator MONDALE, John Scales for Senator JAVITS, and Patricia Gwaltney for Senator TAFT, whose incisive understanding of the issues involved facilitated the development of S. 3617 throughout our subcommittee and full committee deliberations.

EXPANSION OF HEADSTART

S. 3617 is a bipartisan compromise measure between the child development provisions in S. 3193, a bill to extend the Economic Opportunity Act, which I cosponsored with Senators MONDALE and NELSON and 11 of our colleagues, and S. 3228, introduced by Senators JAVITS, TAFT, STAFFORD, SCHWEIKER, PACKWOOD, and nine of our colleagues from the other side of the aisle. It builds on the present successful Headstart program by authorizing the appropriation of $150 million for fiscal year 1973 for the purpose of providing training, technical assistance, planning and other activities appropriate for the preparation for implementation of the measure; $1.2 billion for fiscal year 1974 and $1.6 billion for fiscal year 1975 for carrying out the purposes of the act. Any unobligated amounts at the end of a given fiscal year may be obligated in the succeeding fiscal year.

It should be noted that although this 3-year bill has a total appropriation authorization of $2.95 billion, this represents less than a $2 billion authorization increase over the next 3 years, since a portion of these moneys are presently authorized under the Economic Opportunity Act for the Headstart program. Section 311 of the bill provides for a repealing, effective July 1, 1975, of the authorization of appropriations for Headstart and provides that where day care is authorized elsewhere in the Economic Opportunity Act it will be carried out through the child care programs under this act wherever feasible.

FEE SCHEDULE

S. 3617 further builds on the Headstart program by specifying that free services are to be provided to children from families earning equal to or less than $4,320, with adjustments in the case of families with more than two children. Charges for other families may be made in accordance with a fee schedule established by the Secretary of Health, Education, and Welfare based on ability to pay. Such fees may not, however, exceed 10 percent of the difference between the free services level and 85 percent of the lower living standard budget, and then 15 percent of any income between that level of 85 percent of the lower living standard budget and 100 percent of the lower living standard budget.

I would like to note here, Mr. President, that during our deliberations in conference with the House of Representatives on the child development provisions of S. 2007, the committee spent a great deal of time working out a compromise on the fee schedule which would be agreeable to the administration. We have gone even further in modifying this fee schedule in S. 3617, and it is my hope that the administration will make every effort to cooperate with us on this particular point.

PARENTAL INVOLVEMENT

The committee has attempted to build on the successful Headstart concept and experience by increasing parental authority and involvement in all aspects of the comprehensive child development programs. S. 3617 provides that each prime sponsor shall establish and maintain a child and family services council consisting of not less than 10 members, half of whom must be parents of children served in programs under the act elected by those parents, and the remainder of whom are to be appointed by the prime sponsor's chief executive or governing body to represent the public. Half of these public representatives must be persons broadly representative of the public, including community agencies and organizations. and the remaining members must be persons who are skilled in child development services. The child and family service councils shall be responsible for approving annual program statements, basic goals, policies and procedures, and for the selection, establishment or annual renewal of project applicants. These are provisions based on amendments I offered in this bill and the predecessor, S. 2007. I think these are vital provisions, and I feel—although we made some modifications in committee—we maintained the essential thrust of the prior bill's provisions.

In addition, S. 3617 provides for the establishment of local program councils and project policy councils—each of which must be composed of at least 50 percent parents whose children are served under the provisions of the act selected by those parents. It is the responsibility of the local program council to approve the local portion of the annual program, local program contracts, and local project applications and report

to the child and family service council. The project policy councils, which also report to the child and family service council, are responsible for approving basic goals, policies, actions and procedures for individual project applicants, and for the planning, overall conduct, personnel, budgeting, location of centers and facilities and direction and evaluation of projects.

PRIME SPONSORS

Section 102 of the bill, as reported, provides for both State and local prime sponsors. Any unit or combination of units of general local government of at least 25,000 population, an Indian tribal organization, or a public or private nonprofit agency may be designated as a prime sponsor, providing of course it meets the provisions of the act. The population cutoff figure in the vetoed measure was 5,000, which would have made 7,000 localities eligible for prime sponsorship. The compromise figure of 25,000 makes 2,000 communities eligible, and should contribute greatly to the administrative workability of the programs authorized under the bill.

The committee also provided a bypass provision enabling any program council to appeal directly to the Secretary when it alleges a failure to comply with the program statement or provisions of the act, and I personally feel that this is a most important provision which must be retained in the bill.

The committee agreed to a provision under this section which authorizes the Secretary to designate five States to carry out demonstration projects as statewide prime sponsors, even with respect to localities which would otherwise qualify as local prime sponsors. I introduced an amendment to this provision in committee to exclude any State with a population in excess of 5 percent of the Nation's population from eligibility to participate in demonstration projects involving States as sole statewide sponsors. This amendment insured that "experiments" could not cover more than 25 percent of the Nation's population and was supported by a bipartisan majority of the members of the full committee. I feel that this is necessary to preserve local involvement in and direction of the child development programs. The amendment offered by Senator BEALL today preserves this concept as well as integrity of the local programs in States having such diverse populations in large concentration, such as California. This amendment limits the total U.S. population in the "experiment" States to, 15 percent and provides that areas with 1 million or more people may run that program directly.

SPECIAL PROGRAMS

I am delighted that the committee included in the bill a provision for special cooperative programs with educational agencies and other project sponsors. This provision—section 107 of the bill—enables the Secretary to provide assistance to educational agencies and institutions for cooperative programs designed to provide continuity between preschool, after school, and other educational programs. I had introduced a similar provision as a committee amendment to the child development title of S. 2007, which is included in section 101(b)(5) of the pending bill, to provide for programs designed to extend comprehensive prekindergarten early childhood education techniques and gains—particularly parent participation—into kindergarten and early primary grades through the use of former assistant Headstart teachers or similar early childhood education teachers as assistants working closely with classroom teachers in those kindergarten and primary grade classrooms where children they previously taught are enrolled. A pilot project to this effect which has my strongest endorsement and personal involvement has been funded by the Office of Child Development through the Foundation for Early Childhood Development in Los Angeles. I ask unanimous consent, Mr. President, that excerpts from correspondence received recently in my office from the program director of this project, Mrs. Shirley Cloke, be included at this point in my remarks since her description of the Los Angeles demonstration program beautifully describes what can be the effect of these innovative sections in reported bill.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

FOUNDATION FOR EARLY CHILDHOOD EDUCATION,
Los Angeles, Calif., January 31, 1972.

There are many exciting moments in this Headstart-Kindergarten Continuation Program that I would like to share with you. One occurred in the Watts area in a school that has a record of vandalism equal to any. We have a kindergarten team at this school that has learned to work together in a way that expands the children's experiences and joy, involves parents in the classroom, and demonstrates an optimism, enthusiasm and harmony that is possibly more beneficial to those children than their obvious accomplishments in recognition of letters, shapes, numerals, etc.

"The kindergarten teaching team has worked energetically each Monday at our workshop making learning materials for the classroom. As an example, the classroom teacher would not join the group for a luncheon on the final day of the pre-service session as she was determined to complete a set of building frames she was making. "I can eat anytime," she said, "but there is only a limited period of time to complete this project." During the ensuing weekly workshops, this teacher and her assistant made a puppet theatre, a three-sided felt board (one side of slate), and numerous other imaginative pieces of equipment.

Three weeks ago, a fire at her school destroyed her classroom and all of the teacher-made equipment with it. The teaching team became so downhearted and depressed that we knew we would have to change this tragedy into its opposite. In a meeting with the parent coordinator for the area (Clara Godbouldt) and the assistant teacher of the classroom (Paula Gulley), we decided that we would ask the classroom parents to come to the workshop and rebuild the equipment which had been destroyed. The assistant teacher at 75th Street School (Maydell Clark) offered to bring parents from her classroom to lend a hand.

For three Thursday afternoons, parents (and all their children—who outnumbered the parents, by the way) came to the workshop with the assistant teachers Maydell and Paula and worked all afternoon. I set up a nursery school for the children so that they didn't walk into a saw or can of paint. The parents worked until dark each afternoon. On the last day of school before Christmas vacation, the assistant teacher (Paula) arranged an excursion for the class to see reindeer on Wilshire Blvd. at the May Company.

While the children and teachers were away, the parents brought the equipment they had made into the classroom, set it up, prepared a banquet table with cakes, candy and punch for all the children, and decorated the room. I cannot describe the emotions of the teacher when she returned to this scene. What I can describe is the complete amazement of the principal who kept muttering, "I have never seen anything like this!"—and the words of the school parent coordinator who nonchalantly explained that this was an example of school-community cooperation.

There is an epilogue to the story. The seven parents who prepared the party have offered to assist each of the other five kindergarten teachers in 112th Street School organize active-parent groups in their classrooms. Further, the principal has asked us to show the video tape of the party to the school Parent Advisory Council and also to his teachers staff meeting. Although the events speak loudly enough, the underlying theme that quietly asserted itself is evidence of the strength, resources, and concern of the parents working with the teacher to maximize the educational possibilities of their children.

Further events at that school include the employment of one of the Head Start parents from our Head Start-Kindergarten classroom who participated daily at the school (with the encouragement of the assistant teacher). The parent has been employed by the school as an educational aide in another classroom. . . .

At our weekly workshops, at least two other kindergarten teachers and the teacher of the Educationally Handicapped class from this school are now attending, making learning materials, and participating in the educational discussion. This is one example of the "radiation effect" of our project.

Cordially,

SHIRLEY CLOKE,
Program Director.

TRAINING

Mr. CRANSTON. Mr. President, this is the kind of parental participation which the committee seeks to enhance through S. 3617. Mothers and other family members of Headstart children have been recruited and trained as nonprofessionals for staff responsibilities in the past, and through the provisions of title II—training, technical assistance, planning and evaluation—of the act, expanded authorizations of appropriations for this purpose are provided. Indeed, the committee has increased the authorization level under S. 3617 as compared to the child development authorizations for appropriations under S. 2007 for preservice and inservice training. While the total amounts were decreased by 40 percent, authorizations for staff training appropriations were increased by 50 percent. In addition to training for these staff responsibilities, this new figure increases the amount of funds available for training of professional and paraprofessional staff members. This provision will serve to insure the best possible staffing for the child development programs proposed under this act.

MAINTENANCE OF STANDARDS

In a related action to assure high standards for any day care program established under the authorization of S.

3617, the committee, in section 302, provided that standards of child development programs under the act must be consistent with the 1968 Federal interagency day care standards which currently apply to all federally assisted day care programs. The intent of this section is to guarantee that low child-to-adult ratios necessary for high-quality programs be maintained. The section further provides for a special Committee on Federal Standards for Child Development Services, consisting of parents and child development experts, to be established for the purpose of participating in the development and improvement of the Interagency Day Care Requirements and promulgating a revised set of standards to be known as the "Federal Standards for Child Development Services."

In his veto message on S. 2007, President Nixon, in referring to his objections to the comprehensive child development title of that legislation, indicated that he would sign legislation providing day care which would enable mothers, particularly those at the lowest income levels, to take full-time jobs—legislation similar to that which would be provided in the welfare title of H.R. 1, the proposed Social Security Amendments of 1971, which have just been ordered reported by the Senate Finance Committee.

I vigorously object to programs to "house" the preschool children of welfare mothers who under H.R. 1 would be required to register for work even if they prefer raising their own children rather than warehousing them in a low-quality day care program just so that they could take a meaningless, demeaning job. I believe that if a parent of a preschool child wishes or needs to work, that his or her child should be cared for in a comprehensive, compassionate, healthful program of the type we propose through S. 3617 as reported. Only by providing such an environment for early childhood development can we break the cycle of poverty and welfare dependence which so plagues and troubles our Nation.

CONCLUSION

The present Headstart program reaches only 10 percent of the impoverished preschool children who are eligible for it and could benefit from it. S. 3617 seeks to supplement and strengthen this effort by providing additional support for prenatal, nutritional and other services, and by reaching a greater percentage of those who could benefit by them.

Unlike the provisions to be included in H.R. 1, S. 3617 stipulates that:

Child development programs must build upon the role of the family as the primary and most fundamental influence on children and must be provided only to children whose parents or legal guardians request them.

Further, the full day child development programs provided under the act will be made available only to children whose parents are out of the home all day programs or afterschool programs, of selecting support services such as part-day programs or afterschool programs, in-home tutoring, or child development classes for parents and prospective parents.

In this way, the committee has sought to provide the best possible family-strengthening comprehensive child development legislation. I believe we have successfully accomplished this goal in S. 3617 despite the adoption of the Dominick amendment. I urge my colleagues to vote for final passage.

SENATOR RANDOLPH STATES HIS SUPPORT FOR S. 3617, THE COMPREHENSIVE HEADSTART, CHILD DEVELOPMENT, AND FAMILY SERVICES ACT OF 1972

Mr. RANDOLPH. Mr. President, I support fully the goals and purposes of the pending measure, S. 3617, the Comprehensive Headstart, Child Development, and Family Services Act of 1972. In my estimation this bill fully meets the objections voiced by the President last year when he vetoed S. 2007, which included comprehensive child development provisions.

On December 10, 1971, I urged the Senate to vote to override the veto of S. 2007. In like measure I urge today that the Senate give its strong support for this worthy legislation. The Senator from Minnesota (Mr. MONDALE), the Senator from Wisconsin (Mr. NELSON), the Senator from New York (Mr. JAVITS), and the Senator from Ohio (Mr. TAFT), along with other members of the Committee on Labor and Public Welfare, have given much of their time in developing S. 3617 to meet the objections of the President. In the committee I gave the measure my support.

The need for this program has not eased, much less disappeared, since S. 2007 was vetoed last December. There are over 5 million preschool-age children of working mothers in this country, and only 700,000 places in day-care facilities. I am compelled to ask my colleagues who oppose this measure what, if anything, should be done for the 4.3 million children who may not now be cared for in America? Is their development to be restricted to the mindless viewing of television programs all day long, or can we provide these youngsters with some quality care, education, and development? This is the issue.

Innuendoes suggesting that this measure will in some way break up families or create little Communists, are mischievous, unfair, and untrue.

As I said during the debate to override the President's veto of S. 2007:

Families which are comfortably situated need no child care. Their family structures may be stable and sound. But the low- and middle-income families need this bill. Because of the pride and dignity it will provide to those who can climb out of the welfare rut to become taxpayers rather than tax-takers, and because of intellectual stimulation, the nutrition and the medical care it will provide to children, who are the hope of the future, America needs this bill.

Mr. President, the opponents of this legislation ascribe to its supporters some dark purpose—or at least suggest that its misguided direction will create irreparable harm to the fabric of American society.

A full understanding of the deeply serious problems associated with the absence of such a program—street gangs, unemployment, drug abuse, runaways, and underachievement, just to name a few—would dispel any doubt as to its desperately urgent need.

I urge my colleagues in the Senate to support the passage of S. 3617.

Mr. MONDALE. Mr. President, may I express again my deep appreciation and admiration of the leadership provided on this measure by the junior Senator from Wisconsin (Mr. NELSON), the senior Senator from New York (Mr. JAVITS), the junior Senator from Ohio (Mr. TAFT), and the other members of the committee. Permit me to state again my gratitude to the junior Senator from South Carolina (Mr. HOLLINGS) for his enlightened and eloquent efforts on behalf of this bill.

Mr. President, I would also like at this point to express my appreciation to the following members of the staff who have provided magnificent assistance to the committee during the development and consideration of this legislation: Mr. Sidney Johnson and Ms. Rita McDonald of the Subcommittee on Children and Youth; Mr. Richard Johnson, Mr. William Spring, and Ms. Carole Dunn of the Subcommittee on Employment, Manpower, and Poverty; Mr. John Scales, Mr. Martin Klein, and Mrs. Sheer of the minority; Miss Pat Gwaltney with Senator TAFT; Mr. Bert Carp of the Select Committee on Equal Educational Opportunity; and Mr. Jon Steinberg of the Labor and Public Welfare Committee.

The PRESIDING OFFICER (Mr. HUGHES). The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. NELSON. Mr. President, I ask for the yeas and nays on passage.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second. The yeas and nays are ordered.

Is all time yielded back on the bill?

Mr. NELSON. I yield back the remainder of my time.

Mr. JAVITS. I yield back the remainder of our time.

The PRESIDING OFFICER. All time has been yielded back. The question is, shall the bill pass? The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. BEALL (after having voted in the affirmative). On this vote I have a live pair with the Senator from Tennessee (Mr. BROCK). If he were present and voting, he would vote "nay." I have already voted in the affirmative; therefore, I withdraw my vote.

Mr. ROBERT C. BYRD. I announce that the Senator from Georgia (Mr. GAMBRELL), the Senator from Alaska (Mr. GRAVEL), the Senator from Indiana (Mr. HARTKE), the Senator from Minnesota (Mr. HUMPHREY), the Senator from Hawaii (Mr. INOUYE), the Senator from South Dakota (Mr. McGOVERN), the Senator from New Hampshire (Mr. McINTYRE), the Senator from Montana (Mr. METCALF), and the Senator from Maine (Mr. MUSKIE) are necessarily absent.

I further announce that, if present and voting, the Senator from Georgia (Mr. GAMBRELL), the Senator from Alaska (Mr. GRAVEL), the Senator from Minnesota (Mr. HUMPHREY), the Senator from South Dakota (Mr. McGOVERN) and the Senator from Maine (Mr. MUSKIE) would each vote "yea."

Mr. GRIFFIN. I announce that the Senators from Tennessee (Mr. BAKER and Mr. BROCK) are necessarily absent.

The Senator from Vermont (Mr. STAFFORD) is absent on official business.

The Senator from Arizona (Mr. GOLDWATER) and the Senator from South Dakota (Mr. MUNDT) are absent because of illness.

If present and voting, the Senator from Vermont (Mr. STAFFORD) would vote "yea."

The pair of the Senator from Tennessee (Mr. BROCK) has been previously announced.

The result was announced—yeas 73, nays 12, as follows:

[No. 231 Leg.]

YEAS—73

Aiken	Fong	Pastore
Allott	Fulbright	Pearson
Anderson	Griffin	Pell
Bayh	Gurney	Percy
Bellmon	Harris	Proxmire
Bentsen	Hart	Randolph
Bible	Hatfield	Ribicoff
Boggs	Hollings	Saxbe
Brooke	Hughes	Schweiker
Burdick	Jackson	Scott
Byrd, Robert C.	Javits	Smith
Cannon	Jordan, N.C.	Sparkman
Case	Kennedy	Spong
Chiles	Long	Stennis
Church	Magnuson	Stevens
Cook	Mansfield	Stevenson
Cooper	Mathias	Symington
Cotton	McClellan	Taft
Cranston	McGee	Talmadge
Dole	Miller	Tunney
Dominick	Mondale	Weicker
Eagleton	Montoya	Williams
Eastland	Moss	Young
Ellender	Nelson	
Ervin	Packwood	

NAYS—12

Allen	Curtis	Roth
Bennett	Fannin	Thurmond
Buckley	Hansen	Tower
Byrd, Harry F., Jr.	Hruska	
	Jordan, Idaho	

NOT VOTING—14

Baker	Hartke	Metcalf
Brock	Humphrey	Mundt
Gambrell	Inouye	Muskie
Goldwater	McGovern	Stafford
Gravel	McIntyre	

PRESENT AND GIVING A LIVE PAIR, AS PREVIOUSLY ANNOUNCED—1

Beall, for.

So the bill (S. 3617) was passed, as follows:

S. 3617

An act to strengthen and expand the Headstart program, with priority to the economically disadvantaged, to amend the Economic Opportunity Act of 1964, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Comprehensive Headstart, Child Development, and Family Services Act of 1972".

STATEMENT OF FINDINGS AND PURPOSE

SEC. 2. (a) The Congress finds that—

(1) child development programs must build upon the role of the family as the primary and the most fundamental influence on the development of children, and must be provided only to children whose parents or legal guardians request them;

(2) in exercising their moral and legal rights and responsibilities in respect to their children and families, many mothers, and single parents have determined it necessary or desirable to seek child development services for their children in order to engage in employment, training, or education on a full- or part-time basis during hours when their children would ordinarily be in the home or otherwise to enhance the well-being of their families; and

(3) while there have been increased developmental services for children of working mothers and single parents and while Headstart and similar programs have provided supplemental educational and other services for children, such services have not been made available to families to the extent that parents consider it necessary to contribute to the full development of their children and to improve the economic well-being of their families, with the result that there are millions of children living in poverty who do not receive adequate educational and other services, and there are millions of other children whose mothers are working full or part time without adequate child development arrangements for their children.

(b) It is the purpose of this Act to provide a variety of quality child development and family services in order to assist parents who request such services in providing their children with an opportunity for a healthful and stimulating development, with priority to those preschool children and families with the greatest economic or social needs, in a manner designed to strengthen family life and to insure decisionmaking at the community level through a partnership of parents, State and local governments and the Federal Government, building upon the experience and success of Headstart and other existing programs.

(c) Congress finds that the family is the cornerstone of healthy physical and psychological development for children, that the value of day-care services extends primarily to economically disadvantaged children, with special emphasis upon those children who have special developmental needs or other handicaps, and to other children for whom suitable care is not otherwise available, and that day-care services outside the child's own home must be designed to supplement and support, and never to replace, the parent-child relationship. This Act is not intended or designed to provide a framework for the universal application of outside-the-home care to children in general.

AUTHORIZATION OF APPROPRIATIONS

SEC. 3. (a) For the purpose of carrying out this Act, there is authorized to be appropriated $1,200,000,000 for the fiscal year ending June 30, 1974, and $1,600,000,000 for the fiscal year ending June 30, 1975. Any amounts appropriated for each fiscal year which are not obligated at the end of such fiscal year may be obligated in the succeeding fiscal year.

(b) For the purpose of providing training, technical assistance, planning, and such other activities (including activities authorized under section 106) as the Secretary deems necessary and appropriate to prepare for the implementation of this Act, there is authorized to be appropriated $150,000,000 for the fiscal year ending June 30, 1973.

(c) From the amounts appropriated pursuant to subsection (a) the Secretary shall make funds available in the following manner—

(1) $500,000,000 shall first be used for the purpose of providing assistance under title I of this Act for child development programs focused upon young children from low-income families, giving priority to continued financial assistance for Headstart projects;

(2) not to exceed 15 per centum of the remaining amounts so appropriated shall be used for the purpose of carrying out titles II and III of this Act, as the Secretary deems appropriate, but not to exceed 5 per centum of such remaining amounts shall be used for the purpose of carrying out title III of this Act; and

(3) the remainder of such amounts shall be used for the purpose of carrying out title I of this Act.

(d) (1) For the purpose of affording adequate notice of funding available under this Act such funding for grants, contracts, or other payments under this Act is authorized to be included in the appropriations Act for the fiscal year preceding the fiscal year for which it shall be available for obligation.

(2) In order to effect a transition to the advance funding method of timing appropriation action, paragraph (1) of this subsection shall apply notwithstanding that its initial application will result in the enactment in the same year (whether in the same appropriation Act or otherwise) of two separate appropriations, one for the then current fiscal year and one for the succeeding fiscal year.

DEFINITIONS

SEC. 4. As used in this Act, the term—

(1) "Secretary" means the Secretary of Health, Education, and Welfare;

(2) "State" means the several States and the District of Columbia, Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands;

(3) "child development and family service programs" means programs on a full-day or part-day basis which provide the educational, nutritional, health, and other services needed to provide the opportunity for children to attain their full potential, including services to other family members related to the full educational and other development of children;

(4) "children" means individuals who have not attained the age of fifteen;

(5) "economically disadvantaged children" means any children of a family having an annual income below the lower living standard budget (adjusted for regional and metropolitan, urban, and rural differences, and family size), as determined annually by the Bureau of Labor Statistics of the Department of Labor;

(6) "handicapped children" includes mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, physically handicapped, crippled, or other health impaired children or children with specific learning or other disabilities who by reason thereof require special education and related services;

(7) "program" includes any program, service, or activity, which is conducted full or part time, in special facilities, in schools, in neighborhood centers, or in homes, including family day-care homes;

(8) "parent" means any person who has primary day-to-day responsibility for any child;

(9) "single parent" means any person who has sole day-to-day responsibility for any child;

(10) "working mother" means any mother who needs child development and family services under this Act in order to undertake or continue full- or part-time work, training, or education outside her home;

(11) "minority group" includes, but is not limited to, persons who are Negro, American Indian, Spanish-surnamed American, Portuguese, or Oriental, and, as determined by the Secretary, children who are from environments in which a dominant language is other than English and who, as a result of language barriers, may need special assistance, and, for the purpose of this paragraph, "Spanish-surnamed Americans" include, but is not limited to, persons of Mexican, Puerto Rican, Cuban, or Spanish origin or ancestry.

(12) "bilingual" includes, but is not limited to, persons who are Spanish-surnamed Americans, American Indian, Oriental, Portuguese, or others who have learned during childhood to speak the language of the minority group of which they are members and who, as a result of language barriers, may need special assistance;

(13) "local educational agency" means any such agency as defined in section 801(f) of the Elementary and Secondary Education Act of 1965;

(14) "institution of higher education" means any such institution as defined in section 1201(a) of the Higher Education Act of 1965;

(15) "low-income family" means a family whose annual income is less than the "poverty level" as defined by the Director of the Office of Economic Opportunity;

(16) "unit of general local government" means any political subdivision of a State having general governmental powers.

TITLE I—HEADSTART, CHILD DEVELOPMENT, AND FAMILY SERVICES PROGRAMS

PROGRAMS ASSISTED

SEC. 101. (a) The Secretary shall provide financial assistance to prime sponsors and to other public and private agencies and organizations pursuant to plans, program statements, and applications approved in accordance with the provisions of this title for the purpose of carrying out child development and family service programs for children and their families where parents or local guardians request them, including—

(1) preschool programs providing part-day services and activities designed to prepare children for school in the years before they enter the elementary school grades;

(2) in-home services and consultation to assist families with children of preschool age in providing for the healthy growth and the development of each child's full potential;

(3) preschool programs providing full-day services and activities for children when there is no parent at home to provide care;

(4) child development programs providing services and activities (including recreation and tutoring programs) for school-age children at times when school is not in session and there is no parent at home to provide care.

(b) Financial assistance under this title may be used for—

(1) other comprehensive child development services and programs designed to meet individual needs of children, to assist children in attaining their full potential and to prepare them for school, including but not limited to—

(A) programs designed (i) to meet the special needs of minority group, Indian, and migrant children with particular emphasis on the needs of children from bilingual families for the development of skills in English and other language spoken in the home, and (ii) to meet the needs of all children to understand the history and cultural backgrounds of ethnic groups, including minority groups, which belong to their communities;

(B) diagnosis, identification, and, with the prior written consent of the parent or parents, treatment of visual, hearing, speech, medical, dental, nutritional, and other physical, mental, psychological, and emotional barriers to full participation in programs.

(C) special activities designed to identify and ameliorate identified physical, mental, and emotional handicaps and special learning disabilities as an incorporated part of programs conducted under this title and, where necessary because of the severity of such handicaps, establishing, maintaining, and operating separate child development and family services programs designed primarily to meet the needs of handicapped children, including emotionally disturbed children;

(D) special food and nutritional services; and

(E) emergency child development programs for children of parents who are sick, incapacitated, or for other urgent reasons, temporarily unable to provide adequate care for their children.

(2) other programs designed to support and enhance family life and contribute to the full development of children, including but not limited to the following—

(A) (i) prenatal and other medical services to expectant mothers who cannot afford such services, designed to help reduce malnutrition, infant and maternal mortality, and the incidence of mental retardation and other handicapping conditions, and (ii) postpartum and other medical services to recent mothers;

(B) referral services for family planning, and purchase of such services when not otherwise available;

(C) programs including home services to prepare adolescents and other family members for family responsibilities, including assistance to public secondary schools and nonprofit organizations to implement courses for adolescents and provide opportunities for the participation of adolescents in child development and family service programs authorized under this title;

(3) preservice and inservice education and other training designed to prepare professional and paraprofessional personnel and parents and other family members to provide child development and family services;

(4) dissemination of information in the functional language of those to be served to assure that parents are well informed of child development and family service programs available to them and may become directly involved in such programs;

(5) programs designed to extend comprehensive prekindergarten early childhood education techniques and gains (particularly parent participation) into kindergarten and early primary grades (one through three) in cooperation with local educational agencies;

(6) parent and child centers, homestart, followthrough and other supplementary services and activities.

(7) rental, lease or lease-purchase, mortgage amortization payments, remodeling, renovation, alternation, acquisition of necessary equipment and supplies, and to the extent authorized in section 109, construction or facilities;

(8) programs pursuant to subsection (a) of this section operated by or with the assistance of students or faculty members of a college or university located in the community served, provided the program otherwise meets the standards established by this Act;

(9) allowances for transportation and other costs with respect to children in cases where such costs are necessary to and directly related to such child's participation in programs under this title;

(10) examination and inspection of child development and family service facilities for lead poisoning and other hazards and the correction of such hazards in the facilities;

(11) staff and other administrative expenses of child and family service councils, local program councils, and project policy committees established and operated in accordance with the provisions of this title; and

(12) such other services and activities as the Secretary deems appropriate in furtherance of the purposes of this title.

STATE AND LOCAL PRIME SPONSORS

SEC. 102. (a) In accordance with the provisions of this section, the Secretary may designate as a prime sponsor for the purpose of entering into arrangements directly with the Secretary to carry out programs under this title within a State the following:

(1) any State;

(2) any unit of general local government or any combination of such units having a total population of twenty-five thousand or more persons on the basis of the most satisfactory current data;

(3) any unit of general local government or any combination of such units, without regard to population, subject to a demonstration by the applicant that (A) it has the capability to carry out adequately a comprehensive child development and family service program, and (B) there is a particular demand for services and availability of resources within the area to be served;

(4) any Indian tribal organization;

(5) any other public or private nonprofit agency meeting the requirements of subsection (h) of this section.

(b) Such applicants under this subsection may be designated if the Secretary determines that the applicant has the capability of effectively carrying out comprehensive programs under this Act and has submitted a satisfactory prime sponsorship plan which—

(1) describes the prime sponsorship area to be served;

(2) sets forth satisfactory provisions for establishing and maintaining a child and family services council which meets the requirements of section 103;

(3) provides that the prime sponsor shall be responsible for developing and preparing for each fiscal year a program statement in accordance with section 104 and any modification thereof and for selecting or establishing an agency or agencies to administer and coordinate child development and family service programs in the prime sponsorship area;

(4) sets forth arrangements under which the Child and Family Service Council will be entitled to approve program statements, basic goals, policies, and procedures and the selection or establishment and annual renewal of any agency or agencies under paragraph (3) of this section and will be responsible for annual and ongoing evaluation of child development and family service programs conducted in the prime sponsorship area according to criteria established by the Secretary;

(5) provides assurances that staff and other administrative expenses for the Child and Family Service Councils and Local Program Councils and Project Policy Committees will not exceed 5 per centum of the total cost of child development programs administered by the prime sponsors unless such per centum limitation is increased to give special consideration to initial cost in the first operational year, in accordance with regulations which the Secretary shall prescribe;

(6) provides assurances that the prime sponsor will provide, in an effective, coordinated, and comprehensive manner (through the administering agency or agencies established or selected pursuant to this subsection), directly or by contract or arrangement with State, local, or other public agencies or private nonprofit agencies or organizations, where available—

(A) child-related family, social, and rehabilitative services;

(B) coordination with educational agencies and providers of educational services;

(C) health (including family planning) and mental health services;

(D) nutrition services;

(E) training of professional and paraprofessional personnel;

(F) where necessary full-time administrative personnel to conduct the program;

(7) sets forth procedures to insure that all project applications for financial assistance in the area to be served are given due consideration, in accordance with regulations promulgated by the Secretary;

(8) in the case of an applicant for prime sponsorship which is a State applying for designation as prime sponsor for geographical areas within the State, in addition to the

provisions otherwise required to be included in its prime sponsorship plan in accordance with this section, sets forth adequate provisions—

(A) for designating local family service areas each of which shall serve a geographical area covered by (i) a unit of general local government, or (ii) units of general local government serving a total population of not move than fifty thousand persons except that the Secretary may, upon application by such prime sponsors, permit designation of one or more local family service areas serving a population of not more than one hundred thousand persons where necessary in order to carry out most effectively the purposes and provisions of this Act;

(B) for establishing and maintaining with respect to each local family service area a local program council composed so that (i) not less than half of the members of each such council shall be parent members who shall be chosen initially by parents who are recipients of federally assisted day care services, with equitable and appropriate consideration to parents selected by the parent members of Headstart policy committees where they exist, and at the earliest practicable time by the parent members of project policy committees, and (ii) the remainder shall be public members broadly representative of the general public, as described in section 103(a)(2)(A), appointed by the chief executive officers or the governing bodies, as appropriate, of the units of general local government within the local program area;

(C) to assure that the program statement to be submitted by the State which affects each local family service area is developed and prepared with full participation and approval of the appropriate local program council; and

(D) to assure that contracts for the operation of programs through public or private agencies or organizations shall be entered into only if previously approved by the local program council for the appropriate local family service area; and

(E) to assure that the local program council's disapproval shall require a majority vote of the council present and voting within thirty days of submission of the issue to the council for such a vote and in the absence of such action by the council, the issue shall be deemed to have been approved. A majority of the council shall constitute a quorum for the purpose of transacting business.

(c) Any local program council may appeal directly to the Secretary whenever such council alleges that with respect to its portion of the program statement the State has failed to comply with the provisions of the program statement or the provisions of this Act.

(d)(1) The Secretary shall approve a prime sponsorship plan submitted by a State if he determines that the plan so submitted meets the requirements of this section and sets forth adequate arrangements for serving all geographical areas under its jurisdiction.

(2) Notwithstanding subsections (e), (f), and (g) of this section, the Secretary is authorized, in accordance with this paragraph, to approve Statewide prime sponsorship plans which he determines set forth satisfactory arrangements for carrying out demonstration projects providing for the State to be designated as prime sponsor for the entire State and which meet each of the requirements of subsections except that if any unit of general local government having a population of one million or more persons within any such State elects to apply for prime sponsorship designation and submits a plan meeting the requirements of this section the Secretary shall designate such unit as the local prime sponsor, and in such case the Statewide plan described in this paragraph shall cover the balance of the State. The Secretary shall designate as Statewide prime sponsors under this paragraph not more than five States, having a combined population of not more than 20 per centum of the total population of all of the States in the Nation, which have demonstrated capability and (b) and (c) of this section, leadership in the field of child development and which are located in various regions of the Nation and have a variety of characteristics, including differing population sizes and urban, metropolitan, and rural area and industrial and work force composition. A State shall be designated as a Statewide prime sponsor under this paragraph only if the Secretary determines that—

(A) a reasonable opportunity has been provided to each unit of general local government or combination thereof or Indian tribal organization within such State eligible under paragraph (2) or (4) of subsection (a) of this section to submit comments to the State and to the Secretary; and

(B) the prime sponsorship plan submitted by such State takes into account, to the extent appropriate, the comments submitted in accordance with clause (A) of this paragraph.

(e)(1) The Secretary shall approve a prime sponsorship plan submitted by a unit of general local government which is (A) a city eligible under subsection (a)(2) of this section, or (B) a county or other unit of general local government eligible under subsection (a)(2) of this section (excluding the number of such persons included within the population of any city which is designated as a prime sponsor under clause (A) of this paragraph), if he determines that the plan so submitted meets the requirements of subsection (a) of this section and includes adequate provisions for carrying out comprehensive child development and family services programs in the area covered by such unit of general local government.

(2) In the event that a State has submitted a prime sponsorship plan under subsection (a) of this section to serve a geographical area covered by the plan of an applicant under paragraph (2), (3), or (4) of subsection (a), the Secretary shall designate to serve such area the applicant which he determines has the capability of more effectively carrying out the purposes of this title with respect to such area.

(3) In the event that the area under the jurisdiction of a unit of general local government described in clause (A) or (B) of paragraph (1) of this subsection includes any common geographical area with that covered by another such unit of general local government, the Secretary shall designate to serve such area the unit of general local government which he determines has the capability of more effectively carrying out the purposes of this title with respect to such area and which has submitted a plan which meets the requirements of subsection (a) of this section and includes adequate provisions for carrying out comprehensive child development and family services programs in such area.

(f) The Secretary shall approve a prime sponsorship plan submitted by a combination of units of general local government eligible under subsection (a)(2) of this section (excluding the number of such persons included within the population of any city which is designated as a prime sponsor under clause (A) of subsection (e)(1)), if he determines that the plan so submitted meets the requirements of subsection (a) of this section and includes adequate provisions for carrying out comprehensive child development and family services programs in the area covered by the combination of such units of general local government.

(g) The Secretary shall approve a prime sponsorship plan submitted by an Indian tribal organization if he determines that the plan so submitted meets the requirements of subsection (a) of this section and includes adequate provisions for carrying out comprehensive child development and family service programs in the area to be served.

(h) The Secretary may approve a prime sponsorship plan submitted by a unit or combination of units of general local government or by a public or private nonprofit agency, including but not limited to a community action agency, single-purpose Headstart agency, public or private educational agency or institution, community development corporation, parent cooperative, organization of migrant agricultural workers, organization of Indians, employer organization, labor union, or employee or labor-management organization, if he determines that the plan so submitted meets the requirements of subsection (a) of this section and includes provisions setting forth—

(1) arrangements for serving children in a community or neighborhood or other urban or rural area possessing a commonality of interest (A) with respect to which there is no prime sponsorship designation in effect, or (B) with respect to any portion of an area where a designated prime sponsor is found not to be satisfactorily implementing child development and family services programs which adequately meet the purposes of this part, or (C) for making available special services, in accordance wtih criteria established by the Secretary, designed to meet the needs of economically disadvantaged or preschool children or children of working mothers or single parents; or

(2) arrangements for providing comprehensive child development and family services programs on a year-round basis to children of migrant agricultural workers and their families; or

(3) arrangements for carrying out model programs especially designed to be responsive to the needs of economically disadvantaged, minority group, bilingual, or preschool children or to demonstrate the feasibility of conducting child development and family services programs on the basis of a neighborhood or other area possessing a commonality of interest in any locality.

(i) The Governor shall be given not less than thirty nor more than sixty days to review applications for prime sponsorship designation submitted by any applicant other than the State, to offer recommendations to the applicant, and to submit comments to the Secretary.

(j) A prime sponsorship plan submitted under this section may be disapproved or a prior designation of a prime sponsor may be withdrawn only if the Secretary, in accordance with regulations which he shall prescribe, has provided (1) written notice of intention to disapprove such plan, including a statement of the reasons therefor, (2) a reasonable time in which to submit corrective amendments to such plan or undertake other necessary corrective action, and (3) an opportunity for a public hearing upon which basis an appeal to the Secretary may be taken as of right.

(k)(1) If any party is dissatisfied with the Secretary's final action under subsection (j) with respect to the disapproval of its plan submitted under this section or the withdrawal of its prime sponsorship designation, such party may, within sixty days after notice of such action, file with the United States court of appeals for the circuit in which such party is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Secretary. The Secretary thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code.

(2) The findings of fact by the Secretary, if supported by substantial evidence, shall be conclusive, but the court, for good cause shown, may remand the case to the Secretary to take further evidence. The Secretary may make new or modified findings of fact and may modify his previous action, and shall certify to the court the record of the further

proceedings. Such new or modified findings of fact shall be conclusive if supported by substantial evidence.

(3) The court shall have jurisdiction to affirm the action of the Secretary or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

(l) When any unit or combination of units of general government or other prime sponsor is maintaining a pattern or practice of discrimination against minority group persons or against economically disadvantaged children, the Secretary shall approve the application for prime sponsorship of an alternative unit of government or public or private nonprofit agency or organization in the area which will equitably serve minority group and economically disadvantaged children.

(m) In the event that a State, a unit or combination of units of general local government, or an Indian tribal organization has not submitted a program statement under this section or the Secretary has not approved a plan so submitted, or where the Secretary has not designated or has withdrawn designation of prime sponsorship under this section, or where the needs of migrants, pre-school-age children, or the children of working mothers or single parents, minority groups, or the economically disadvantaged are not being served, the Secretary may directly fund projects, including those in rural areas without regard to population, that he deems necessary in order to serve the children of the particular area.

CHILD AND FAMILY SERVICES COUNCILS

SEC. 103. (a) Each prime sponsor designated under section 102 shall establish and maintain a Child and Family Services Council composed of not less than ten members as follows—

(1) not less than half the members of such Council shall be parents of children served in programs under this Act chosen in accordance with the provisions of paragraph (1) of subsection (b) of this section;

(2) the remaining members shall be appointed by the chief executive officer or the governing body, whichever is appropriate, of the prime sponsor to represent the public, but (A) not less than half of such members shall be persons who are broadly representative of the general public, including government agencies, public and private agencies and organizations in such fields as education, economic opportunity, health, welfare, employment and training, business or financial organizations or institutions, labor unions, and employers, and (B) the remaining members, the number of which shall be either equal to or one less than the number of members appointed under clause (A), shall be persons who are particularly skilled by virtue of training or experience in child development, child health, child welfare, education or other child and family services, except that the Secretary may waive the requirement of this clause (B) to the extent that he determines, in accordance with regulations which he shall prescribe, that such persons are not available to the area to be served; and

(3) in establishing a Child and Family Services Council under this section, the prime sponsor shall give due consideration to the membership of day care coordinating bodies then existing in the area to be served.

At least one-third of the total membership of the Child and Family Services Council shall be persons who are economically disadvantaged. Each Council shall select its own chairman.

(b) In accordance with procedures which the Secretary shall establish pursuant to regulations, each prime sponsor designated under section 102 shall provide, with respect to the Child and Family Services Councils established and maintained by such prime sponsor, that—

(1) the parent members described in paragraph (1) of subsection (a) of this section shall be chosen as follows:

(A) in the case of Councils established by prime sponsors which are States, by the parent members of local program councils established under section 102(b) (8); and

(B) in the case of Councils established by prime sponsors other than States (and by States with respect to local program councils) initially by parents who are recipients of federally assisted day care services, with equitable and appropriate consideration to parents selected by the parent members of Headstart policy committees and, at the earliest practicable time by the parent members of project policy committees;

(2) the terms of office and any other policies and procedures of an organizational nature including nomination and election procedures, are appropriate in accordance with the purposes of this Act;

(3) such "Council shall be entitled to exercise the power of approval consistent with section 102(b)(4), and the Council's disapproval shall require a majority vote of the Council present and voting within thirty days after submission of the issue to the Council for such a vote and in the absence of such action by the Council, the issue will be deemed to have been approved. A majority of the Council shall constitute a quorum for the purpose of transacting business; and

(4) such Council shall, upon its own initiative or upon request of a project applicant or any other party in interest, conduct public hearings before action is taken by the prime sponsor upon applications for financial assistance submitted by project applicants under this title.

PROGRAM STATEMENTS

SEC. 104. (a) Financial assistance under this title may be provided by the Secretary for any fiscal year to a prime sponsor designated under section 102 only pursuant to a program statement which is submitted by such prime sponsor directly to and approved by the Secretary in accordance with the provisions of this title. Any such program statement shall set forth a comprehensive program for providing child development and family services in the prime sponsorship area which—

(1) provides that programs or services under this title shall be provided only for children whose parents request them;

(2) identifies child development and family service needs and goals within the area to be served and describes the purpose for which the financial assistance will be used;

(3) meets the needs of children and families in the prime sponsorship area, to the extent that available funds can be reasonably expected to have an effective impact, with priority to children who have not attained six years of age;

(4)(A) provides that funds received under section 3(c)(1) of this title will be used for child development programs and services focused upon young children from low-income families, giving priority to continued financial assistance for Headstart projects by reserving for such projects from such funds in any fiscal year an amount at least equal to the aggregate amount received by public or private agencies and organizations within the prime sponsorship area for programs during the fiscal year ending June 30, 1973, under section 222(a)(1) of the Economic Opportunity Act of 1964, and (B) provides that programs receiving funds under section 3(c)(3) will give priority to providing services for economically disadvantaged children by reserving not less than 65 per centum of such funds for the purpose of serving economically disadvantaged children.

(5) gives priority thereafter to providing child development and family services programs and services to children of working mothers and single parents not covered under paragraph (4);

(6) provides for direct parent participation in the conduct, overall direction, and evaluation of programs;

(7) provides procedures for the approval of project applications submitted in accordance with section 105;

(8) provides in the case of a prime sponsor which is a State that project applications shall be approved by the prime sponsor only if previously approved by the local program council for the appropriate local family service area, in accordance with section 102(b)(8)(E);

(9)(A) provides, in the case of a prime sponsor located within or adjacent to a metropolitan area, for coordination with other prime sponsors located within such metropolitan area, and arrangement for cooperative funding where appropriate, and particularly for such coordination where appropriate to meet the needs for child development and family services of children of parents working or participating in training or otherwise occupied during the day within a prime sponsorship area other than that in which they reside;

(B) provides for coordination of other federally funded child development and family service, child care, and related programs (including those relating to manpower training and employment) with the programs assisted under this Act, as required pursuant to regulations established by the Secretary under Section 311(b) of this Act.

(C) assures that procedures and mechanisms for coordination have been developed in cooperation with agencies and organizations carrying out preschool programs and administrators of local educational agencies and nonpublic schools, at the local level, to provide continuity between programs for preschool and elementary school children and to coordinate programs conducted under this title and programs conducted pursuant to section 222(a)(2) of the Economic Opportunity Act of 1964 and the Elementary and Secondary Education Act of 1965; and

(D) establishes arrangements in the area served for the coordination of programs conducted under the auspices of or with the support of business or financial institutions or organizations, industry, labor, employee and labor-management organizations, and other community groups;

(10) provides that, to the extent feasible, each program within the prime sponsorship area shall include children from a range of socioeconomic background;

(11) provides comprehensive services (A) to meet the special needs of minority group children and children of migrant agricultural workers with particular emphasis on the needs of children from bilingual families for the development of skills in English and in the other language spoken in the home, and (B) to meet the needs of all children to understand the history and cultural background of minority groups which belong to the communities;

(12) provides equitably for the child development and family services needs of children from each minority group and significant segment of the economically disadvantaged residing within the area served;

(13) includes a career development plan for paraprofessional and professional training, education, and advancement on a career ladder;

(14) provides that, insofar as possible, persons residing in communities being served by such projects will be employed therein, including in-home and part-time employ-

ment and opportunities for training in programs under title II of this Act, with special consideration for career opportunities for low-income persons;

(15) provides for the regular and frequent dissemination of information in the functional language of those to be served, to assure that parents and other interested persons in the community are fully informed of the activities of the prime sponsor, Child and Family Services Council, local program councils, and of delegate agencies;

(16) sets forth provisions describing any arrangements for the delegation, under the supervision of the Child and Family Services Council, to public or private agencies, institutions, or organizations, of responsibilities for the delivery of programs, services, and activities for which financial assistance is provided under this Act or for planning or evaluation services to be made available with respect to programs under this Act;

(17) contains plans for regularly conducting surveys and analyses of needs for child development and family services programs in the prime sponsorship area and for submitting to the Secretary a comprehensive annual report and evaluation in such form and containing such information as the Secretary shall require by regulation;

(18) provides assurances satisfactory to the Secretary that the non-Federal share requirements will be met;

(19) provides for such fiscal control and funding accounting procedures as the Secretary may prescribe to assure proper disbursement of and accounting for Federal funds paid to the prime sponsor;

(20) provides that special consideration will be given to project applications submitted by public and private nonprofit agencies and organizations with on-going programs;

(21) provides procedures for the Council to select, and establish policy with respect to tenure and status of, its employees.

(b) No program statement or modification thereof submitted by a prime sponsor under this section shall be approved by the Secretary unless he determines, in accordance with regulations which the Secretary shall prescribe, that—

(1) each community action agency or single-purpose Headstart agency in the area to be served previously responsible for the administration of programs under this part or under section 222(a)(1) of the Economic Opportunity Act of 1964 has had an opportunity to submit comments to the prime sponsor and to the Secretary;

(2) the local educational agency for the area to be served and other appropriate educational and training agencies and institutions have had an opportunity to submit comments to the prime sponsor and to the Secretary; and

(3) in the case of a plan submitted by a prime sponsor other than the State, the State Child and Family Services Council has had an opportunity to submit comments to the prime sponsor and to the Secretary.

(c) A program statement submitted under this section may be disapproved or a prior approval withdrawn only if the Secretary, in accordance with regulations which he shall prescribe, has provided (1) written notice of intention to disapprove such plan, including a statement of the reasons therefor, (2) a reasonable time to submit corrective amendments to such plan or undertake other necessary corrective action, and (3) an opportunity for a public hearing upon which basis an appeal to the Secretary may be taken as of right.

(d) In order to contribute to the effective administration of this title, the Secretary shall establish appropriate procedures to permit sponsors to submit jointly a single program statement for the areas served by such prime sponsors.

PROJECT APPLICATIONS

SEC. 105. (a) Financial assistance under this title may be provided to a project applicant for any fiscal year only pursuant to a project application which is submitted by a public or private agency and which provides—

(1) that funds will be provided for carrying out any child development and family services program under this title only to a qualified public or private agency or organization, including but not limited to a community action agency, single-purpose Headstart agency, public or private educational agency or institution, community development corporation, parent cooperative, organization of migrant agricultural workers, organization of Indians, private organization interested in child development, employer or business organization, labor union, or employee or labor-management organization;

(2) for establishing and maintaining project policy committees composed of not less than ten members as follows—

(A) not less than half of the members of each such committee shall be parents of children served by such project, and

(B) the remaining members of each such committee shall consist of (i) persons who are representative of the community and who are approved by the parent members, and (ii) one persons who is particularly skilled by virtue of training or experience in child development, child health, child welfare, or other child care services, except that the Secretary may waive the requirement of this clause (ii) where he determines, in accordance with regulations which he shall prescribe, that such person is not available to the area to be served;

(3) for direct participation of such project policy committees in the development and preparation of project applications under this title;

(4) that adequate provision will be made for training and other administrative expenses of such project policy committees (including necessary expenses to enable low-income members to participate in council or committee meetings);

(5) that project policy committees shall have responsibility for approving basic goals, policies, actions, and procedures for the project applicant, and for planning, overall conduct, personnel, budgeting, location of centers and facilities, and direction and evaluation of projects;

(6) that the project policy committee's disapproval shall require a majority vote of the committee present and voting within thirty days of submission of the issue to the committee for such a vote and in the absence of such action by the committee, the issue shall be deemed to have been approved, and a majority of the Council shall constitute a quorum for the purpose of transacting business;

(7) that programs assisted under this title will provide for such comprehensive health, nutritional, education, social, and other services, as are necessary for the full development of each participating child;

(8) that adequate provision will be made for the regular and frequent dissemination of information in the functional language of those to be served, to assure that parents and interested persons are fully informed of project activities;

(9) that with respect to child development and family services provided by programs assisted under this title—

(A) no charge will be made with respect to any child who is a member of any family with an annual income equal to or less than $4,320 with appropriate adjustments in the case of families having more than two children, except to the extent that payment will be made by a third party (including a public agency); and

(B) such charges as the Secretary may provide will be made with respect to any child of any other family, in accordance with an appropriate fee schedule established by him, designed to permit enrollment or continued participation in the program as family income increases and based upon the ability of the family to pay, which payment may be made in whole or in part by a third party in behalf of such family, except that any such charges with respect to any family with an income of less than the lower living standard budget (as determined in accordance with paragraph (5) of section 4) shall not exceed the sum of (i) an amount equal to 10 per centum of any family income which exceeds the highest income level at which no charges would be made with respect to children of such family under subparagraph (A) but does not exceed 85 per centum of such lower living standard budget, and (ii) an amount equal to 15 per centum of any family income which exceeds 85 per centum of such lower living standard budget but does not exceed 100 per centum of such lower living standard budget, and, if more than two children from the same family are participating, additional charges may be made not to exceed the sum of the amounts calculated in accordance with clauses (i) and (ii) with respect to each such additional child or, the actual cost of services, whichever is less, except that charges less than those prescribed by the Secretary pursuant to this paragraph (B) may be made with respect to any program, where the Secretary, upon application of any prime sponsor, determines that such lower charges are necessary in order to take into account actual living expenses within the prime sponsorship area, to meet the special needs of economically disadvantaged persons within such area, or to insure consistency with fee schedules for similar services under other laws.

(10) that children will in no case be excluded from the programs operated pursuant to this title because of their participation in nonpublic preschool or school programs or because of the intention of their parents to enroll them in nonpublic schools when they attain school age;

(11) that programs will, to the extent appropriate, employ paraprofessional aides and volunteers, especially parents, older children, students, older persons, and persons preparing for careers in child development programs;

(12) that no person will be denied employment in any program solely on the ground that such person fails to meet State or local teacher certification standards;

(13) that there are assurances satisfactory to the Secretary that the non-Federal share requirements will be met; and

(14) that provision will be made for such fiscal control and fund accounting procedures as the Secretary shall prescribe to assure proper disbursement of and accounting for Federal funds.

(b) A project application may be approved by a prime sponsor upon its determination that such application meets the requirements of this section and that the programs provided for therein will otherwise further the objectives and satisfy the appropriate provisions of the prime sponsor's program statement as approved pursuant to section 104.

(c) A project application from a public or private nonprofit agency which is also a prime sponsor under section 102 shall be submitted directly to the Secretary, together with the program statement.

(d) A prime sponsor may disapprove a project application only if it provides to the project applicant a written statement of the reasons therefor. Such project applicant may submit an appeal to the Secretary requesting the direct approval of such application or modification thereof. Any such appeal shall include such comments, including the project

applicant's response to the prime sponsor's statement of reasons for disapproval, as the project applicant may deem appropriate or as the Secretary may require.

(e) A project application submitted directly to the Secretary may be approved by the Secretary upon his determination that it meets the requirements of subsection (a) of this section.

ANNUAL FAMILY SERVICE PLANS

SEC. 106. (a) In addition to any program statement submitted with respect to fiscal years beginning after June 30, 1973, any State desiring to receive additional financial assistance pursuant to section 108(a)(3) for its own use, or for grants to or contracts with prime sponsors within such States, for activities authorized in this title, shall submit an annual family service plan.

(b) Such plan shall be approved by the Secretary upon a determination that it sets forth adequate agreements between State and local prime sponsors for maximum coordination of child development and family services within the State and for full utilization of resources within the State, including, but not limited to agreements with respect to—

(1) the determination of general child development and family service goals and needs throughout the State;

(2) comprehensive planning and coordination of child development and family service programs to be conducted within the State;

(3) arrangements under which State agencies shall assist in the establishment of Child and Family Services Councils and in strengthening the capability of such Councils to participate effectively in programs under this Act where requested by local prime sponsors;

(4) arrangements under which State agencies shall assist in providing health, educational, family planning, education, nutrition, and other components of child development and family service programs and facilities and training related thereto where requested by local prime sponsors in the development and implementation of program statements submitted by local prime sponsors;

(5) arrangements for conducting programs for the exchange of personnel involved in child development and family service programs within the State;

(6) procedures for assessing State and local licensing codes and teaching standards as they relate to child development and family service programs within the State; and

(7) procedures for disseminating model program information and the results of research on programs for children and families.

SPECIAL COOPERATIVE PROGRAMS WITH EDUCATIONAL INSTITUTIONS AND OTHER PROJECT SPONSORS

SEC. 107. (a) The Secretary shall provide assistance made available for the purpose of this section pursuant to clause (e) of section 108(a)(1) of this title to educational agencies and institutions to be used by such agencies and institutions in cooperation with other project applicants pursuant to program statements for the purpose of planning, carrying out, and evaluating cooperative programs and activities designed (1) to provide continuity between preschool programs, afterschool programs and educational and related programs conducted by such agencies and institutions, including those conducted under the Elementary and Secondary Education Act of 1965, such as joint design of programs, provision for interchange and progression of children between programs, cooperative use of professional, technical and administrative personnel and development of sequential programs to be conducted by several component agencies or organizations, and (2) to maximize community involvement in child development and family services programs by providing model projects which provide for the location of child development centers within, adjacent to, or in close proximity of secondary schools, or senior citizens centers, or both, so as to give secondary students practical work opportunities and firsthand experiences in child development and family services and to give senior citizens the opportunity to become involved and to share their experiences and talents with preschool children. Such projects shall, to the extent feasible, foster a home-school relationship by employing the parents of the children enrolled in the center as teacher aides on a rotating basis. The Secretary shall encourage all agencies within the Department of Health, Education, and Welfare, including the Office of Child Development, the Office of Education, and the Administration on Aging, to carry out the provisions of this subsection.

(b) Nothing in this section shall be construed to limit the opportunity of any agency or institution receiving assistance under this section from otherwise receiving assistance under this title.

ALLOCATION OF FUNDS

SEC. 108. (a)(1) From the amounts available for carrying out comprehensive child development and family services programs under this title (after making the reservations provided for in clauses (1) and (2) of section 3(c) of this Act), the Secretary shall reserve the following:

(A) not less than that proportion of the total amount available for carrying out this title as is equivalent to that proportion which the total number of children of migrant agricultural workers bears to the total number of economically disadvantaged children in the United States, which shall be apportioned among programs serving children of migrant agricultural workers on an equitable basis, and to the extent practicable in proportion to the relative numbers of children served in each such program;

(B) not less than that proportion of the total amount available for carrying out this title as is equivalent to that proportion which the total number of children in Indian tribal organizations bears to the total number of economically disadvantaged children in the United States, which shall be apportioned among programs serving children in Indian tribal organizations on an equitable basis, and to the extent practicable in proportion to the relative numbers of children in each such program;

(C) not less than 10 per centum of the total amount available for carrying out this title, which shall be made available for the purposes of section 101(b)(1)(C) of this title (relating to special activities for handicapped children);

(D) not less than 5 per centum nor more than 10 per centum of the total amount available for carrying out this title, which shall be made available under section 102(h)(3) of this title (relating to model programs); and

(E) not less than 8 per centum of the total amount available for carrying out this title (special cooperative programs with educational institutions).

(2) The Secretary shall allocate the remainder of the amounts available for this title (except for funds made available under pargaraphs (1) and (3) of section 3(c) of this Act) among the States, and within the States among local areas, so as to provide, to the extent practicable, for the geographical distribution of such remainder in such a manner that—

(A) 50 per centum thereof shall be apportioned among the States, and within each State among local areas, in proportion to the relative number of economically disadvantaged children in each State and local area, respectively, excluding those children who are eligible for service under clauses (A) and (B) of paragraph (1) of this subsection.

(B) 25 per centum thereof shall be apportioned among the States, and within each State among local areas, in proportion to the relative number of children through age five in each State and local area, respectively; and

(C) 25 per centum thereof shall be apportioned among the States, and within each State among local areas, in proportion to the relative number of children of working mothers and single parents in each State and local area, respectively.

For the purposes of clauses (A) and (B) of this paragraph, there shall be excluded those children who are counted under clauses (A) and (B) of subsection (a)(1) of this section.

(3) Not to exceed 10 per centum of the total funds allotted for use within a State pursuant to paragraph (2) may be made available to enable States to carry out the provisions of section 106 of this title.

(b) Any portion of any apportionment under subsection (a) for a fiscal year which the Secretary determines will not be required, for the period for which such apportionment is available, for carrying out programs under this title shall be available for reapportionment from time to time, on such dates during such period as the Secretary shall fix, to other States or local areas on an equitable basis, taking into account the original apportionments to the States and local areas. Any amount reapportioned to a State or local area under this subsection during a year shall be deemed part of its apportionment under subsection (a) for such year.

(c) In determining the numbers of children for purposes of allocating and apportioning funds under this section, the Secretary shall use the most recent satisfactory data available to him.

(d) As soon as practicable after funds are appropriated to carry out this title for any fiscal year, the Secretary shall publish in the Federal Register the allocations and apportionments required by this section.

ADDITIONAL CONDITIONS FOR PROGRAMS INCLUDING CONSTRUCTION OR ACQUISITION

SEC. 109. (a) Applications for financial assistance for projects including construction or acquisition may be approved only if the Secretary determines that construction or acquisition of such facilities is essential to the provision of adequate child care services, and that rental, lease or lease-purchase, remodeling, or renovation of adequate facilities is not practicable.

(b) If any facility assisted under this title shall cease to be used for the purposes for which it was constructed, the United States shall be entitled to recover from the applicant or other owner of the facility an amount which bears to the then value of the facility (or so much thereof as constituted an approved project) the same ratio as the amount of such Federal funds bore to the cost of the facility financed with the aid of such funds unless the Secretary determines in accordance with regulations that there is good cause for releasing the applicant or other owner from the obligation to do so. Such value shall be determined by agreement of the parties or by action brought in the United States district court for the district in which the facility is situated.

(c) All laborers and mechanics employed by contractors or subcontractors on all construction, remodeling, renovation, or alteration projects assisted under this title shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5. The Secretary of Labor shall have with respect to the labor standards specified in this section the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

(d) In the case of loans for construction, the Secretary shall prescribe the interest rate and the period within which such loan shall be repaid, but such interest rates shall not be less than 3 per centum per annum and the period within which such loan is to be repaid shall not be more than twenty-five years.

(e) The Federal assistance for construction may be in the form of grants or loans, provided that total Federal funds to be paid to other than public or private nonprofit agencies and organizations will not exceed 50 per centum of the construction cost, and will be in the form of loans. Repayment of loans shall, to the extent required by the Secretary, be returned to the prime sponsor from whose financial assistance the loan was made, or used for additional loans or grants under this title. Not more than 15 per centum of the total financial assistance provided to a prime sponsor under this title shall be used for construction of facilities, with no more than 7½ per centum of such assistance usable for grants for construction.

USE OF PUBLIC FACILITIES FOR CHILD DEVELOPMENT PROGRAMS

SEC. 110. (a) The Secretary, after consultation with other appropriate officials of the Federal Government, shall within eighteen months after enactment of this Act report to the Congress with respect to the extent to which facilities owned or leased by Federal departments, agencies, and independent authorities could be made available to public and private nonprofit agencies and organizations, through appropriate arrangements, for use as facilities for child care programs under this title during times and periods which not utilized fully for their usual purposes, together with his recommendations (including recommendations for changes in legislation) or proposed actions for such use.

(b) The Secretary may require, as a condition to the receipt of assistance under this title, that any prime sponsor under this title agree to conduct a review and provide the Secretary with a report as to the extent to which facilities, owned or leased by such prime sponsor, or by other agencies in the prime sponsorship area, could be made available, through appropriate arrangements, for use as facilities for child development and family services programs under this title during times and periods when not utilized fully for their usual purposes, together with the prime sponsor's proposed actions for such use.

PAYMENTS

SEC. 111. (a) In accordance with this section, the Secretary shall pay from the applicable allocation or apportionment under section 108 the Federal share of the costs of programs, services, and activities, in accordance with plans, program statements, or applications which have been approved as provided in this title. In making such payment to any prime sponsor, the Secretary shall include in such costs an amount for staff and other administrative expenses for the Child and Family Services Councils, local program councils, and project policy committees, consistent with limitations contained in this title.

(b) (1) Except as provided in paragraphs (2) and (3) of this subsection, the Secretary shall pay an amount not in excess of 90 per centum of the cost of carrying out programs, services, and activities under this title. The Secretary may, in accordance with such regulations as he shall prescribe, approve assistance in excess of such percentage if he determines that such action is required to provide adequately for the child development and family services needs of economically disadvantaged children.

(2) The Secretary shall pay an amount equal to 100 per centum of the costs of providing child development and family services programs for children of migrant agricultural workers and their families under this title.

(3) The Secretary shall pay an amount equal to 100 per centum of the costs of providing child development and family services programs for children in Indian tribal organizations under this title.

(c) The non-Federal share of the costs of programs assisted under this title may be provided through public or private funds and may be in the form of cash, goods, services, or facilities (or portions thereof that are used for program purposes), reasonably evaluated or union or employer contributions. Fees collected for services shall not be used for the non-Federal share, but shall be used by the project applicant for the same purposes as payments under this section, except that, in the case of projects assisted under a program statement, such fees shall be turned over to the appropriate prime sponsor for distribution in the same manner as the prime sponsor's allocation under section 108(a)(2).

(d) If, with respect to any fiscal year, a prime sponsor or project applicant provides non-Federal contributions or any program, service, or activity exceeding its requirements, such excess may be applied toward meeting the requirements for such contributions for the subsequent fiscal year under this title.

(e) No State or unit of general local government shall reduce its expenditures for child care programs by reason of assistance under this title.

TITLE II—TRAINING, TECHNICAL ASSISTANCE, PLANNING, AND EVALUATION

CHILD DEVELOPMENT AND FAMILY SERVICES PERSONNEL TRAINING PROGRAMS

SEC. 201. (a) The Secretary is authorized to provide financial assistance to enable individuals employed or preparing for employment in child development and family services programs assisted under this Act, including volunteers, to participate in programs of preservice or inservice training for professional and nonprofessional personnel, to be conducted by institutions of higher education, State and local child development and family service agencies, State and local educational agencies, agencies carrying out child development and family service programs, private companies and organizations engaged in teacher training, teacher training institutions, national child development and family service organizations, and producers of television programing. The Secretary is authorized to make grants or enter into contracts under this section for the purpose of establishing, developing, or upgrading child development and family services personnel training programs which shall include, but shall not be limited to, the development of programs to—

(1) provide postgraduate level training for teachers of professional and paraprofessional child development and family services personnel and for teachers of teachers of such personnel;

(2) attract and recruit personnel, both male and female, including parents, students, and older persons, to training for and subsequent employment in child development and family services programs;

(3) retrain personnel prepared for or experienced in education at levels other than childhood so as to enable them to function effectively in child development and family services programs; institutions, national child development and family service organizations, and producers of television programing. The Secretary is authorized to make grants or enter into contracts under this section for the purpose of establishing, developing, or upgrading child development and family services personnel training programs which shall include, but shall not be limited to, the development of programs to—

(1) provide postgraduate level training for teachers of professional and paraprofessional child development and family services personnel and for teachers of teachers of such personnel;

(2) attract and recruit personnel, both male and female, including parents, students, and older persons, to training for and subsequent employment in child development and family services programs;

(3) retrain personnel prepared for or experienced in education at levels other than childhood so as to enable them to function effectively in child development and family services programs;

(4) provide preservice and inservice training of professional and paraprofessional personnel for teaching, management and supervisory, and administrative positions in child development and family services programs, including the training and certification of Child Development Associates;

(5) help parents and high school students understand and practice sound child development and family techniques; and

(6) develop educational television programs and accompanying materials for training child development and family services personnel, parents, and high school students in the principles of child development and family services.

(b) The Secretary shall take whatever steps he deems appropriate to achieve the coordination of all federally sponsored child development and family services personnel training programs already in operation with the programs to be established under this Act and to assure the coordination of training programs with employment opportunities for such personnel.

TECHNICAL ASSISTANCE AND PLANNING

SEC. 202. The Secretary shall, directly or through grant or contract, make technical assistance available to prime sponsors and to project applicants participating or seeking to participate in programs assisted under this Act on a continuing basis, to assist them in planning, developing, and carrying out child development and family services programs.

TITLE III—SUPPORTIVE SERVICES AND SPECIAL ACTIVITIES

SPECIAL RESPONSIBILITIES OF THE SECRETARY

SEC. 301. (a) The Secretary is authorized to make an evaluation of Federal involvement in activities and services for children and families by contract with any public or private agencies, organizations, and individuals. Prime sponsors and project applicants assisted under this Act and departments and agencies of the Federal Government shall, upon request by the Secretary, make available, consistent with other provisions of law, such information as the Secretary determines is necessary for purposes of making the evaluation required under this subsection. The Secretary shall reserve for the purposes of this subsection not less than 1 per centum, and may reserve for such purposes not more than 2 per centum, of the amounts available under this Act for any fiscal year.

(b) The Secretary is authorized to carry out a program of research and demonstration projects, which shall include but not be limited to—

(1) research to determine the nature of child development processes and the impact of various influences upon them, to develop techniques to measure and evaluate child development, to develop standards to evaluate professional and paraprofessional child development personnel, and to determine how child development and family services programs conducted in either home or institutional settings affect child development processes;

(2) research to test preschool programs emphasizing reading and reading readiness;

(3) preventive medicine and techniques and technology, including multiphasic screening and testing, to improve the early diagnosis and treatment of diseases and learning disabilities of preschool children;

(4) research to test alternative methods of

providing child development and family services, and to develop and test innovative approaches to achieve maximum development of children;

(5) evaluation of research findings and the development of these findings and the effective application thereof;

(6) dissemination and application of research and development efforts and demonstration projects to child development and family services and related programs and early childhood education, using regional demonstration centers and advisory services where feasible;

(7) production of informational systems and other resources necessary to support the activities authorized by this Act;

(8) integration of national child development research efforts into a focused national research program, including the coordination of research and development conducted by other agencies, organizations, and individuals.

(c) In carrying out this section, the Secretary shall give priority to providing financial assistance for child development and family services programs carried out by multicounty local development districts established in the Appalachian Regional Development Act of 1965, as amended, or title V of the Public Works and Economic Development Act of 1965, as amended.

(d) In order to carry out the program provided for in this section, the Secretary is authorized to make grants to or enter into contracts or other arrangements with public or private nonprofit agencies (including other Government agencies), organizations, and institutions, and to enter into contracts with private agencies, organizations, institutions, and individuals.

(e) (1) Funds available to any Federal department or agency for the purposes of this title shall be available for transfer, with the approval of the head of the department or agency involved, in whole or in part, to the Secretary for such use as is consistent with the purposes for which such funds were provided, and the funds so transferred shall be expendable by the Secretary for the purposes for which the transfer was made.

(2) The Secretary shall coordinate, through the Office of Child Development established under section 305 of this title, all child development research, training, and development efforts, conducted within the Department of Health, Education, and Welfare and, to the extent feasible, by other agencies, organizations, and individuals.

(f) The Secretary is authorized to provide financial asistance for the purpose of establishing and operating child care programs (including the lease, rental, or construction of necessary facilities and the acquisition of necessary equipment and supplies) subject to the fullest extent practicable to the requirements of section 105, for the children of employees of the Federal Government;

(g) The Secretary shall—

(1) conduct special demonstration experimental and model programs, which demonstration, experimental and model programs shall be subject to the fullest extent practicable to each of the requirements with respect to project applications under section 105;

(2) establish procedures to assure that adequate nutrition services will be provided in programs conducted under this Act, which services shall make use of the special food service program for children as defined under section 13 of the National School Lunch Act of 1946 and the Child Nutrition Act of 1966, to the fullest extent appropriate and consistent with the provisions of such Acts; and

(3) report to Congress not later than September 1, 1975, summarizing his activities and accomplishments under this section during the preceding fiscal year and the grants, contracts, or other arrangements entered into and making such recommendations (including recommendations for legislation) as he may deem appropriate.

FEDERAL STANDARDS FOR CHILD DEVELOPMENT AND FAMILY SERVICES

SEC. 302. (a) Within six months after the enactment of this Act, the Secretary shall, after consultation with other Federal agencies and with the Committee established pursuant to subsection (c) of this section, promulgate a common set of program standards which shall be applicable to all programs providing child development and family services under this Act, to be known as the Federal Standards for Child Development and Family Services. If the Secretary disapproves the Committee's recommendations, he shall state the reasons therefor.

(b) Such standards shall be consistent with the Federal Interagency Day Care Requirements as approved by the Department of Health, Education, and Welfare, the Office of Economic Opportunity, and the Department of Labor on September 23, 1968: *Provided, however,* That in the case of group care facilities, the ratio of caregivers to children under two shall not be more than one to two, such care to be provided for in groups of not more than four.

(c) The Secretary shall, within sixty days after enactment of this Act, appoint a Special Committee on Federal Standards for Child Development and Family Services, which shall include parents of children enrolled in Headstart, child care and family services programs, representatives of public and private agencies and organizations administering such programs, specialists, and other interested in services for children. Not less than one-half of the membership of the Committee shall consist of parents of children participating in programs conducted under this Act and section 222(a)(1) of the Economic Opportunity Act of 1964 and title IV of the Social Security Act. Such Committee shall participate in the development of Federal Standards for Child Development and Family Services and modifications thereof as provided in subsection (a).

(d) In no event shall any prime sponsor or program or project receiving assistance under this Act reduce the quality of services provided under this Act below the standards established in this section and section 302, in order to reduce expenditures per child or to extend services to larger numbers of children.

DEVELOPMENT OF UNIFORM MINIMUM CODE FOR FACILITIES

SEC. 303. (a) The Secretary shall, within sixty days after enactment of this Act, appoint a special committee to develop a uniform minimum code for facilities, to be used in licensing child development and family services facilities receiving assistance under this Act or in which programs receiving assistance under this Act are operated. Such standards shall deal principally with those matters essential to the health, safety, and physical comfort of the children, their suitability for projected uses, and the relationship of such matters to the Federal Standards for Child Development and Family Services under section 302.

(b) The special committee appointed under this section shall include parents of children participating in Headstart, child care and other programs and representatives of State and local licensing agencies, public health officials, fire prevention officials, the construction industry and unions, public and private agencies or organizations administering such programs, and national agencies or organizations interested in services to children and families. Not less than one-half of the membership of the committee shall consist of parents of children enrolled in programs conducted under title I and section 222(a)(1) of the Economic Opportunity Act of 1964 and title IV of the Social Security Act.

(c) Within one year after its appointment, the special committee shall complete a proposed uniform minimum code for facilities and shall hold public hearings on the proposed code prior to submitting its final recommendation to the Secretary for his approval.

(d) After considering the recommendations submitted by the special committee in accordance with subsection (c), the Secretary shall promulgate standards which shall be applicable to all facilities receiving Federal financial assistance under this Act or in which programs receiving Federal financial assistance under this Act are operated. If the Secretary disapproves the committee's recommendations, he shall state the reasons therefor. The Secretary shall also distribute such standards and urge their adoption by States and local governments. The Secretary may from time to time modify the uniform code for facilities in accordance with procedures set forth in this section.

MORTGAGE INSURANCE FOR CHILD DEVELOPMENT FACILITIES

SEC. 304. (a) It is the purpose of this section to assist and encourage the provision of facilities for child development and family services.

(b) For the purpose of this section—

(1) The term "child development facility" means a facility of a public or private profit or nonprofit agency or organization, licensed or regulated by the State (or, if there is no State law providing for such licensing and regulation by the State, by the municipality or other political subdivision in which the facility is located), for the provision of child development and family service programs.

(2) The terms "mortgage", "mortgagor", "mortgagee", "maturity date", and "State" shall have the meanings respectively set forth in section 207 of the National Housing Act.

(c) The Secretary of Health, Education, and Welfare is authorized to insure any mortgage (including advances on such mortgage during construction) in accordance with the provisions of this section upon such terms and conditions as he may prescribe and make commitments for insurance of such mortgage prior to the date of its execution or disbursement thereon.

(d) In order to carry out the purpose of this section, the Secretary of Health, Education, and Welfare is authorized to insure any mortgage which covers a new child development facility, including equipment to be used in its operation, subject to the following conditions:

(1) The mortgage shall be executed by a mortgagor, approved by the Secretary of Health, Education, and Welfare, which demonstrates ability successfully to operate one or more child development and family service programs. The Secretary of Health, Education, and Welfare may in his discretion require any such mortgagor to be regulated or restricted as to minimum charges and methods of financing, and, in addition thereto, if the mortgagor is a corporate entity, as to capital structure and rate of return. As an aid to the regulation or restriction of any mortgagor with respect to any of the foregoing matters, the Secretary of Health, Education, and Welfare may make such contracts with and acquire for not to exceed $100 such stock or interest in such mortgagor as he may deem necessary. Any stock or interest so purchased shall be paid for out of the Child Development Facility Insurance Fund, and shall be redeemed by the mortgagor at par upon the termination of all obligations of the Secretary of Health, Education, and Welfare under the insurance.

(2) The mortgage shall involve a principal obligation in an amount not to exceed $250,000 and not to exceed 90 per centum of the estimated replacement cost of the property or project, including equipment to be used in the operation of the child development

facility, when the proposed improvements are completed and the equipment is installed.

(3) The mortgage shall—

(A) provide for complete amortization by periodic payments within such term as the Secretary of Health, Education, and Welfare shall prescribe, and

(B) bear interest (exclusive of premium charges for insurance and service charges, if any) at not to exceed such per centum per annum on the principal obligation outstanding at any time as the Secretary of Health, Education, and Welfare finds necessary to meet the mortgage market.

(4) The Secretary of Health, Education, and Welfare shall not insure any mortgage under this section unless he has determined that the child development facility to be covered by the mortgage will be in compliance with the Uniform Minimum Code for Facilities approved by the Secretary pursuant to section 303.

(5) The Secretary of Health, Education, and Welfare shall not insure any mortgage under this section unless he has also received from the prime sponsor designated under title I of this Act a certificate that the facility is consistent with and will not hinder the execution of the prime sponsor's plan.

(e) The Secretary of Health, Education, and Welfare shall fix and collect premium charges for the insurance of mortgages under this section which shall be payable annually in advance by the mortgagee, either in cash or in debentures of the Child Development Facility Insurance Fund (established by subsection (h)) issued at par plus accrued interest. In the case of any mortgage such charge shall be not less than an amount equivalent to one-fourth of 1 per centum per annum nor more than an amount equivalent to 1 per centum per annum of the amount of the principal obligation of the mortgage outstanding at any one time, without taking into account delinquent payments or prepayments. In addition to the premium charge herein provided for, the Secretary of Health, Education, and Welfare is authorized to charge and collect such amounts as he may deem reasonable for the appraisal of a property or project during construction; but such charges for appraisal and inspection shall not aggregate more than 1 per centum of the original principal face amount of the mortgage.

(f) The Secretary of Health, Education, and Welfare may consent to the release of a part or parts of the mortgaged property or project from the lien of any mortgage insured under this section upon such terms and conditions as he may prescribe.

(g) (1) The Secretary of Health, Education, and Welfare shall have the same functions, powers, and duties (insofar as applicable) with respect to the insurance of mortgages under this section as the Secretary of Housing and Urban Development has with respect to the insurance of mortgages under title II of the National Housing Act.

(2) The provisions of subsections (e), (g), (h), (i), (j), (k), (l), and (n) of section 207 of the National Housing Act shall apply to mortgages insured under this section; except that, for the purposes of their application with respect to such mortgages, all references in such provisions to the General Insurance Fund shall be deemed to refer to the Child Development Facility Insurance Fund, and all references in such provisions to "Secretary" shall be deemed to refer to the Secretary of Health, Education, and Welfare.

(h) (1) There is hereby created a Child Development Facility Insurance Fund which shall be used by the Secretary of Health, Education, and Welfare as a revolving fund for carrying out all the insurance provisions of this section. All mortgages insured under this section shall be insured under and be the obligation of the Child Development Facility Insurance Fund.

(2) The general expenses of the operations of the Department of Health, Education, and Welfare relating to mortgages insured under this section may be charged to the Child Development Facility Insurance Fund.

(3) Moneys in the Child Development Facility Insurance Fund not needed for the current operations of the Department of Health, Education, and Welfare with respect to mortgages insured under this section shall be deposited with the Treasurer of the United States to the credit of such fund, or invested in bonds or other obligations of, or in bonds or other obligations guaranteed as to principal and interest by, the United States. The Secretary of Health, Education, and Welfare may, with the approval of the Secretary of the Treasury, purchase in the open market debentures issued as obligations of the Child Development Facility Insurance Fund. Such purchases shall be made at a price which will provide an investment yield of not less than the yield obtainable from other investments authorized by this section. Debentures so purchased shall be canceled and not reissued.

(4) Premium charges, adjusted premium charges, and appraisal and other fees received on account of the insurance of any mortgage under this section, the receipts derived from property covered by such mortgages and from any claims, debts, contracts, property, and security assigned to the Secretary of Health, Education, and Welfare in connection therewith, and all earnings on the assets of the fund, shall be credited to the Child Development Facility Insurance Fund. The principal of, and interest paid and to be paid on, debentures which are the obligation of such fund, cash insurance payments and adjustments, and expenses incurred in the handling, management, renovation, and disposal of properties acquired, in connection with mortgages insured under this section, shall be charged to such fund.

(5) There are authorized to be appropriated to provide initial capital for the Child Development Facility Insurance Fund, and to assure the soundness of such fund thereafter, such sums as may be necessary.

OFFICE OF CHILD DEVELOPMENT

SEC. 305. The Secretary shall take all necessary action to coordinate child development and family service programs under his jurisdiction. To this end, he shall establish within the Office of the Secretary of the Department of Health, Education, and Welfare an Office of Child Development, administered by a Director, which office shall be the principal agency of the Department for the administration of this Act including research and evaluation and for the coordination of programs including all child development and family service research, training, and development efforts operated or funded by the Federal Government.

SPECIAL COORDINATING COUNCIL

SEC. 306. A Child Development Research Council, consisting of a representative of the Office of Child Development established under section 305 of this title (who shall serve as chairman), and representatives from the Federal agencies administering the Social Security Act and the Elementary and Secondary Education Act of 1965 and from the National Institute of Mental Health, the National Institute of Child Health and Human Development, the Office of Economic Opportunity, the Department of Labor, and other appropriate agencies, shall meet on a regular basis, as they may deem necessary, in order to assure coordination of child development and related family service activities under their respective jurisdictions so as to assure—

(1) maximum utilization of available resources through the prevention of duplication of activities;

(2) a division of labor, insofar as is compatible with the purposes of each of the agencies or authorities specified in this paragraph, to assure maximum progress toward the achievement of the purposes of this Act;

(3) the establishment and maintenance of an information bank to insure that each office or agency of the Federal Government conducting child development and family service, child care and related family service activities is aware of the administrative actions of other offices or agencies with respect to the provision of financial assistance to eligible applicants; and

(4) recommendation of priorities for federally funded research and development activities related to the purposes of this Act.

SPECIAL PROVISIONS

SEC. 307. (a) The Secretary shall not provide financial assistance for any program under this Act unless the grant, contract, or agreement with respect to such program specifically provides that no person with responsibilities in the operation of such program will discriminate with respect to any program because of race, creed, color, national origin, sex, political affiliation, or beliefs.

(b) No person in the United States shall on the ground of sex be excluded from participation in, be denied the benefits of, be subjected to discrimination under, or be denied employment in connection with, any program or activity receiving assistance under this Act. The Secretary shall enforce the provisions of the preceding sentence in accordance with section 602 of the Civil Rights Act of 1964. Section 603 of such Act shall apply with respect to any action taken by the Secretary to enforce such sentence. This section shall not be construed as affecting any other legal remedy that a person may have if that person is excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in connection with, any program or activity receiving assistance under this Act.

(c) The Secretary make make such grants, contracts or agreement, establish such procedures, policies, rules, and regulations, and make such payments in installments and in advance or by way of reimbursement, or otherwise allocate or expend funds made available under this Act, as he may deem necessary to carry out the provisions of this Act, including necessary adjustments in payments on account of overpayments or underpayments. Subject to the provisions of section 308, the Secretary may also withhold funds otherwise payable under this Act in order to recover any amounts expended in the current or immediately prior fiscal year in violation of any provision of this Act or any term or condition of assistance under this Act.

(d) The Secretary shall not provide financial assistance for any program service, or activity under this Act unless he determines that persons employed thereunder, other than persons who serve without compensation, shall be paid wages which shall not be lower than whichever is the highest of (A) the minimum wage which would be applicable to the employee under the Fair Labor Standards Act of 1938 (29 U.S.C. 206), if section 6(a)(1) of such Act applied to the participant and if he were not exempt under section 13 thereof, (B) the State or local minimum wage for the most nearly comparable covered employment, or (C) the prevailing rates of pay for persons employed in similar occupations by the same employer.

(e) The Secretary shall not provide financial assistance for any program under this Act which involves political activities; and neither the program, the funds provided therefor, nor personnel employed in the administration thereof, shall be, in any way or to any extent, engaged in the conduct of political activities in contravention of

section 603, of the Economic Opportunity Act of 1964.

(f) The Secretary shall not provide financial assistance for any program under this Act unless he determines that no funds will be used for and no person will be employed under the program in the construction, operation, or maintenance of so much of any facility as is for use for sectarian instruction or as a place for religious worship.

(g) Prime sponsorship plans, program statements, annual family service plans, project applications, and all written material pertaining thereto shall be made readily available without charge to the public by the State, the prime sponsor, the applicant, and by the Secretary.

WITHHOLDING OF GRANTS

SEC. 308. Whenever the Secretary, after reasonable notice and opportunity for a hearing for any State, prime sponsor, or project applicant, finds—

(1) that there has been failure to comply substantially with agreements contained in the State annual family service plan relating to coordination (in accordance with section 106); or

(2) that there has been a failure to comply substantially with any requirement set forth in the program statement of any such prime sponsor approved under section 105; or

(3) that there has been a failure to comply substantially with any requirement set forth in the application of any such project applicant approved pursuant to section 105; or

(4) that in the operation of any plan, program, or project carried out by any such State, prime sponsor, or project applicant or other recipient of financial assistance under this Act there is a failure to comply substantially with any applicable provision of this Act or regulation promulgated thereunder;

the Secretary shall notify such State, prime sponsor, project applicant, or other recipient of his findings and that no further payments may be made to such State, sponsor, project applicant, or other recipient under this Act (or in the Secretary's discretion that any such prime sponsor shall not make further payments under this Act to specified project applicants affected by the failure) until he is satisfied that there is no longer any such failure to comply, or the noncompliance will be promptly corrected. The Secretary may authorize the continuation of payments with respect to any project assisted under this Act which is being carried out pursuant to such plan or application and which is not involved in any noncompliance.

FEDERAL CONTROL NOT AUTHORIZED

SEC. 309. No department, agency, officer, or employee of the United States shall, under authority of this Act, exercise any direction, supervision, or control over, or impose any requirements or conditions with respect to, the personnel, curriculum, methods of instruction, or administration of any educational institution.

SPECIAL PROHIBITIONS AND PROTECTIONS

SEC. 310. (a)(1) Nothing in this Act shall be construed or applied in such a manner as to infringe upon or usurp the moral and legal rights and responsibilities of parents or guardians with respect to the moral, mental, emotional, physical, or other development of their children. Nor shall any section of this Act be construed or applied in such a manner as to permit any invasion of privacy otherwise protected by law, or to abridge any legal remedies for any such invasion which are otherwise provided by law.

(2) The Secretary is directed to establish appropriate procedures to insure that no child shall be the subject of any research or experimentation under this Act unless the parent or guardian of such child is informed of such research or experimentation and is given an opportunity as of right to except such child therefrom.

(3) No child participating in a program assisted under this Act shall be required to undergo medical or psychological examination, immunization (except to the extent necessary to protect the public from epidemics of contagious diseases), or treatment without the prior written consent of the child's parent or guardian.

(b) The Secretary shall establish policies and procedures, in accordance with regulations which he shall prescribe, to assure that all programs and projects assisted under this Act address, on a continuing basis, the individual needs of and the appropriateness of child development services for the very young and other children served—

(1) children under the age of two shall not be placed in group care facilities unless it is deemed necessary and unless other suitable alternatives are unavailable. In any case where group care is provided for such children, the ratio of caregivers to children under the age of two shall not be more than one to two, such care to be provided for in groups of not more than four. Such care must approximate the mothering in the family home. Each child must receive to the extent possible individualized, consistent, and continuous care from one person with whom the child can interact.

(2) any program or project providing care outside the home for very young children shall be reviewed and evaluated periodically and frequently by the Secretary, to insure that it meets the highest standards of quality; and the Secretary may reserve such funds as he deems necessary from funds available under this Act for the purpose of evaluation, by appropriate persons, of programs under this Act in order to insure compliance with subsections (a) and (b) of this section.

(3) no program or project described in clause (1) of this subsection shall be approved for assistance under this Act unless it is specifically authorized and approved by the Secretary.

(c)(1) Upon determination that a prime sponsor or project is in violation of one or more of the provisions of this section, the Secretary shall give immediate public notice of such determination to such prime sponsor or project and, if such violation or violations have not been corrected, shall commence action within ninety days of such determination to withhold funds under section 308.

(2) Upon determination that a project is in violation of one or more of the provisions of this section, the prime sponsor shall give immediate notice of such determination to such project and, if such violation or violations have not been corrected, shall commence action within ninety days of such determination to withhold funds under section 308.

(d) Nothing in this Act shall be construed to authorize the creation or maintenance of child advocacy programs, nor shall any funds appropriated under the authority of this Act be used for the creation or maintenance of child advocacy programs unless specifically authorized by statute.

REPEAL OR AMENDMENT OF EXISTING AUTHORITY AND COORDINATION

SEC. 311. (a) In order to achieve, the greatest degree feasible, the consolidation and coordination of programs providing services for children, while assuring continuity of existing programs during transition to the programs authorized under this Act, the Economic Opportunity Act of 1964 is amended, effective July 1, 1975, as follows:

(1) Section 222(a)(1) of such Act is repealed.

(2) Section 162(b) of such Act is amended by inserting after "day care for children" the following: "(wherever feasible, through child care programs under the Comprehensive Headstart, Child Development, and Family Services Act of 1972)".

(3) Section 123(a)(6) of such Act is amended by inserting after "day care for children" the following: "(wherever feasible, through child care programs under the Comprehensive Headstart, Child Development, and Family Services Act of 1972)".

(4) Section 312(b)(1) of such Act is amended by inserting after "day care for children" the following: "(wherever feasible, through child care programs under the Comprehensive Headstart, Child Development, and Family Services Act of 1972)".

(b) After consultation with the head of any agency of the Federal Government immediately responsible for providing Federal assistance for child development and family service, child care, and related programs, including Title I of the Elementary and Secondary Education Act of 1965, section 222(a)(2) of the Economic Opportunity Act of 1964, Title VII of the Housing and Urban Development Act of 1966, Title I of the Demonstration Cities and Metropolitan Development Act of 1966 and the Social Security Act, the Secretary of Health, Education and Welfare shall establish regulations to assure the coordination of all such programs with the programs assisted under this Act.

(c)(1) Section 203(j)(1) of the Federal Property and Administrative Services Act of 1949 is amended by striking out "or civil defense" and inserting in lieu thereof "civil defense, or the operation of child development facilities".

(2) Section 203(j)(3) of such Act is amended—

(A) by striking out, in the first sentence, "or public health" and inserting in lieu thereof "public health, or the operation of child development facilities",

(B) by inserting after "handicapped," in clause (A) and clause (B) of the first sentence the following: "child development facilities", and

(C) by inserting after "public health purposes" and the second sentence the following: ", or for the operation of child development facilities,".

(3) Section 203(j) of such Act is amended by adding at the end thereof the following new paragraph:

"(8) The term 'child development facility' means any such facility as defined in section 304(b)(1) of the Comprehensive Headstart, Child Development and Family Services Act.".

TRANSITIONAL AUTHORITY

SEC. 312. (a) The application of the formula prescribed by section 225(a) of the Economic Opportunity Act of 1964 for the allotment of funds among the States may be waived by the Director of the Office of Economic Opportunity to the extent he deems necessary to prevent hardship in the allotment of funds for programs under title II of such Act resulting from the discontinuance of the authorization for section 222(a)(1) of such title by this Act.

(b) The Director of the Office of Economic Opportunity may extend assistance under sections 221 and 222(a) of the Economic Opportunity Act of 1964 to a community action agency or other agency which is in excess of the maximum prescribed in section 225(c) of such Act, if he determines, in accordance with such regulations as he shall prescribe, that the ability of such agency to provide its share of the programs costs pursuant to such section 225(c) has been impaired by virtue of the discontinuance of the authorization for section 222(a)(1) of such Act to an extent which justifies such additional assistance.

ACCEPTANCE OF FUNDS

SEC. 313. In carrying out the purposes and provisions of this Act, the Secretary is authorized to accept and utilize funds appropriated to carry out other provisions of Fed-

eral law if such funds are utilized for the purposes for which they are specifically authorized and appropriated.

Mr. JAVITS. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. GRIFFIN. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

FOREIGN ASSISTANCE ACT OF 1972

The PRESIDING OFFICER. Under the previous order, the Senate will now return to the consideration of S. 3390, a bill to amend the Foreign Assistance Act, which the clerk will state by title.

The legislative clerk read the bill by title, as follows:

A bill (S. 3390) to amend the Foreign Assistance Act of 1961, and for other purposes.

The PRESIDING OFFICER. The pending amendment is the amendment by the Senator from Wyoming (Mr. McGEE), which the clerk will read.

The legislative clerk read the amendment, as follows:

On page 9, line 25, strike out the figure "$275,000,000" and insert in lieu thereof "$345,500,000."

The PRESIDING OFFICER. There is a 3-hour limitation on the amendment. Who yields time?

Mr. SPARKMAN. Mr. President, it was my understanding from the Senator from West Virginia (Mr. ROBERT C. BYRD), that this amendment would be called up the first thing in the morning.

Mr. ROBERT C. BYRD. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. ROBERT C. BYRD. I ask unanimous consent that no time be charged against this amendment today; that there now be a period for the transaction of routine morning business of not to exceed 30 minutes, with statements therein limited to 3 minutes; and that on tomorrow, immediately following the remarks of the Senator from Iowa (Mr. HUGHES), the Chair lay before the Senate the unfinished business (S. 3390). The pending question at that time will be on agreeing to the amendment of the Senator from Wyoming (Mr. McGEE).

The PRESIDING OFFICER. Is there objection to the request of the Senator from West Virginia? The Chair hears none, and it is so ordered.

What is the pleasure of the Senate?

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 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 TO TAKE UP THE PRODUCT SAFETY BILL TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that tomorrow, immediately upon the disposition of the amendment (No. 1262) of the Senator from Wyoming (Mr. McGEE) the unfinished business be temporarily laid aside; that the Senate proceed to the consideration at that time of S. 3419, the so-called product safety bill; and that the unfinished business remain in a temporarily laid aside status until the disposition of S. 3419 or the close of business tomorrow, whichever is earlier.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

DISPOSITION OF FUNDS APPROPRIATED TO PAY A JUDGMENT IN FAVOR OF CERTAIN INDIANS

Mr. ROBERT C. BYRD. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 3230.

The PRESIDING OFFICER (Mr. HUGHES) laid before the Senate the amendments of the House of Representatives to the bill (S. 3230) to provide for the disposition of funds appropriated to pay a judgment in favor of the Assiniboine Tribes of Indians in Indian Claims Commission docket numbered 279–A, and for other purposes which was to strike out all after the enacting clause, and insert:

That the funds appropriated by the Act of January 8, 1971 (84 Stat. 1981), to pay a judgment to the Assiniboine Tribes of the Fort Peck and Fort Belknap Reservations, Montana, in Indian Claims Commission docket numbered 739–A, together with interest thereon, after payment of attorney fees and litigation expenses, shall be divided by the Secretary of the Interior on the basis of 50 per centum to the Assiniboine Tribe of the Fort Peck Reservation and 50 per centum to the Assiniboine Tribe of the Fort Belknap Reservation.

SEC. 2. The share of the Assiniboine Tribe of the Fort Peck Reservation, after deducting $50,000 to be used as provided in section 3 of this Act, and after deducting the estimated costs of distribution and all other appropriate expenses, shall be distributed per capita to each person born on or before, and living on, the date of this Act who is a citizen of the United States, is duly enrolled on the approved roll of the Assiniboine and Sioux Tribes of the Fort Peck Reservation, and is of Assiniboine lineal descent: *Provided*, That persons in the following categories shall not be eligible to receive a per capita payment: (a) persons who possess a greater degree of Fort Peck Sioux blood than Fort Peck Assiniboine blood, (b) persons who possess equal degrees of Fort Peck Assiniboine and Fort Peck Sioux blood and who elect to be enrolled as Sioux, and (c) persons who participated, or were eligible to participate, in the distribution of funds under the provisions of the Act of June 19, 1970 (84 Stat. 313), for the disposition of the judgment of the Sioux Tribe of the Fort Peck Reservation in docket numbered 279–A.

SEC. 3. Upon agreement by the Fort Peck Assiniboine Tribe and the Fort Peck Sioux Tribe on the amount each agrees to contribute from the award to each tribe in Indian Claims Commission docket numbered 279–A, the agreed contribution of the Fort Peck Assiniboine Tribe shall be withdrawn from the $50,000, and interest thereon, withheld from per capita distribution pursuant to section 2 of this Act, and shall be credited to the joint account for expenditure pursuant to the Act of June 29, 1954 (68 Stat. 329): *Provided*, That upon request of the Fort Peck Assiniboine Tribe the Secretary of the Interior in his discretion may distribute all or part of the aforesaid $50,000 and interest thereon per capita to each person eligible under section 2 of this Act.

SEC. 4. The share of the Assiniboine Tribe of the Fort Belknap Reservation, after deducting $100,000 to be used as provided in section 5, and after deducting the estimated costs of distribution and all other appropriate expenses, shall be distributed per capita to each person born on or before, and living on, the date of this Act who is a citizen of the United States, is duly enrolled on the approved roll of the organized Fort Belknap Community, and is of Assiniboine lineal descent: *Provided*, That persons in the following categories shall not be eligible to receive a per capita payment: (a) persons who possess a greater degree of Gros Ventre blood than Assiniboine blood, (b) persons who possess equal degrees of Fort Belknap Assiniboine and Fort Peck Gros Ventre blood and who elect to be enrolled as Gros Ventre, and (c) persons who participated, or were eligible to participate, in the distribution of funds under the Act of March 18, 1972 (Public Law 92–254), for the disposition of the judgment of the Blackfeet Tribe and the Gros Ventre Tribe in Indian Claims Commission docket numbered 279–A.

SEC. 5. The $100,000 withheld from distribution under section 4, and interest thereon, may be used for any purpose authorized by the Assiniboine Treaty Committee of the Fort Belknap Assiniboine Tribe and approved by the Secretary of the Interior, including contributions to Reservation community projects and further per capita distribution.

SEC. 6. The per capita shares shall be determined on the basis of the number of persons eligible for per capitas and the number of persons rejected for per capitas who have taken a timely appeal. The shares of those persons whose appeals are denied shall revert to the tribe from whose share the per capita would have been paid, to be expended for any purpose designated by such tribe and approved by the Secretary.

SEC. 7. None of the funds distributed per capita under the provisions of this Act shall be subject to Federal or State income taxes. Sums payable to persons under eighteen years of age or under legal disability shall be paid in accordance with such procedures, including the establishment of trusts, as the Secretary determines will protect the best interests of such persons.

SEC. 8. The Secretary is authorized to prescribe rules and regulations to effect the provisions of this Act, including the establishment of deadlines.

And amend the title so as to read: "An Act to provide for the division and for the disposition of the funds appropriated to pay a judgment in favor of the Assiniboine Tribes of the Fort Peck and Fort Belknap Reservations, Montana."

Mr. ROBERT C. BYRD. Mr. President, I move that the Senate disagree to the amendments of the House of Representatives and request a conference with the House on the disagreeing votes of the two Houses thereon; and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to, and the Presiding Officer appointed Mr. JACKSON, Mr. BURDICK, Mr. METCALF, Mr. FANNIN, and Mr. BELLMON conferees on the part of the Senate.

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

The ACTING PRESIDENT pro tempore (Mr. HARRY F. BYRD, JR.) laid before the Senate the following letters, which were referred to as indicated:

PROPOSED REVISION OF SECTION 731, TITLE 2, OF THE CANAL ZONE CODE

A letter from the Governor, Canal Zone Government, transmitting a draft of proposed legislation to authorize the President to prescribe regulations relating to the purchase, possession, consumption, use, and transportation of alcoholic beverages in the Canal Zone (with an accompanying paper); to the Committee on Armed Services.

REPORT OF DEPARTMENT OF DEFENSE PROCUREMENT FROM SMALL AND OTHER BUSINESS FIRMS

A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting, pursuant to law, a report of Department of Defense Procurement from Small and Other Business Firms, for July, 1971–March 1972 (with an accompanying report); to the Committee on Banking, Housing, and Urban Affairs.

PROPOSED EXTENSION OF SECTION 707 OF SOCIAL SECURITY ACT

A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to extend section 707 of the Social Security Act (with an accompanying paper); to the Committee on Finance.

REPORT OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report entitled "Examination of Financial Statements of the Government National Mortgage Association for Fiscal Year 1971", Department of Housing and Urban Development, dated June 20, 1972 (with an accompanying report); to the Committee on Government Operations.

PETITIONS

Petitions were laid before the Senate and referred as indicated:

By the ACTING PRESIDENT pro tempore (Mr. HARRY F. BYRD, JR.):

A joint resolution of the Legislature of the State of California; to the Committee on Commerce:

"SENATE JOINT RESOLUTION No. 9

"Relative to resource recovery

"Whereas, It is in the public interest that greater resource recovery be obtained through the recycling of solid waste materials into new raw material and products; and

"Whereas, Greater recycling of resources will conserve our natural resources and provide a better environment for the people of the United States; and

"Whereas, Congress, through the enactment of the Resource Recovery Act of 1970, established national policy to stimulate the development of resource recovery methods which will provide for more economic use of waste; and

"Whereas, Recycling is the most constructive response that has been developed to answer the challenge of environmental management; and

"Whereas, Transportation is a significant economic cost in the collection, recovery, processing, refining, converting, and manufacturing of new raw materials and products from solid waste matter; and

"Whereas, The transportation rate structure affects the utilization of recycled materials; now, therefore, be it

"Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to enact legislation to ensure that rates for the transportation of materials for the purpose of the collection, recovery, processing, refining, converting, and manufacturing of solid waste for the purpose of resource recovery will be reasonable and that rates for the transportation of virgin materials used for the same ultimate purposes will not be unreasonable in relation thereto; and be it further

"Resolved, That the Legislature of the State of California memorializes the Interstate Commerce Commission to review rates for the transportation of materials for the purpose of the collection, recovery, processing, refining, converting, and manufacturing of solid waste for the purpose of resource recovery to ensure that such rates for these materials are reasonable and that the rates for the transportation of virgin materials used for the same ultimate purposes are not unreasonable in relation thereto; and be it further

"Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, and to the Chairman of the Interstate Commerce Commission."

A resolution of the House of Delegates of the State of Maryland; to the Committee on Labor and Public Welfare:

"HOUSE RESOLUTION No. 136

"House Resolution expressing strong opposition to HR 12532, which was recently introduced in Congress and requesting that this Bill not be enacted into law by the Congress of the United States

"Whereas, On January 20, 1972, HR 12532 was introduced in the Congress of the United States; and

"Whereas, This Bill provides 'that employees of States and Political Sub-Divisions thereof shall be subject to the provisions of the National Labor Relations Act'; and

"Whereas, This Bill is presently before the House Committee on Education and Labor in the Congress of the United States; and

"Whereas, The 'Governor's Commission to Study Negotiations Within Public Education Agencies' was appointed prior to the 1971 legislative session of the Maryland General Assembly and has met on numerous occasions since to study the question of public employee-employer labor relations among professional and non-professional employees employed by various agencies in the State; and

"Whereas, The Commission has recommended legislation in this area which was introduced and passed by the General Assembly of Maryland during the 1971 session and signed into law by the Governor of Maryland; and

"Whereas, The House of Delegates is of the strong opinion that the questions concerning employee-employer labor relations among employees employed by the State and its Political Sub-Divisions, is a question to be resolved by the State and not the Federal government; now, therefore, be it

"Resolved by the House of Delegates of Maryland, That the House is strongly opposed to HR 12532 and requests that this Bill not be enacted into law by the Congress of the United States; and be it further

"Resolved, That copies of this Resolution be sent to the Governor of Maryland, to the leadership of both Houses of the United States Congress, to the Chairman of the Congressional Sub-Committee on Education and Labor, to both United States Senators from Maryland, to the Maryland Congressional delegation and to the Secretary of State of each of our forty-nine sister States.

"By the House of Delegates, March 25, 1972."

A resolution adopted by the Conference of State Sanitary Engineers, Jacksonville, Florida, praying for a study of the long-term energy needs of our society; to the Committee on Commerce.

A resolution adopted by the Conference of State Sanitary Engineers, Jacksonville, Florida, praying for the enactment of legislation relating to the collection and return to commercial channels of all abandoned motor vehicles; to the Committee on Finance.

A resolution adopted by the Acadia Parish Farm Bureau, Crowley, Louisiana, praying for the enactment of legislation to secure the exemption from taxes as imposed upon agricultural aviation by the Airport and Airways Tax of 1970; to the Committee on Finance.

A resolution adopted by the Conference of State Sanitary Engineers, Jacksonville, Florida, praying for the enactment of legislation relating to proper management of solid wasted in the various States; to the Committee on Public Works.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MAGNUSON, from the Committee on Commerce with an amendment:

S. 945. A bill to require no-fault motor vehicle insurance as a condition precedent to operating a motor vehicle on streets, roads, highways, and other lands open to automobile use by the public in order to promote and regulate interstate commerce (Rept. No. 92–891) (Together with minority and additional views).

By Mr. PASTORE, from the Committee on Commerce, without amendment:

H.R. 13918. An act to amend the Communications Act of 1934 to provide for improved financing for the Corporation for Public Broadcasting and for other purposes (Rept. No. 92–892) (together with supplemental and additonal views).

REPORT ENTITLED "THE FEDERAL JUDICIAL SYSTEM"—REPORT OF A COMMITTEE (S. REPT. NO. 92–893)

Mr. BURDICK, from the Committee on the Judiciary, pursuant to section 10, Senate Resolution 32, 92d Congress, first session, submitted a report entitled "The Federal Judicial System," which was ordered to be printed.

EXECUTIVE REPORTS OF COMMITTEES

Mr. MAGNUSON. Mr. President, as in executive session, from the Committee on Commerce, I report favorably sundry nominations in the Coast Guard Reserve which have previously appeared in the CONGRESSIONAL RECORD and, to save the expense of printing them on the Executive Calendar, I ask unanimous consent that they may lie on the Secretary's desk for the information of Senators.

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

The nominations, ordered to lie on the desk, are as follows:

Robert M. Bissey, and sundry other officers of the Coast Guard Reserve, to be permanent commissioned officers in the Coast Guard Reserve, in the grade of captain.

By Mr. EASTLAND, from the Committee on the Judiciary:

John T. Elfvin, of New York, to be U.S. attorney for the Western District of New York;

Douglas M. Gonzales, of Louisiana, to be U.S. attorney for the Middle District of Louisiana;

Thomas A. Grace, Jr., of Louisiana, to be U.S. marshal for the Middle District of Louisiana;

Everett R. Langford, of Oregon, to be U.S. marshal for the district of Oregon;

Howard T. Markey, of Illinois, to be chief judge of the U.S. Court of Customs and Patent Appeals;

Kieran O'Doherty, of New York, to be a member of the Foreign Claims Settlement Commission of the United States;

Maurice H. Sigler, of Nebraska, to be a member of the Board of Parole; and

William C. Smitherman, of Arizona, to be U.S. attorney for the district of Arizona.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first time and, by unanimous consent, the second time, and referred as indicated:

By Mr. YOUNG:

S. 3727. A bill for the relief of Li Su Chin Huang, Huei Chung Huang, Huei Rung Huang, Huei Luen Huang, and Yang Nene Huang. Referred to the Committee on the Judiciary.

By Mr. PASTORE:

S. 3728. A bill for the relief of Thomas Raymond Pomaski. Referred to the Committee on the Judiciary.

By Mr. HUGHES:

S. 3729. A bill to require the public disclosure of certain information relating to U.S. combat air activities in Southeast Asia. Referred to the Committee on Armed Services.

By Mr. McCLELLAN:

S.J. Res. 247. A joint resolution extending the duration of copyright protection in certain cases. Referred to the Committee on the Judiciary.

By Mr. McCLELLAN (for himself, Mr. BURDICK, Mr. JAVITS, Mr. PACKWOOD, Mr. SCHWEIKER, Mr. SCOTT, and Mr. TOWER):

S.J. Res. 248. A joint resolution to authorize and request the President to proclaim February 11 each year as "National Inventors Day." Referred to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HUGHES:

S. 3729. A bill to require the public disclosure of certain information relating to U.S. combat air activities in Southeast Asia. Referred to the Committee on Armed Services.

AIR WAR DISCLOSURE ACT

Mr. HUGHES. Mr. President, I am today introducing legislation to provide the American people regular, consistent information on the extent of our air war activities in Indochina.

We need a yardstick in order to measure how much the war is escalating or, if we ever reverse the trend, how much it is winding down.

The old yardsticks of U.S. troop strength in Vietnam and the weekly death toll are no longer meaningful, for there are more Americans fighting the war from outside Vietnam than from inside. In fact, some Air Force units are being shifted from Vietnam to Thailand in order to meet the troop ceiling without withdrawing any forces from the combat area.

Now that the air war is the major American activity in Indochina, I believe that the American people deserve to be fully informed as to its nature and extent. Instead of the incomplete dribbles of data, they need regular reports.

Had such information been available to the Congress and the people this past year, the extent of American airstrikes on North Vietnamese targets would have been out in the open and American aircrews might have felt more constraint about making unauthorized offensive strikes under the label of "protective reaction."

We might have avoided the dangerous situation, recently brought to light, where an Air Force general conducted his own air war in defiance of Presidential orders.

We might never have seen the offensive air war against North Vietnam escalated in defiance of the 1968 bombing-halt understandings.

We might never have seen the Paris peace talks collapse in our laps last November.

The hazards of provocation and escalation are greatly increased when information the public is entitled to know is withheld or distorted.

Even now, Mr. President, the issue is not moot. The American people retain their right to know, in measurable terms, the extent to which we have shifted our combat activities from the ground to the vastly more destructive air war.

At the present time, the only unclassified information on the air war consists of monthly figures on U.S. air sorties inside South Vietnam. Monthly bomb tonnages for all of Indochina are available only after persistent calls to the Pentagon, rather than from periodic news releases.

What remains classified are the figures on airstrikes in Laos, Cambodia, and North Vietnam—both sorties and tonnages. Even the data for the early years of the war are still labeled "secret"—long after they could be of any conceivable military benefit to our opponents.

For several months I have been trying to get the Defense Department to remove the classification from this information, so that we all would have a monthly measure of the air war.

In hearings several months ago before the Armed Services Committee, I asked the Defense Department: Since enemy intelligence is assumed to know the level of bombing, what reason is there for continuing to keep these figures classified?

The official answer was:

The enemy may be developing precise data concerning our air activity in SEA through his own system. But public release of such information would tend only to fill the gaps and eliminate errors in the enemy's system and we do not believe it prudent to provide confirmation and validation to the enemy. This policy applies as well to after-the-fact discussions of specific numbers of aircraft, sortie rates in specific target areas, and other specific or air tactics. The disclosure of this detailed information would enable the enemy to confirm trends, patterns and capabilities and would greatly aid enemy air defense planners.

I find that answer difficult to accept, Mr. President. Information on years prior to 1972 certainly can have no bearing on "enemy air defense planners" now. And as for current data, I wonder if the daily announcements out of Saigon—such as "350 missions yesterday against targets in North Vietnam just above the DMZ" or "20 B–52 missions near Kontum"—might not be far more valuable to the other side than monthly figures for each country. The trouble with the daily figures is that they are not comprehensive or complete. Only monthly figures would provide the necessary yardstick without jeopardizing the men involved in these activities.

I would have preferred that this matter of declassification be settled without resort to legislation. But after weeks of letters, questions, and phone calls from my staff, the Defense Department remains unmoved.

No issue of executive privilege is involved here, since the information in question is already furnished to the Congress. But until we strip away the "secret" label, we cannot discuss the significance of these figures and what they reveal.

Both the Congress and the people need to know by how much the war is escalating or winding down. Monthly figures are necessary if we are to measure, for example, this year's response to the dry season offensive compared with previous years. The figures are also useful if we are to check the level of bombing along the trails against the level of infiltration. Breakdowns by country are necessary if we are to judge whether existing legislative restrictions on U.S. involvement and commitments are being observed.

What I propose, Mr. President, is a law declaring that certain information now given the Congress is unnecessarily classified and that public disclosure would not be harmful to the national defense or foreign relations of the United States. The law would then direct the President to remove the security classification from this information back through 1965 and to begin regular monthly disclosure of the number of aerial combat sorties conducted by U.S. aircraft against targets in North Vietnam, South Vietnam, Laos, Cambodia, and Thailand, as well as the tonnage of munitions expended in each country.

In order to provide a timelag necessary to insure that no tactical benefit will accrue to our opponents, the law would provide that figures need not be released until 10 days following the end of each month.

Mr. President, the revelations in the past few days about unauthorized attacks against North Vietnam raise the urgency for the legislation which I propose. We can no longer rely on assurances and statistics conveniently cloaked in secrecy. These figures must be open to public scrutiny and debate, so that accountability can be assured.

If bombing has intensified in secret while we were publicly extending an olive branch, we need to know.

If nations were being bombed when our officials denied such facts, we need to know.

If we are to make informed and intelligent decisions on how to end this war, we need to know.

Since the American people clearly have the need to know these facts about the air war, I hope that this Air War Disclosure Act will receive prompt and favorable consideration by the Senate.

Mr. President, I ask unanimous consent that the text of my bill be printed at this point in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 3729

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the sense of the Congress that the classification imposed on certain information reported to the Congress is unnecessary and that public disclosure thereof would not be harmful to the national defense or foreign relations of the United States. Accordingly, the President shall, within thirty days after the date of enactment of this Act, take such steps as may be necessary to remove the security classification from, and publicly disclose (1) the number of aerial attack sorties conducted each calendar month after December 31, 1964, through the end of the calendar month immediately prior to the month in which this Act is enacted by United States aircraft against targets in each of the following countries: the Republic of Vietnam, the Democratic Republic of Vietnam, Laos, Cambodia, and Thailand, and (2) the tonnage of munitions expended in each such country in each such calendar month. Beginning on the tenth day of the calendar month following the month in which this Act is enacted, and not later than the tenth day of each calendar month thereafter, the President shall publicly disclose (1) the number of aerial attack sorties conducted by United States aircraft during the preceding calendar month in each of the countries named above, and (2) the tonnage of munitions expended in each such country in each such calendar month.

By Mr. McCLELLAN:

S.J. Res. 247. A joint resolution extending the duration of copyright protection in certain cases. Referred to the Committee on the Judiciary.

Mr. McCLELLAN. Mr. President, as chairman of the Subcommittee on Patents, Trademarks, and Copyrights I introduce a joint resolution to extend the duration of copyright protection in certain cases.

The purpose of this legislation is to continue until December 31, 1974, the renewal term of any copyright subsisting on the date of approval of the joint resolution, or the term as extended by previously enacted public laws, where such term would otherwise expire prior to December 31, 1974. The justification for the prolongation of the renewal term of copyrights is that the pending legislation for the general revision of the copyright law includes a proposed increase in the length of the copyright term. The Congress has repeatedly expressed its will that the owners of expiring copyrights should not lose the benefits provided in the proposed new copyright law only because of the unfortunate circumstances which have delayed final action by Congress on the copyright bill.

Any substantial progress by the Congress on copyright revision legislation has been virtually impossible during the past several years because of the protracted delay of the Federal Communications Commission in adopting new cable television rules. A resolution of the cable television copyright issues was necessarily dependent upon the determination of the many regulatory issues. The FCC rules became effective on March 31 and it was only on June 16 that the Commission completed action on petitions for reconsideration of the rules. The completion of the Commission proceedings now paves the way for real progress in the Congress on the copyright bill.

It is apparent that adequate time does not remain in this Congress for the processing of this complex legislation. I presently know of no reason why the Subcommittee on Patents, Trademarks, and Copyrights cannot promptly report a revised bill in the next Congress. It shall be my intention to bring that bill to the floor at the earliest feasible date. Because certain provisions of the bill are highly controversial it is uncertain if it can be enacted into law during the first session of the 93d Congress. It will also be necessary to allow the Copyright Office a period of time to prepare for the administration of the new law and consequently the effective date of the legislation will have to be several months after its enactment. Under these circumstances it appears advisable to provide that the temporary extension of copyrights should continue until December 31, 1974.

The pending version of the copyright revision legislation, S. 644, other than for perfecting amendments, is identical to the text of the bill reported favorably by the subcommittee in the 91st Congress. The subcommittee has already determined its position on each of the many issues and in the absence of significant new developments I do not believe there is any necessity to repeat this detailed consideration. I know of no issue on which additional hearings are necessary.

One provision of the bill that will require some modification is the cable television section. The section approved by the subcommittee contains a coordinated resolution of copyright questions and of those regulatory issues that are necessarily related to copyright matters. The new rules of the FCC are generally consistent with the recommendations of the subcommittee and it is anticipated that the regulatory provisions now contained in S. 644 will be eliminated. The subcommittee determined that all cable television systems should be subject to the copyright law and that the statute should grant such systems a compulsory license, subject to certain limitations relating to program exclusivity and sporting events, to carry the programs transmitted by specified broadcast signals. The subcommittee also approved a statutory CATV royalty schedule and established in chapter 8 of the legislation a copyright royalty tribunal to provide for periodic impartial review and adjustment of royalty rates.

Since the subcommittee action there have been two important CATV judicial decisions. In Columbia Broadcasting System, Inc. against TelePrompter, Inc. a Federal district court interpreted the existing copyright statute as not applying to the secondary transmissions of a cable system even if the system is transmitting distant signals, using microwave, inserting advertising or originating its own programs. Previously the U.S. Supreme Court in United Artists against Fortnightly held that the activities of the cable system involved in that litigation did not constitute violation of the copyright law. Since the CBS case is now on appeal I do not wish to discuss the merits of that decision. The decision in that case does not change my opinion that cable systems should be under the provisions of the copyright law.

In another important cable television decision a sharply divided Supreme Court, in which there was no majority opinion, upheld the authority of the Federal Communications Commission to require certain cable systems to originate their own programs regardless of whether there is sufficient public demand to make such programing feasible. I have long felt that the action of the Commission was a dubious extension of its jurisdiction under the Communications Act and even if authorized by the Communications Act was not sound policy under existing conditions. The deciding vote in the Supreme Court was cast by the Chief Justice. I concur in his view that "I am not fully persuaded that the Commission has made the correct decision in this case and the thoughtful opinions in the Court of Appeals and the dissenting opinion here reflect some of my reservations." It is currently unclear what immediate action on this issue will be taken by the Commission. It may be appropriate for the question of mandatory origination to be further reviewed in conjunction with the resolution by the Congress of the remaining cable television issues.

The only other issue in the revision bill concerning which there has been significant developments subsequent to the action of the subcommittee concerns photocopying by libraries and other nonprofit institutions. A Commissioner of the Court of Claims has rendered the first judicial interpretation of the application of the Copyright Act of 1909 to library photocopying. He held that the systematic and widespread duplication of articles from copyrighted periodicals by the National Library of Medicine constituted infringment of copyright. Since this case is also on appeal I again shall refrain from discussing the substance of the litigation. I observe only that the subcommittee anticipated this problem and had consequently added a special library photocopying section to the revision bill.

The subcommittee has been advised that the representatives of authors and book and periodical publishers are now meeting with library associations and other nonprofit users to explore whether agreement can be reached on the photocopying section of the copyright bill. I also understand that there is some prospect of discussions among interested parties on other issues of the bill. I have instructed the counsel of the subcommittee to prepare a modified version of the pending bill for consideration of the

subcommittee in the 93d Congress. Therefore, it is to be hoped that any discussions among the parties will proceed expeditiously so that the outcome of these deliberations may be known in sufficient time to be considered in the draft being prepared by the subcommittee staff.

By Mr. McCLELLAN (for himself, Mr. BURDICK, Mr. JAVITS, Mr. PACKWOOD, Mr. SCHWEIKER, Mr. SCOTT, and Mr. TOWER):

S.J. Res. 248. A joint resolution to authorize and request the President to proclaim February 11 each year as "National Inventors Day." Referred to the Committee on the Judiciary.

Mr. McCLELLAN. Mr. President, as chairman of the Subcommittee on Patents, Trademarks, and Copyrights, I introduce, for appropriate reference, for myself, and the Senator from North Dakota (Mr. BURDICK), the Senator from New York (Mr. JAVITS), the Senator from Oregon (Mr. PACKWOOD), the Senator from Pennsylvania (Mr. SCHWEIKER), the Senator from Pennsylvania (Mr. SCOTT), and the Senator from Texas (Mr. TOWER), a joint resolution to designate February 11 of each year as "National Inventors Day."

At a time when this country is quite properly concerned with improving its competitive position in international trade and encouraging needed innovation in important areas of public activity, it is appropriate for the Congress and the Nation to recognize the crucial role of inventors in contributing to the health, welfare, and pursuit of happiness. of our citizens.

The observance of February 11 as "National Inventors Day" is particularly appropriate, for it is the anniversary of the birth in 1847 of Thomas A. Edison, our most prolific and famous inventor. Mr. Edison received his first patent in 1868 for an electrical recorder and obtained 1,033 patents during his life.

The President in the message on science and technology that was transmitted to the Congress on March 16 of this year announced his intention to institute a new program of awarding research and development prizes for outstanding achievements by individuals and institutions which foster useful innovation. I commend the President for his initiative in recognizing the contribution of inventors to meeting the scientific and technological challenges confronting this Nation. I suggest that it would be most appropriate for these awards to be presented each year on February 11 as a major feature of the annual observance of "National Inventors Day."

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTIONS

S. 325

Mr. BEALL. Mr. President, I am pleased to announce that the distinguished Senator from Arizona (Mr. GOLDWATER) has "officially" agreed to cosponsor S. 325, which would establish a survivor annuity program for widows of military personnel.

I say "officially" because Senator GOLDWATER has been an active supporter of this legislation for some time and his advocacy of expanded widow's benefits is widely known. Certainly, as a member of the Armed Services Committee, he is a key to the success of this bill and those of us who hope that legislation will be enacted this year are delighted that he has added his name as a cosponsor. I am, of course, pleased that the chairman of the Armed Services Committee has announced that hearings will be held on this important measure this year.

S. 3598

At the request of Mr. WILLIAMS, the Senator from Pennsylvania (Mr. SCHWEIKER) was added as a cosponsor of S. 3598, the Retirement Income Security for Employees Act of 1972.

S. 3614

At the request of Mr. WILLIAMS, the Senator from Minnesota (Mr. HUMPHREY), the Senator from Wyoming (Mr. McGEE), the Senator from California (Mr. TUNNEY), the Senator from Utah (Mr. Moss), the Senator from Massachusetts (Mr. BROOKE), the Senator from Iowa (Mr. HUGHES), the Senator from Alaska (Mr. STEVENS), the Senator from Michigan (Mr. HART), the Senator from Illinois (Mr. STEVENSON), the Senator from New York (Mr. JAVITS), the Senator from Rhode Island (Mr. PELL), and the Senator from Pennsylvania (Mr. SCHWEIKER) were added as cosponsors of S. 3614, the Education For All Handicapped Children Act.

S. 3639

At the request of Mr. ROBERT C. BYRD, the Senator from Rhode Island (Mr. PASTORE) was added as a cosponsor of S. 3639, a bill to amend the Food Stamp Act of 1964 to authorize the use of food stamps by elderly persons to purchase meals prepared and served by certain institutions.

S. 3644

At the request of Mr. HUGHES, the Senator from Utah (Mr. Moss), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Illinois (Mr. STEVENSON), the Senator from Rhode Island (Mr. PASTORE), the Senator from West Virginia (Mr. RANDOLPH), the Senator from Montana (Mr. MANSFIELD), the Senator from Rhode Island (Mr. PELL), the Senator from New Jersey (Mr. WILLIAMS), and the Senator from Wisconsin (Mr. NELSON) were added as cosponsors of S. 3644, a bill to amend the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act and other related Acts to concentrate the resources of the Nation against the problem of alcohol abuse and alcoholism.

S. 3659

At the request of Mr. WILLIAMS, the Senator from West Virginia (Mr. RANDOLPH) was added as a cosponsor of S. 3659, a bill to establish a commission to develop a plan leading to the conquest of multiple sclerosis.

S. 3670

Mr. BEALL. Mr. President, on June 5, 1972, I introduced S. 3670, which would amend the Washington Area Transit Authority Compact to require the inclusion of rail commuter service in the mass transit plan.

I am pleased that Senators HARRY F. BYRD, JR., WILLIAM B. SPONG, JR., and LOWELL WEICKER have joined in sponsorship of this measure and I ask unanimous consent that their names be added at the next printing of the bill.

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

SENATE JOINT RESOLUTION 228

At the request of Mr. HOLLINGS, the Senator from Delaware (Mr. BOGGS), the Senator from Wyoming (Mr. HANSEN), the Senator from Minnesota (Mr. HUMPHREY), the Senator from Utah (Mr. Moss), the Senator from Maine (Mr. MUSKIE), the Senator from Rhode Island (Mr. PELL), the Senator from Ohio (Mr. TAFT), the Senator from South Carolina (Mr. THURMOND), the Senator from New Jersey (Mr. WILLIAMS), and the Senator from Kentucky (Mr. COOK) were added as cosponsors of Senate Joint Resolution 228, to pay tribute to law enforcement officers of this country on Law Day, May 1, 1973.

SENATE JOINT RESOLUTION 244

At the request of Mr. RIBICOFF, the Senator from West Virginia (Mr. RANDOLPH), the Senator from Alaska (Mr. STEVENS), the Senator from Pennsylvania (Mr. SCOTT), the Senator from New Jersey (Mr. CASE), the Senator from Illinois (Mr. STEVENSON), the Senator from Ohio (Mr. TAFT), the Senator from Utah (Mr. Moss), the Senator from South Carolina (Mr. THURMOND), and the Senator from Rhode Island (Mr. PELL) were added as cosponsors of Senate Joint Resolution 244, calling for new efforts to protect international travelers from acts of violence and aerial piracy.

SENATE JOINT RESOLUTION 245

At the request of Mr. RANDOLPH, the Senator from Colorado (Mr. ALLOTT) and the Senator from Utah (Mr. Moss) were added as cosponsors of Senate Joint Resolution 245, to designate the calendar month of September 1972 as "National Voter Registration Month."

SENATE RESOLUTION 322—SUBMISSION OF A RESOLUTION REFERRING A BILL FOR THE RELIEF OF THOMAS RAYMOND POMASKI TO THE COURT OF CLAIMS

(Referred to the Committee on the Judiciary.)

Mr. PASTORE submitted the following resolution:

S. RES. 322

Resolved, That the bill (S. 3728) entitled "A bill for the relief of Thomas Raymond Pomaski", now pending in the Senate, together with all the accompanying papers, is hereby referred to the chief commissioner of the United States Court of Claims; and the chief commissioner shall proceed with the same in accordance with the provisions of sections 1492 and 2509 of title 28, United States Code, and report thereon to the Senate, at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand as a claim, legal or equitable, against the United States or a gratuity and the amount, if any, legally or equitably due from the United States to the claimant.

FOOD, DRUG, AND CONSUMER PRODUCT SAFETY ACT OF 1972—AMENDMENT

AMENDMENT NO. 1256

(Ordered to be printed and to lie on the table.)

Mr. ALLEN submitted an amendment intended to be proposed by him to the bill (S. 3419) to protect consumers against unreasonable risk of injury from hazardous products, and for other purposes.

AMENDMENT NO. 1258

(Ordered to be printed and to lie on the table.)

Mr. MOSS submitted an amendment intended to be proposed by him to the bill (S. 3419), supra.

AMENDMENT NO. 1259

(Ordered to be printed and to lie on the table.)

Mr. PERCY, for himself and Mr. MAGNUSON, submitted an amendment intended to be proposed by them jointly to the bill (S. 3419), supra.

AMENDMENTS NOS. 1260 AND 1261

(Ordered to be printed and to lie on the table.)

Mr. GURNEY. Mr. President, I am today introducing two amendments to S. 3419, the Food, Drug, and Consumer Product Safety Act. The purpose of these two amendments is to provide for emergency protection of the public from any possible exposure to imminently hazardous products, while retaining the most efficient and reasonable enforcement procedures for laws and regulations administered under the supervision of the Food, Drug, and Consumer Product Agency.

The first of these two amendments, amendment No. 1260, the emergency protection amendment, would provide the Administrator of the Food, Drug, and Consumer Product Agency with clear authority to petition a court to stop immediately activities which, in the Administrator's opinion, could result in the public being exposed to imminently hazardous products. During the preliminary injunction period, the Food, Drug, and Consumer Product Agency would have adequate time to take proper administrative action in relation to these products without their continued or impending danger to the public.

The second amendment, amendment No. 1261, the efficient administration amendment, is a series of technical changes, predicated on the passage of the emergency protection amendment, which would avoid unnecessarily assigning to the Food, Drug, and Consumer Product Agency enforcement powers duplicative of those now administered by the Department of Justice.

The effect of both amendments would be to give the Administrator of the Food, Drug, and Consumer Product Agency the power directly to seek the extraordinary preliminary injunction remedy for the protection of consumers, as well as the power directly to seek enforcement of subpenas and the issuance of inspection warrants, while providing for a more efficient separation of powers by assigning normal enforcement activities to the Department of Justice. Having the direct and immediate powers to assure first, prevention of public availability of harmful products, and second, adequate access to and collection of information upon which the Food, Drug, and Consumer Product Agency can act in the public's interest, there is no need to modify further or interfere with traditional efficient law enforcement through the Government's lawyer, the Department of Justice.

Granting the Food, Drug, and Consumer Product Agency enforcement powers duplicative of those of the Justice Department beyond those proposed in these amendments would be not only contrary to the spirit of the Constitution, but would also be an extremely dangerous precedent, leading to fractionalization and hampering efficient and coordinated enforcement activities within the Justice Department. The substantive enforcement power is not changed by these amendments; only the duplication of enforcement responsibility between the Food, Drug, and Consumer Protection Agency, and the Department of Justice is eliminated.

Without these amendments, this legislation can well lead to extremely expensive and inefficient duplication of enforcement powers—it would not be unreasonable to expect a situation wherein every Federal agency would maintain separate battalions of enforcement attorneys, with district offices throughout the Nation.

In addition to the need for avoiding inefficient duplication of enforcement activities, these amendments would work to separate the powers of regulation promulgation from those of legal enforcement. Maintaining this basic principle of separation of powers within a democratic government is extremely important as rapidly growing and multiplying Federal agencies tend more and more toward bureaucratic independence of congressional review.

I am confident that amendments similar to these, and very possibly several others involving judicial processes, would have been added by the Committee on the Judiciary had this legislation been considered by that committee. In light of this, I ask my colleagues to individually give careful consideration to the effects of the Food, Drug, and Consumer Product Act on Government enforcement procedures, and follow that consideration with approval of these amendments.

Mr. President, I ask unanimous consent that these amendments be printed in the RECORD at the conclusion of my remarks.

There being no objection, the amendments were ordered to be printed in the RECORD, as follows:

AMENDMENT NO. 1260

On page 65, beginning with line 2, strike out through line 17 and insert in lieu thereof the following:

"Sec. 311. (a) Whenever the Administrator has reason to believe that a consumer product presents an unreasonable risk of injury or death, necessitating immediate action to protect adequately the public health and safety prior to the completion of administrative proceedings held pursuant to this Act, he or the Attorney General may bring suit in a district court of the United States having venue thereof to enjoin any person from engaging in the manufacture for sale, sale, offering for sale or otherwise offering for public consumption, in commerce, or the importation into the United States of such an imminently hazardous consumer product. Upon a proper showing, and after notice to the defendant, a preliminary injunction may be granted without bond under the same conditions and principles as injunctive relief against conduct or threatened conduct that will cause loss or damage is granted by courts of equity. Notwithstanding the existence of a consumer product safety standard applicable to such product, such an action may be filed or the pendency of proceedings initiated pursuant to section 303 of this Act."

On page 65, line 21, strike out the words "or permanent".

On page 65, line 23, insert before the period "prior to completion of administrative proceedings held pursuant to this Act".

AMENDMENT NO. 1261

On page 2, line 13, strike out the word "enforce" and insert in lieu thereof the words "assure the enforcement of".

On page 2, line 15, strike out the first comma and the words "prosecute court actions".

On page 3, line 23, strike out "(17)" and insert in lieu thereof "(16)".

On page 12, beginning with line 22, strike out through line 2 on page 13.

On page 13, line 3, strike out "(17)" and insert in lieu thereof "(16)".

On page 13, line 12, strike out the word "enforce" and insert in lieu thereof "assure the enforcement of".

On page 13, line 16, strike out "(18)" and insert in lieu thereof "(17)".

On page 13, line 20, strike out "(19)" and insert in lieu thereof "(18)".

On page 29, line 12, strike out the words "of the Agency" and insert in lieu thereof the words "of this Act".

On page 73, beginning with the word "upon" in line 3, strike out through the word "the" the first time it appears in line 5, and insert in lieu thereof the following: "The".

On page 73, beginning with the word "on" in line 16, strike out through the comma in line 17.

AMENDMENT NO. 1263

(Ordered to be printed and to lie on the table).

Mr. COTTON submitted an amendment intended to be proposed by him to the bill (S. 3419), supra.

FOREIGN ASSISTANCE ACT OF 1972—AMENDMENT

AMENDMENT NO. 1257

(Ordered to be printed and to lie on the table.)

Mr. DOMINICK, for himself, Mr. BENNETT, Mr. EASTLAND, Mr. STENNIS, Mr. TOWER, and Mr. YOUNG, submitted an amendment intended to be proposed by them jointly to the bill (S. 3390) to amend the Foreign Assistance Act of 1961, and for other purposes.

AMENDMENT NO. 1262

(Ordered to be printed and to lie on the table.)

Mr. McGEE submitted an amendment intended to be proposed by him to the bill (S. 3390), supra.

AMENDMENT NO. 1264

(Ordered to be printed and to lie on the table.)

REFUGEE ASSISTANCE TO CAMBODIA

Mr. KENNEDY. Mr. President, on behalf of myself and my distinguished colleague on the Subcommittee on Refugees, Senator MATHIAS, I am introducing today an amendment to the Foreign Assistance Act of 1961 to provide $2 million for humanitarian assistance to refugees and war victims in Cambodia. This amendment will simply earmark funds authorized under the supporting assistance program. I understand that a similar amendment is being proposed in the House by Congressman FRASER.

Nowhere has our sense of national priorities overseas, and the traditional humanitarian concern of the American people, been more distorted than in our aid program to Cambodia. Despite estimates which put the number of Cambodian refugees at more than 2 million in just 2 years, and the number of civilian war casualties in the thousands, our Government has not only rejected appeals for help, but the record suggests that it is our policy not to become "involved" with the problem of war victims in Cambodia. Yet, at the same time, we are willing to become "involved" in providing vast amounts of military hardware and supporting assistance which serves to fuel the war in Cambodia.

This policy of neglect was most evident during the recent hearings of the Subcommittee on Refugees. It was revealed during the hearing that a request from a Cambodian Government official for medical supplies was simply bucked back to Washington with no priority and no support. Months passed with no decision, and finally the request was sent over to the American Red Cross which responded by offering vitamin pills. This is the level of concern our Government now shows toward the humanitarian needs of the war victims in Cambodia.

Mr. President, I believe that until this tragic war comes to an end, our Nation bears a heavy responsibility to help repair the damage caused to the lives and land of the civilians of Cambodia. This amendment will provide the minimum funds necessary to help the war victims of Cambodia, and carry cut our humanitarian responsibilities to them—through the Cambodian Government, private voluntary organizations, or international agencies.

This is a modest sum which I urge the Senate to authorize.

ADDITIONAL COSPONSOR OF AN AMENDMENT

AMENDMENT NO. 838

At the request of Mr. PERCY, the Senator from Kansas (Mr. PEARSON) was added as a cosponsor of amendment No. 838, intended to be offered to the bill (H.R. 1) to amend the Social Security Act to increase benefits and improve eligibility and computation methods under the OASDI program, to make improvements in the medicare, medicaid, and maternal and child health programs with emphasis on improvements in their operating effectiveness, to replace the existing Federal-State public assistance programs with a Federal program of adult assistance and a Federal program of benefits to low-income families with children with incentives and requirements for employment and training to improve the capacity for employment of members of such families, and for other purposes.

ANNOUNCEMENT OF HEARINGS BY THE DISTRICT OF COLUMBIA COMMITTEE

Mr. EAGLETON. Mr. President, I wish to announce hearings on Thursday, June 22, 1972, at 9:30 a.m. in room 6226, New Senate Office Building, on the District of Columbia Police and Firemen's Salary Act Amendments by the Senate District of Columbia Committee.

Because this bill is still pending in the House and, therefore, the Senate District Committee technically has no bill before it, I ask unanimous consent that the legislation proposed by the Commissioner of the District of Columbia, along with a letter of transmittal and explanatory material be printed at this point in the RECORD. This legislative proposal will be the basis of these hearings.

Persons interested in testifying on this matter should contact Mr. Gene E. Godley, general counsel, in room 6222, New Senate Office Building.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE DISTRICT OF COLUMBIA,
Washington, D.C., May 11, 1972.

THE PRESIDENT,
U.S. Senate,
Washington, D.C.

DEAR MR. PRESIDENT: The Commissioner of the District of Columbia has the honor to submit a draft bill "To amend the District of Columbia Police and Firemen's Salary Act of 1958 to increase salaries, and for other purposes", which may be cited as the "District of Columbia Police and Firemen's Salary Act Amendments of 1972".

The proposed bill would increase the salaries of police and firemen in the District of Columbia, make certain changes in their retirement benefits, and increase certain District of Columbia sales taxes to provide most of the revenue needed for these purposes.

For the reasons stated in the attached "Statement of Purpose and Justification", the Commissioner of the District of Columbia urges early and favorable consideration of this draft bill by the Congress. He believes action on this legislation is imperative in order to provide adequate compensation for policemen and firemen in the District of Columbia. Moreover, the bill would authorize a sufficient increase in local tax revenues to insure that the proposal is financially sound.

On May 8, 1972, the Federal Pay Board, pursuant to the Economic Stabilization Act of 1970, indicated it had no objection to the submission of the attached proposed legislation.

Sincerely yours,

GRAHAM W. WATT,
Assistant to the Commissioner

H.R. ——

A bill to amend the District of Columbia Police and Firemen's Salary Act of 1958 to increase salaries, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress Assembled.

TITLE I—SALARY INCREASES FOR DISTRICT OF COLUMBIA POLICEMEN AND FIREMEN

SEC. 101. Section 101 of the District of Columbia Police and Firemen's Salary Act of 1958 (D.C. Code, sec. 4–823) is amended to read as follows:

"SEC. 101. (a) Effective on the first day of the first pay period beginning on or after the date on enactment of this title, the annual rate of basic compensation of the officers and members of the Metropolitan Police force and the Fire Department of the District of Columbia shall be fixed in accordance with the following schedule of rates:

POLICE AND FIRE SALARY SCHEDULE I

"Salary class and title	Service								
	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9
Class 1 Fire private, police private.	$9,500	$9,785	$10,260	$10,735	$11,495	$12,255	$12,730	$13,205	$13,680
Class 2 Fire inspector.	10,900	11,520	12,140	12,760	13,380	14,000	14,620		
Class 3 Detective, assistant pilot, assistant marine engineer.	11,875	12,470	13,065	13,660	14,255	14,850	15,445		
Class 4 Fire sergeant, police sergeant, detective sergeant.	12,890	13,520	14,150	14,780	15,410	16,040			
Class 5 Fire lieutenant, police lieutenant.	14,915	15,660	16,405	17,150	17,895				
Class 6 Marine engineer, pilot.	16,230	17,040	17,850	18,660					
Class 7 Fire captain, police captain.	17,550	18,425	19,300	20,175					
Class 8 Battalion fire chief, police inspector.	20,535	21,560	22,585	23,610					
Class 9 Deputy fire chief, deputy chief of police.	24,060	25,705	27,350	28,995					
Class 10 Assistant chief of police, assistant fire chief, CO executive protection service, CO U.S. Park Police.	28,500	30,500	32,500						
Class 11 Fire chief, chief of police."	33,000	35,000							

"(b) Effective on the first day of the first pay period beginning on or after July 1, 1972, such salary schedule is amended to read as follows:

POLICE AND FIRE SALARY SCHEDULE II

"Salary class and title	Service								
	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9
Class 1	$10,000	$10,300	$10,800	$11,300	$12,100	$12,900	$13,400	$13,900	$14,400
Fire private, police private.									
Class 2	11,400	12,100	12,800	13,500	14,200	14,900	15,600		
Fire inspector.									
Class 3	12,500	13,125	13,750	14,375	15,000	15,625	16,250		
Detective, assistant pilot, assistant marine engineer.									
Class 4	13,580	14,260	14,940	15,620	16,300	16,980			
Fire sergeant, police sergeant, detective sergeant.									
Class 5	15,700	16,485	17,270	18,055	18,840				
Fire lieutenant, police lieutenant.									
Class 6	17,150	18,005	18,860	19,715					
Marine engineer, pilot.									
Class 7	18,600	19,530	20,460	21,390					
Fire captain, police captain.									
Class 8	21,560	22,640	23,720	24,800					
Battalion fire chief, police inspector.									
Class 9	25,300	27,015	28,730	30,445					
Deputy fire chief, deputy chief of police.									
Class 10	30,000	32,000	34,000						
Assistant chief of police, assistant fire chief, CO executive protection service, CO U.S. Park Police.									
Class 11	34,700	[1] 36,800							
Fire chief, chief of police."									

[1] The salary for employees at this rate is limited to the rate for level V of the executive schedule.

SEC. 102. (a) Subsection (a) of section 201 of the District of Columbia Police and Firemeen's Salary Act of 1958 (D.C. Code, sec. 4–824(a)) is amended to read as follows:

"(a) The rates of basic compensation of officers and members in service on the effective date of the salary schedule in section 101(a) of this Act shall be adjusted as follows:

"(1) Each officer or member receiving basic compensation immediately prior to such effective date at one of the scheduled service rates of subclass (a) or (b) of salary class 1 in the salary schedule in effect on the day next preceding such effective date shall be placed in and receive basic compensation in salary schedule in effect on and after such date, and each shall be placed at the respective service step in which he was serving immediately prior to such date. Each officer or member receiving basic compensation immediately prior to such date at one of the scheduled longevity rates of subclass (a) or (b) of salary class 1 in the salary schedule in effect on the day next preceding such effective date shall be placed in and receive basic compensation in salary class 1 in the salary schedule in effect on and after such date, and each shall be placed in a service step as follows:

"From—Class 1, subclass (a) or (b): Longevity step A To—Class 1: Service step 7.

"From—Class 1, subclass (a) or (b): Longevity step B To—Class 1: Service step 8.

"From—Class 1, subclass (a) or (b): Longevity step C To—Class 1: Service step 9.

"(2) Each officer or member receiving basic compensation immediately prior to such effective date at one of the scheduled service rates of subclass (a) or (b) of salary class 2 in the salary schedule in effect on the day next preceding such effective date shall be placed in and receive basic compensation in salary class 2 in the salary schedule in effect on and after such date, and each shall be placed at the respective service step in which he was serving immediately prior to such date. Each officer or member receiving basic compensation immediately prior to such date at one of the scheduled longevity rates of subclass (a) or (b) of salary class 2 in the salary schedule in effect on the day next preceding such effective date shall be placed in and receive basic compensation in salary class 2 in the salary schedule in effect on and after such date, and each shall be placed in a service step as follows:

"From—Class 2, subclass (a) or (b): Longevity step A To—Class 2: Service step 5.

"From—Class 2, subclass (a) or (b): Longevity step B To—Class 2: Service step 6.

"From—Class 2, subclass (a) or (b): Longevity step C To—Class 2: Service step 7.

"(3) Each officer or member receiving basic compensation immediately prior to such effective date at one of the scheduled service rates of salary class 3, 5, 6, 7, 8, or 9 in the salary schedule in effect on the next preceding such effective date shall receive a rate of basic compensation at the corresponding scheduled service step and salary class in the salary schedule in effect on and after such date. Each officer or member receiving basic compensation immediately prior to such date at one of the scheduled longevity rates of salary class 3, 5, 6, 7, 8, or 9 in the salary schedule in effect on the day next preceding such effective date shall receive basic compensation at the corresponding salary class in the salary schedule in effect on and after such date, and each shall be placed in a service step as follows:

"From—Class 3: Longevity step A To—Class 3: Service step 5.

"From—Class 3: Longevity step B To—Class 3: Service step 6.

"From—Class 3: Longevity step C To—Class 3: Service step 7.

"From—Class 5: Longevity steps A and B To—Class 5: Service step 5.

"From—Class 6, 7, 8, or 9: Longevity steps A and B To—Class 6, 7, 8, or 9: Service step 4.

"(4) Each officer or member receiving basic compensation immediately prior to such effective date at one of the scheduled service rates of subclass (a), (b), or (c) of salary class 4 in the salary schedule in effect on the day next preceding such effective date shall be placed in and receive basic compensation in salary class 4 in the salary schedule in effect on or after such date, and each shall be placed at the respective service step in which he was serving immediately prior to such date. Each officer or member receiving basic compensation immediately prior to such date at one of the scheduled longevity rates of subclass (a), (b), or (c) of salary class 4 in the salary schedule in effect on the day next preceding such effective date shall be placed in and receive basic compensation in salary class 4 in the salary schedule in effect on and after such date, and each shall be placed in a service step as follows:

"From—Class 4, subclass (a), (b) or (c): Longevity step A To—Class 4: Service step 5.

"From—Class 4, subclass (a), (b) or (c): Longevity steps B and C To—Class 4: Service step 6.

"(5) Each officer or member receiving basic compensation immediately prior to such effective date at one of the scheduled service rates of salary class 10 or 11 in the salary schedule in effect on the day next preceding such effective date shall receive a rate of basic compensation at the corresponding scheduled service step and salary class in the salary schedule in effect on and after such date, except that any such officer or member who immediately prior to such date was serving in service step 4 of salary class 10 or in service step 3 of salary class 11 shall be placed in and receive basic compensation in a service step as follows:

"From—Class 10: Service step 4 To—Class 10: Service step 3.

"From—Class 11: Service step 3 To—Class 11: Service step 2."

(b) Subsection (b) of section 201 of such Act (D.C. Code, sec. 4–824(b)) is amended to read as follows:

"(b) Each officer or member receiving basic compensation immediately prior to the effective date of the salary schedule in section 101(b) of this Act at one of the scheduled service rates of a salary class in the salary schedule in section 101(a) of this Act shall receive a rate of basic compensation at the corresponding scheduled service step in effect on and after such date."

SEC. 103. Section 202 of the District of Columbia Police and Firemen's Salary Act of 1958 (D.C. Code, section 4–825) is amended to read as follows:

"SEC. 202. Each officer or member of the Metropolitan Police force, Executive Protective Service, and United States Park Police force assigned to perform the duty of a helicopter pilot on or after the effective date of the salary schedule in section 101(a) of this Act shall receive in addition to his scheduled rate of basic compensation the amount of $635 per annum, so long as he remains in such assignment. Further, at such time as scheduled rates of basic compensation in section 101(b) of this Act become effective, such additional rate shall be increased to $680 per annum."

SEC. 104. Section 203 of the District of Co-

lumbia Police and Firemen's Salary Act of 1958 (D.C. Code, sec. 4–826) is amended to read as follows:

"SEC. 203. The aide to the Fire Marshal shall be included as a fire inspector in class 2."

SEC. 105. Section 204 of the District of Columbia Police and Firemen's Salary Act of 1958 (D.C. Code, sec. 4–826a), as added by the Act of October 24, 1962 is repealed.

SEC. 106. Section 302 of the District of Columbia Police and Firemen's Salary Act of 1958 (D.C. Code, sec. 4–828) is amended to read as follows:

"(a) The Commissioner of the District of Columbia, in the case of the Metropolitan Police force and the Fire Department of the District of Columbia, the Secretary of the Treasury, in the case of the Executive Protective Service, and the Secretary of the Interior, in the case of the United States Park Police force, are hereby authorized to establish and determine, from time to time, the positions in salary classes 1, 2 and 4 to be included as technicians.

"(b) Each officer or member who immediately prior to the effective date of the salary schedule in section 101(a) of this Act was receiving a rate of pay in subclass (b) of class 1 or 2 or subclass (c) of class 4, or was performing the duty of a dog handler in class 4, or whose position is determined to be a technician under (a) above shall receive on or after such date in addition to his scheduled rate of basic compensation an additional $635 per annum. Further, at such time as the scheduled rates of basic compensation in section 101(b) of this Act become effective such additional rate shall be increased to $680 per annum.

"(c) Each officer or member who immediately prior to the effective date of the salary schedule in section 101(a) of this Act was assigned as a Detective Sergeant in subclass (b) of class 4 shall receive on or after such effective date in addition to his scheduled rate of basic compensation an additional $500 per annum, so long as he remains in such assignment. Each officer or member who is subsequently promoted to the rank of Detective Sergeant from the eligible list in force on such effective date shall receive in addition to his scheduled rate of basic compensation an additional $500 per annum, so long as he remains in such assignment."

SEC. 107. Section 303 of the District of Columbia Police and Firemen's Salary Act of 1958 (D.C. Code, sec. 4–829) is amended to read as follows:

"SEC. 303. (a) Subsequent to the salary adjustment provided in sections 101 and 102 of the District of Columbia Police and Firemen's Salary Act Amendments of 1972, each officer and member, if he has a current performance rating of 'satisfactory' or better, shall have his service step adjusted in the following manner:

"(1) Each officer and member in service step 1, or 2, or 3 of salary class 1 shall be advanced in compensation successively to the next higher service step at the beginning of the first pay period immediately subsequent to the completion of fifty-two calendar weeks of active service;

"(2) Each officer and member in service step 4, or 5 of salary class 1 shall be advanced in compensation successively to the next higher service step at the beginning of the first pay period immediately subsequent to the completion of one hundred and four calendar weeks of active service;

"(3) Each officer and member in service step 6, or 7, or 8 of salary class 1 shall be advanced in compensation successively to the next higher service step at the beginning of the first pay period immediately subsequent to the completion of one hundred and fifty-six calendar weeks of active service;

"(4) Each officer and member in salary class 2 through 11 who has not attained the maximum service step rate of compensation for the rank or title in which he is placed shall be advanced in compensation successively to the next higher service step rate for such rank or title at the beginning of the first pay period immediately subsequent to the completion of one hundred and four calendar weeks of active service, except that in the case of an officer or member in service step 4, or 5, or 6 of salary class 2 or 3; service step 4 or 5 of salary class 4 and service step 4 of salary class 5 he shall be advanced successively to the next higher service step at the beginning of the first pay period immediately subsequent to the completion of one hundred and fifty-six calendar weeks of active service;

"(b) As used in this title the term 'calendar week of active service' includes all periods of leave with pay, and periods of non-pay status which do not cumulatively equal one basic workweek."

SEC. 108. Section 304 of the District of Columbia Police and Firemen's Salary Act of 1958 (D.C. Code, sec. 4–830) is amended to read as follows:

"SEC. 304. (a) Except as otherwise provided in subsection (b) of this section, any officer or member who is promoted or transferred to a higher salary class shall receive basic compensation at the lowest scheduled rate of such higher salary class which exceeds his existing scheduled rate of basic compensation by not less than one step increase of the next higher step of the salary class from which he is promoted or transferred.

"(b) Any officer or member receiving additional compensation as provided in section 302 of this Act who is promoted or transferred to a higher salary class shall receive basic compensation at the lowest scheduled rate of such higher class which exceeds his existing scheduled rate of basic compensation by at least the sum of one step increase of the next higher step of the salary class from which he is promoted or transferred and the amount of such additional compensation."

SEC. 109. Section 305 of the District of Columbia Police and Firemen's Salary Act of 1958 (D.C. Code, sec. 4–831) is amended by (1) striking out "Commissioners" and inserting in lieu thereof "Commissioner", and (2) striking out "or Subclass" immediately after "Class".

SEC. 110. Section 401 of the Police and Firemen's Salary Act of 1958 (D.C. Code, sec. 4–832) is amended to read as follows:

"SEC. 401. (a) In recognition of long and faithful service, each officer and member in the active service on or after the effective date of the salary schedule in section 101(a) of this Act shall receive an amount in addition to the rate of basic compensation prescribed in the salary schedule in section 101 of this Act to be known as a total service longevity rate. Such total service longevity rate, fixed at the nearest dollar, shall be established as follows:

"(1) Each officer and member in the active service shall receive 5 percent additional compensation, computed on service step 1 of the class he occupies, upon completion of at least fifteen but less than twenty years of continuous service; 10 percent additional compensation, computed on service step 1 of the class he occupies, upon completion of at least twenty but less than twenty-five years of continuous service; 15 percent additional compensation, computed on service step 1 of the class he occupies, upon completion of at least twenty-five but less than thirty years of continuous service; 20 percent additional compensation, computed on service step 1 of the class he occupies, upon completion of thirty years of continuous service. For purposes of this paragraph, continuous service as an officer or member includes service in the Armed Forces of the United States but excludes any period of time determined not to have been satisfactory service.

"(2) Each officer and member shall accrue total service longevity compensation as provided in the first paragraph of this subsection so long as he remains in the active service. Such compensation shall be paid in the same manner as the basic compensation to which such officer or member is entitled; shall be subject to deduction and withholding for retirement and insurance; and shall be considered as salary for the purpose of computing annuities pursuant to the provisions of the Policemen and Firemen's Retirement and Disability Act and for the purpose of computing insurance coverage under the provisions of Chapter 87 of title 5, United States Code. At such time as an officer or member for any reason retires under the provisions of the Policemen and Firemen's Retirement and Disability Act the total service longevity rate to which he was entitled at the time of retirement shall remain fixed for purposes of computing his retirement compensation and, at the time of his death, the annuity of any survivors.

"(b) Notwithstanding any other provision of this or any other law, individuals retired from active service prior to the effective date of title I of the District of Columbia Police and Firemen's Salary Act Amendments of 1972, and who are entitled to receive a pension relief allowance or retirement compensation under the provisions of the Policemen and Firemen's Retirement and Disability Act, shall not be entitled to receive an increase in their pension relief allowance or retirement compensation by reason of the enactment of this section, except that each individual whose retirement was effective from and after December 31, 1971, but prior to such effective date shall, on the first day of the first month following such effective date, be entitled to receive the increase in his pension relief allowance or retirement compensation to which he would have been entitled by reason of the enactment of this section had such retirement occurred on or after such effective date."

SEC. 111. Section 501 of the District of Columbia Police and Firemen's Salary Act of 1958 (D.C. Code, sec. 4–833) is amended by (1) adding "and the Executive Protective Service" immediately after "United States Park Police", and (2) striking out "or Subclasses" at the end of such section.

SEC. 112. The Act approved May 25, 1926 (D.C. Code, sec. 4–131) is amended (1) by inserting "(a)" before the first word and (2) by adding at the end thereof the following new subsection:

"(b) The Chief of Police, Metropolitan Police force, Commanding Officer, Executive Protective Service, or Commanding Officer, United States Park Police force, is authorized to provide a clothing allowance, not to exceed $300 in any one year, to an officer or member assigned in plainclothes. Such clothing allowance is not part of basic compensation and shall not be used for the purpose of computing overtime, promotions, or retirement benefits. Such individual allowance may be discontinued at any time upon written notification by the authorizing official."

SEC. 113. (a) The Commissioner of the District of Columbia, in the case of the Metropolitan Police Department and the Fire Department of the District of Columbia, the Secretary of the Treasury, in the case of the Executive Protective Service, and the Secretary of the Interior, in the case of the United States Park Police force, are authorized to

establish the eligibility requirements for and pay to any officer or member who meets such eligibility requirements, except officers and members in salary classes 10 and 11 in section 101 of this title, additional annual compensation for having successfully completed educational course work leading to a degree in police or fire science or administration. Such additional compensation, fixed at the nearest dollar, shall be payable at the rate of 2 percent of the salary for service step 1 of salary class 1 in the salary schedule in section 101 of this title in effect at the time of payment for each 15 acceptable credit hours of educational course work, except that the rate payable may not exceed 16 percent of such salary.

(b) The additional compensation authorized by this section shall be in addition to the basic compensation to which such officer or member is entitled and shall be paid in the same manner as such basic compensation. Such additional compensation shall not be subject to deduction or withholding for retirement or insurance and shall not be considered as salary for the purpose of computing annuities pursuant to the provisions of the Policemen and Firemen's Retirement and Disability Act, or for the purpose of computing insurance coverage under the provisions of Chapter 87 of title 5, United States Code.

(c) Notwithstanding any other provision of this or any other law, individuals retired from active service prior to the effective date of this title and entitled to receive a pension relief allowance or retirement compensation under the provisions of the Policemen and Firemen's Retirement and Disability Act shall not be entitled to receive an increase in their pension relief allowance or retirement compensation by reason of the enactment of this section.

(d) The effective date of this section shall be the first day of the first pay period which begins more than sixty days after the date of enactment of this title.

SEC. 114. Subsection (h) of the first section of the Act approved August 15, 1950 (D.C. Code, sec. 4–904(h)), is amended by deleting "class 10" wherever it appears therein and inserting in lieu thereof "the salary class applicable to the Fire Chief and Chief of Police".

SEC. 115. Notwithstanding section 301, title III of the District of Columbia Police and Firemen's Salary Act of 1953 (D.C. Code, sec. 4–518), each individual retired from active service prior to the effective date of section 101(a) of this title and entitled to receive a pension relief allowance or retirement compensation under the provisions of the Policemen and Firemen's Retirement and Disability Act whose pension relief allowance or retirement compensation on the day next preceding such effective date was an amount computed upon the scheduled salary rate for longevity step C of subclass (a), (b), or (c) of salary class 4, longevity step B of salary class 5, longevity steps A and B of salary class 6, 7, 8, or 9, service step 4 of salary class 10, or service step 3 of salary class 11 in the salary schedule in section 101 of the District of Columbia Police and Firemen's Salary Act of 1958 shall be entitled to receive an increase in his pension relief allowance or retirement compensation in an amount at least equal to the ratio between the scheduled salary rate for the highest service step of the respective salary class in the salary schedule in effect on and after such effective date and the scheduled salary rate which corresponds thereto in the salary schedule in effect on the day next preceding such effective date. For the purpose of this section, the corresponding scheduled salary rates for service step 6 of salary class 4 and service step 5 of salary class 5 in the salary schedule in effect on and after such effective date are the scheduled salary rates for longevity step B of salary class 4 and longevity step A of salary class 5, respectively, in the salary schedule in effect on the day next preceding such effective date.

SEC. 116. (a) Section 2 of the Act of September 8, 1960 (74 Stat. 868; D.C. Code, sec. 4–823b) is hereby repealed.

(b) Section 2 of the Act of October 24, 1962 (76 Stat. 1240; D.C. Code, sec. 4–823c) is hereby repealed.

(c) Section 102 of the Act of September 2, 1964 (78 Stat. 881; D.C. Code, sec. 4–823d) is hereby repealed.

(d) Section 102 of the District of Columbia Policemen and Firemen's Salary Act Amendments of 1966, approved November 13, 1966 (80 Stat. 1592; D.C. Code, sec. 4–823d–1) is hereby repealed.

(e) Section 2 of the District of Columbia Police and Firemen's Salary Act Amendments of 1968, approved May 27, 1968 (82 Stat. 142; D.C. Code, sec. 4–823d–2) is hereby repealed.

(f) Section 103 of the District of Columbia Police and Firemen's Salary Act Amendments of 1970, approved June 30, 1970 (84 Stat. 355; D.C. Code, sec. 4–823d–3) is hereby repealed.

SEC. 117. Except as otherwise provided in sections 101 and 113, the effective date of this title and the amendments made by this title shall be the first day of the first pay period beginning on or after the date of enactment of this title.

SEC. 118. This title may be cited as the "District of Columbia Police and Firemen's Salary Act Amendments of 1972".

TITLE II—REVISIONS IN THE RETIREMENT BENEFITS FOR POLICEMEN AND FIREMEN

SEC. 201. (a) Section 12 of the Act of September 1, 1916 (39 Stat. 718), as amended (D.C. Code, sec. 4–521 et seq.) is amended as follows:

(1) Subparagraph (5)(B) in subsection (a) of such section (D.C. Code, sec. 4–521) is amended by striking out "or" immediately after "residence".

(2) Paragraph (5) of subsection (c) of such section (D.C. Code, sec. 4–523) is amended by adding at the end thereof the following new sentence: "No deposit shall be required for days of unused sick leave credited under subsection (h) of this section."

(3) Subsection (h) of such section (D.C. Code, sec 4–528) is amended by adding at the end thereof the following new paragraph:

"(4) In computing an annuity under this subsection, the police or fire service of a member who has not retired prior to the effective date of this paragraph shall include, without regard to the limitation imposed by paragraph (3) of this subsection, the days of unused sick leave credited to him. Days of unused sick leave shall not be counted in determining a member's eligibility for an annuity under this subsection."

(4) The first paragraph of subsection (k) of such section (D.C. Code, sec. 4–531) is amended to read as follows:

"(k)(1) In the event that any member dies in the performance of duty, and such death is determined by the Commissioner to have been the sole and direct result of a personal injury sustained while performing such duty, leaving a survivor, or if there be none a parent or a sibling, who received more than one-half his support from the member, such person shall be entitled to receive a lump sum payment of $50,000: *Provided*, That if such death is caused by the willful misconduct of the member or by the member's intention to bring about the death of himself, or if intoxication of the injured member is the proximate cause of such death, no such lump sum payment shall be made: *And Provided further*, That if such member leaves more than one survivor, or if there be none, more than one parent or sibling, who received more than one-half his support from the member, each such person shall be entitled to receive an equal share of such lump sum payment."

(b) Paragraphs (1) and (4) of subsection (a) of this section and the amendments made thereby shall be effective on and after November 1, 1970. Paragraphs (2) and (3) of such subsection and the amendments made thereby shall be effective on the first day of the first pay period beginning on or after the date of enactment of this title.

SEC. 202. (a) Section 3 of chapter 226 of the Act of July 11, 1947, as added September 27, 1959 (D.C. Code, sec. 4–183a) is amended by striking out "on the effective date of this section".

(b) Section 4 of chapter 226 of the Act of July 11, 1947, as added September 22, 1959 (D.C. Code, sec. 4–183b) is amended by striking out "on September 22, 1959".

TITLE III—AMENDMENTS TO THE DISTRICT OF COLUMBIA SALES AND USE TAX ACTS

SEC. 301. Section 125 of the District of Columbia Sales Tax Act (D.C. Code, sec. 47–2602) is amended by striking out "4 per centum" and inserting in lieu thereof "5 per centum".

SEC. 302. Section 125(1) of the District of Columbia Sales Tax Act (D.C. Code, sec. 47–2602(1)) is amended to read as follows:

"(1) the rate of tax shall be 2 per centum of the gross receipts from sales of food for human consumption off the premises where such food is sold;"

SEC. 303. Section 125(2) of the District of Columbia Sales Tax Act (D.C. Code, sec. 47–2602(2)) is amended by striking out "5 per centum" and inserting in lieu thereof "6 per centum".

SEC. 304. Section 125(3) of the District of Columbia Sales Tax Act (D.C. Code, sec. 47–2602(3)) is amended by striking out "5 per centum" and inserting in lieu thereof "6 per centum".

SEC. 305. Paragraph (a) of section 127 of the District of Columbia Sales Tax Act (D.C. Code, sec. 47–2604(a)) is amended by (1) striking out "and other than sales or charges for rooms, lodgings, or accommodations furnished to transients", and (2) striking out the comma following the word "transients".

SEC. 306. Paragraph (c) of section 127 of the District of Columbia Sales Tax Act (D.C. Code, sec. 47–2604(c)) is repealed.

SEC. 307. Section 212 of the District of Columbia Use Tax Act (D.C. Code, sec. 47–2702) is amended by striking out "4 per centum" and inserting in lieu thereof "5 per centum".

SEC. 308. Section 212(1) of the District of Columbia Use Tax Act (D.C. Code, sec. 47–2702(1)) is amended to read as follows:

"(1) the rate of tax shall be 2 per centum of the sales price of sales of food for human consumption off the premises where such food is sold;"

SEC. 309. Section 212(2) of the District of Columbia Use Tax Act (D.C. Code, sec. 47–2702(2)) is amended by striking out "5 per centum" and inserting in lieu thereof "6 per centum".

SEC. 310. Section 212(3) of the District of Columbia Use Tax Act (D.C. Code, sec. 47–2702(3)) is amended by striking out "5 per centum" and inserting in lieu thereof "6 per centum".

SEC. 311. The amendments made by this title shall take effect on the first day of the first month which begins on or after the thirtieth day after the date of enactment of this Act.

ADDITIONAL STATEMENTS

TELEGRAM TO THE NEW YORK TIMES, JUNE 20, 1972

Mr. DOLE. Mr. President, I am deeply disturbed, but not surprised, that the

New York Times, in a front-page news article this morning, has invented and published completely false and suspiciously misleading information concerning a telegram over my name which in fact I did not send and does not exist.

The Times smugly states that I attempted to instruct key members of the Republican National Committee and others by telegram not to discuss with anyone the deplorable events of Saturday morning at the Democratic headquarters.

This is another obvious attempt by the Times to make news where none exists and to create the illusion of some mysterious connection between the committee and the events when such is simply not true.

I state once again that the Republican National Committee is in no way involved in this matter and that there is no telegrams, no memorandums, and no instructions issued over my signature.

I demand that the Times either produce the alleged telegram or print a front-page retraction of their story.

SALUTE TO EDUCATION

Mr. MOSS. Mr. President, the National Education Association on June 21 is sponsoring a "Salute to Education" aimed at emphasizing the importance of education in a free society.

More than 46 million pupils now in the public elementary and secondary school system are taught by more than 2 million teachers. The Nation's schools, as guardians of our future generations, perform a tremendously important function, caring as they do for nearly a fourth of our population.

It is interesting to note that the total revenue receipts for running the entire public school system are abcut $46.6 billion or slightly more than $1,000 per pupil. At today's astronomical prices this is a bargain.

Is there any man or woman who does not recall, either with fondness or bitterness, his experiences in school? I say this because too many of our children today are shoved into ill-equipped, inadequately staffed schools that too easily degenerate into determent camps where the primary struggle is to maintain discipline rather than instill a love of learning.

Without the proper cultivation of our children's minds, the other natural resources of this Nation are meaningless. It is tragic to shortchange ourselves when it comes to education. No matter what indignities a man may suffer, no matter what material misfortunes may befall him, if he has the ability to think clearly, and the education to dispel fear and ignorance, then that man is rich indeed.

This, after all, is the meaning of education. Whether the end product is a philosopher or a manual laborer is, in a sense, not important. Both are needed by our society. What is important is the quality of the person, the ability to judge between right and wrong, and the ability to respect fellow human beings in their own right.

SUPPRESSION OF HUMAN RIGHTS AND LIBERTIES IN LITHUANIA

Mr. TAFT. Mr. President, I invite attention to the suppression of human rights and liberties of the people of Lithuania by the U.S.S.R. These actions by the Soviet Government violate the Universal Declaration of Human Rights and should be immediately ceased.

I ask unanimous consent that a resolution of the Cleveland Chapter of the Lithuanian American Council on this subject be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION

We, Cleveland Lithuanians and representatives of other nationality groups, whose homelands have been enslaved by the Soviet Union, gathered here in Public Square in Cleveland, Ohio, this 1st day of June, 1972, to protest the severe suppression of human rights in Soviet enslaved Lithuania, have adopted the following resolution.

Whereas, the Soviet Union, acting in conspiracy with Hitler's regime, broke all existing treaties with the Republic of Lithuania and on June 15, 1940 militarily occupied its territory and two days later repeated the same criminal act against Latvia and Estonia; and

Whereas, the tyrannical clique of the Soviet Union has not only refused to leave the Baltic States, but has and still is carrying on physical annihilation, religious and other forms of persecution, together with Russian colonialization and mass deportations of the native population to Siberia and other places with the expressed intent to destroy their national identities; and

Whereas, such prevailing inhuman conditions caused Romas Kalanta, a young Lithuanian to burn himself to death on May 14th of this year in the city of Kaunas in protest to Soviet denial of basic human rights in Lithuania; and

Whereas, Kalanta's funeral precipitated a youth riot, which was brutally suppressed by special Soviet troops, who acting in their barbaric ways inflicted death and injury to many and to this day continue to arrest people by the thousands and in other ways terrorize them.

Now, therefore, be it resolved, that we condemn these savage acts of the Soviets, who use troops to squash the quest for freedom by the Lithuanian patriots and once again remind all that these acts are a direct result of Soviet imperialistic policies that have illegally occupied Lithuania and the other Baltic States; and be it

Further resolved, that we demand the withdrawal of Soviets and the complete restoration of independence of Lithuania and ask the President of the United States to use the position of his office to influence the Soviet leaders to cease their barbaric acts and to stop persecuting the people involved in this ill-fated uprising and all other peoples behind the Iron Curtain; and be it

Finally resolved, that copies of this resolution be forwarded to the President of the United States, Members of U.S. Congress from Ohio, other public officials and to the news media.

Resolution adopted, approved unanimously. On motion of the Hon. Ralph Perk, Mayor of Cleveland, it is also requested that this Resolution be printed in the Congressional Record.

ENFORCING THE GENOCIDE CONVENTION

Mr. PROXMIRE. Mr. President, as I have often stated in this Chamber, the International Convention on the Prevention and Punishment of Genocide is an important contribution to the structure of international law. Some people, however, question whether international law can ever have any meaning. After all, they argue, no power is available to forcibly impose the dictates of international law, so there is no reason to expect it will be obeyed.

But such a view is contrary to experience. The fact is that many treaties are indeed adhered to. Those who denigrate international law often overlook the fact that sanctions are available. Nations have been known to enforce international law with their own power; under the Genocide Convention, the United Nations is empowered to take whatever action it finds necessary for enforcement.

Moreover, the fact is that neither domestic law nor international law depends completely for success on the club of physical prevention and forcible punishment. Drivers obey traffic regulations even when police are not present. Men may obey laws for the sake of mutual advantage, or simply because they believe the laws are just. These motives exist in international law as well. At a Senate subcommittee hearing in 1970, U.S. Ambassador to the United Nations Charles W. Yost said:

I am well aware that the building of a body of law in the community of sovereign nations is an agonizingly slow and difficult process. But surely the necessary foundation of any effective law, whether domestically or internationally, is public opinion, and a broad public consensus as to what is right and what is wrong.

This Genocide Convention is an assertion by the community of nations that a certain particularly heinous act, perpetrated against any national, or ethnic, or racial, or religious group whatsoever, is wrong—wrong not only in the domestic law of this or that State, but wrong also in the law and opinion of the community of nations itself.

If such a consensus exists, it might be asked why a formal law is necessary. Mr. Bruno Bitker, a Milwaukee attorney, provided the answer at the 1970 hearings:

The requirements of morality are more likely to be recognized, if they are also the requirements of the law. Who dares now assert that the existence of such a treaty would have been without any effect on the international community, and more specifically on the United States, in the earlier days of the Nazi regime?

The enforcement of international law, like the enforcement of domestic law, cannot be perfectly guaranteed. But surely a precondition for obedience is a clear statement of what should be enforced. Seventy-five nations have agreed that genocide is criminal. The United States ought not continue to dissent from that judgment by its inaction.

I urge the Senate to take up and ratify the Convention on Genocide immediately.

BEEF PRICES ARE REASONABLE

Mr. DOLE. Mr. President, in 1952, the average American citizen consumed 56 pounds of beef. Today, that average citizen is consuming 115 pounds of beef and

by 1980, he will be consuming 130 pounds of beef. It is easy to see that we like beef, and over the years we have developed our taste for beef. This increase in consumption has brought about a tremendous demand for beef at the same time our population has expanded greatly.

PRODUCTION UP 2½ TIMES

Typical of the ability of the American farmer, he has rallied to this demand and is now producing 2½ times as much beef now as he was 20 years ago. And he is making the plan to produce more to meet future demands. He does not receive a subsidy for raising cattle. He receives what the market pays, according to the demand that is created by the housewife.

As long as our farmers are able to receive a good price for their cattle, they will continue to expand their production, and beef prices will remain stable and reasonable. Regardless of what one hears or reads, the prices we are paying in the markets today are reasonable, and produce a reasonable margin for the farmer.

The farmer is receiving about the same price he was 20 years ago.

Would we be satisfied to receive the same income we did in 1952?

BEEF PRODUCTION INCREASING

Some pressure groups recommend price controls for meat and foods. This is not the answer. Farmers are responding to the increased demand. They are producing more calves, but they have to operate under the gestation limit of mother nature and the time it takes to feed out these animals to produce the type of beef you want to buy. Price controls would merely stifle this production increase and promote circumvention of such regulations as were experienced during the war years.

INCREASED MEAT IMPORTS?

Others have suggested that the imports of red meat be increased. This would increase the supply of the cheaper meat used in hamburger and processed meats. Cattle produced in foreign countries are grazed on ranges and not fed the controlled feed ration and supplements that our cattle receive. As a result, this beef is not as tender as the type of beef we like for steaks and roasts, and is used for hamburger, hot dogs, luncheon meats, and the like. An increase in these imports might provide some temporary decrease in a few meat prices; however, the constant demand for better beef cuts would maintain those prices.

FARMERS DESERVE A PROFIT

With cattle prices now at the same level as 20 years ago, the farmers raising these animals have faced the same continuing increased costs as all segments of the economy. He pays more for his trucks, for his feed grinders, for his lumber and concrete, and, yes, for his food. He deserves a raise—an increase in income the same as the rest of the economy.

Mr. President, I ask unanimous consent that the remarks of Secretary of Agriculture Earl Butz at the Fourth Annual Symposium of the California Livestock Association, Fresno, Calif., on June 15, be printed in the RECORD. Secretary Butz explains in detail the importance of maintaining the present supply and demand posture in the livestock business in order to assure a continuing increase in meat supplies.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

ANATOMY OF THE BEEF PRICE SITUATION

(By Earl L. Butz)

We've been fighting a rather extended public and private battle these last few months over food prices, meat prices specifically, and beef prices in particular. The charges and the counter-charges in the controversy sometimes have been as thick as victory claims before a primary election. I've made it quite clear where I stand on the matter.

When cattle prices in Omaha reached the level of 20 years earlier, I said—it's about time! And I meant it. After all, during the same period, farm production costs doubled and hourly wages of the Nation's labor force more than doubled.

When the Price Commission wanted to investigate beef prices, I said—go ahead! And I meant it. I know farmers and ranchers have nothing to hide. And, as the facts have been examined, the beef producer has grown in stature in the eyes of the public as the public gained a better understanding of the farmer's contribution to the economy, his magnificent performance in feeding the nation, and his burdensome problems.

Most important of all, the increased understanding of the soundness of the beef producer's position prevented controls from being placed on meat prices. I'm proud to have been in this fight. Shortly after the Academy Awards were presented, the Newspaper Farm Editors of America presented me with a symbolic "Wounded Steer Award" for my efforts to fight off beef price controls. And that trophy sits proudly behind my desk.

No fierce competitor can afford to stand—or sit—on his laurels, however. After a couple of months' decline in meat prices, there was a slight upward movement again in late May. The Price Commission and the cheap-food advocates are growing restless again, so I'm now back on my horse again, riding the same trail—firing the same facts—seeking public understanding of beef prices and beef production. Tonight, at this great livestock gathering, in this great cattle state, I want to set forth some hard facts and a very straightforward explanation of the reason why beef prices have improved and what we can expect in beef prices down the road.

To begin with, let's take a look at beef prices. Beef prices are demand-dominated prices. In the short run, you just can't get any more beef—the supply is invariable because beef is so perishable. Price, then, at the moment is basically determined by consumer demand. If demand surges upward, beef prices will climb. If demand falls off, beef prices will drop.

This is in contrast with something like refrigerators which are supply-dominated. Refrigerators are made at a factory and factory prices reflect all the costs of production along the way as well as a profit for the manufacturer. Refrigerators won't spoil. They can be stored or moved from San Diego to Sacramento. If demand is off, refrigerators are held. If demand is up, more refrigerators can be brought from the warehouses or can be built quickly. Another fact: Refrigerator prices climb each year, usually with a new model, but they seldom fall. These are hard consumer costs—they are firm—they keep moving up. Meat prices are soft consumer costs; they fluctuate; they move up and down.

So, the beef price situation is affected by this fundamental principle—beef is a demand-dominated market.

Farmers and ranchers have increased their beef production by a magnificent 2½ times in the last 20 years—from 8.8 billion pounds in 1951 to 21.9 billion pounds in 1971. Now that's a tremendous increase. Normally, an increase of 2½ times in beef production—while the population increased by only about one-third—would tend to depress beef prices. But it has not.

Beef prices have not been depressed because this increase in production has been in response to a remarkable increase in beef demand. In fact, in the last 20 years, annual beef consumption per person in this country has doubled—from 56 pounds per person 20 years ago to 115 pounds per person today.

Several factors are responsible for doubling our demand for beef:

The rising affluence of the American Consumer—Rising real wages have had a marked affect upon buying habits. People want beef—and, as they have enjoyed more and more real wages, they have been buying more and more beef—and better quality beef, too. This is by far the greatest single factor in increased beef consumption.

Substantial increases in the Food Stamp Program—Food Stamp expenditures have leaped from $250 million in fiscal year 1969 to $1.9 billion during fiscal year 1972—a 660% increase. In April of 1972, 11.5 million people were participating in the Food Stamp Program. One of the first items purchased with added dollars in the food budget by consumers eligible for Food Stamps is meat, preferably beef.

Widespread boosts in welfare payments—Programs at all levels of government have vastly increased welfare payments to those on the lower end of the economic ladder. The tendency to transform added income into an improved diet is greater at lower income levels. So, a substantial portion of each welfare dollar goes for good food. In a preponderance of cases—that means an increase in meat purchases, beef wherever possible.

This is as it should be. Not only are we dedicated to eliminating hunger, we also want people to enjoy the great productive affluence of this nation.

Since beef is a demand-controlled market, it is only reasonable that the constantly increasing affluence of the American consumer, abrupt increases in Food Stamp use in the last three years, and rising welfare benefits would have a marked upward effect on beef prices. This is precisely what has happened. The supply of beef could not change quickly. The only way supply could really have increased measurably in the short run would have been to slaughter cows and heifers. And when that happens the piper really has to be paid 18 months later. Instead, prices have increased—giving signals through the market to the beef producer that increased supplies are needed. In a nut-shell, beef prices have risen because of increased consumer demand, and this is a market signal to induce increased beef production.

To better understand the beef supply situation, let's look at how farmers have increased beef production by 2½ times in the last 20 years, and meat imports as well:

Increased Beef Cow Numbers—The size of our beef cow herd has expanded over the past 20 years. The number of beef cows was about 20 million in 1952. Cow numbers now total nearly 39 million. That has been a gradual increase—but it's been a key factor in increasing beef supplies.

Switches from Dairy to Beef Production—In the last 20 years, the number of milk cows has dropped from 21 million to just over 14 million. Some cows once kept for dairy purposes—and entire herds in many cases—have been replaced by beef animals.

Increased Beef Feeding—This is by far the largest single factor in increasing our beef production. Evidence is clear—20 years ago only ⅓ of our beef was Choice grade; now

60% is Choice grade. Whereas about ⅓ of our beef was fed beef in the mid-40's, and less than half was fed beef 20 years ago, more than three-quarters of it is fed beef today.

We've got to where we feed out almost anything that can hold a mouthful of feed. We used to knock some dairy bull calves in the head—now we feed them. We used to slaughter the meatier dairy calves for veal at 150 pounds—now we feed many of them to 1000 pounds. Veal production has dropped drastically—from nearly one billion pounds in 1951 to just over a half billion pounds in 1971.

Increased Beef Imports—Beef and veal imports have increased even faster than our beef production—they are 3.7 times larger than 20 years ago. However, beef imports amount to only a small percentage of our total U.S. beef consumption—less than 5%.

Now, the real question is, given our sources of increasing beef supply, how do things look down the road? First of all, to get the full picture, we need to look at projected consumption trends.

Annual beef consumption per person will soon reach 120 pounds, and the projection for 1980 is 130 pounds per person. This, coupled with the projected population increase, will demand a one-fourth increase in beef tonnage in just the next eight years.

No matter how we slice it, that increased beef tonnage is going to be hard to come by. To see why, let's look closely at the potential in the various sources of increased beef supply:

We don't have a place for very many more cows—We can't add too many to the range where grass is already short and where the water supply is limited. In the Corn Belt, on level land where corn is king and soybeans are queen, beef cows can't really compete; the economic facts are that Corn Belt farmers can make more profit per acre raising corn and soybeans than beef calves. Some increase in cow numbers is possible in the fringe area of the Corn Belt—at the margin we say. These are usually rough areas where some years a farmer can make more money with corn and beans, and other years beef cattle would be more profitable. He will go with the one that looks like the best bet—so there is marginal potential for increasing cow numbers on the fringe of the Corn Belt. The South is the primary area where cow numbers are likely to increase.

We have made most of the shift from dairy to beef—Most of the marginal dairy cows have been culled and most of the marginal dairy herds have already given way to beef herds. This transformation is nearly completed.

We have closed the greatest part of the feeding gap—The prospects for increasing beef production through feeding really boil down to increases in efficiency. Probably we cannot achieve the increases in efficiency through feeding which we have in the last twenty years—though it is possible to make further improvements.

Meat import supplies just aren't there—Even without meat import quotas, it would be difficult to import more beef and nearly impossible to get the more costly high quality beef the American consumer prefers. Worldwide meat demand has escalated in relation to supply. The European Community has become an extremely competitive market for the major beef exporters—Argentina, Australia, and New Zealand. United Kingdom beef markets are taking Irish beef which might have come to us. Internal beef demand in Canada will reduce potential Canadian shipments to the U.S. And New Zealand's beef supply is down. And around the world, because of attractive prices, cattle producers are holding back cows and heifers for herd building that might otherwise have been slaughtered. It is simply a fact that a cow produces just one calf a year, and in times like these modern livestock industries save females for breeding.

So, the prospects down the road are for beef prices to be strong as long as beef demand is strong. In the long run, increased beef production will occur at the margins: 1) in those fringe areas of the Corn Belt and elsewhere as beef production is weighed against other attractive alternatives; 2) in shifts from dairy to beef production, which from now on will be limited; 3) at the feeding margin where maximum efficient feeding periods and maximum feeding efficiency have been nearly reached; and 4) in the international market as the growing worldwide demand for beef makes other markets an increasingly better outlet for beef export nations.

No matter which margin is approached, there must be ample inducement if beef production is going to be increased. That inducement must come in the form of beef prices—prices substantial enough to induce the Corn Belt farmer to raise cows and calves instead of corn and soybeans, prices substantial enough to make beef production more profitable than dairying, prices substantial enough to make longer feeding pay, prices substantial enough to outbid beef buyers in other parts of the world.

The chief source of increased beef production will be in this country, with the people who are now in the beef business. But it must be clearly understood that increased beef production will not be automatic. There must be profit in it. If we are going to get more beef production—it's got to be profitable enough to pull the resources involved—financing, land, labor, equipment, and management—away from other alternatives.

I'm really saying that the facts of the matter don't indicate markedly cheaper meat prices down the road. But the way to increase meat supplies is to have strong prices. That will induce gradually increased beef production.

But beef prices are not high. Every American needs to understand that fact. What has happened with meat prices happens all the time with other goods we buy. We demand better quality in a product—greater safety, more convenience, freedom from pollution. These items cost more, and when they are built in, we pay for them. This is true with services, too. We expect it. We know that if we're willing to pay more, we'll get more.

Well, it's time that every citizen faced the same cold facts in agriculture—in the food industry, especially with meat. If we want more meat—and we seem to—then we've got to pay a fair price for it if we expect the farmer to produce it. It's as simple as that.

Looking still further down the road, if we want to assure a still larger supply of good meat for the increased numbers of our children and grandchildren who are growing up, the best way to achieve that will be to put a little profit on the range and in the feed lot. In this respect, the beef industry is just like every other sector of our great American economy.

RUNAWAY FATHERS

Mr. MOSS. Mr. President, the Committee on Finance has made several important recommendations on child support in the welfare provisions of H.R. 1, the social security bill, which it recently ordered reported. Notable among them is the amendment extending access to Federal records to any parent seeking support from a deserting spouse regardless of whether the family is on welfare. This step is long past due.

The heartbreak and frustration of attempting to find fathers who have fled from one State to another to escape contributing to the support of their children is equally as great for nonwelfare families as it is for those on welfare. However, until now nonwelfare families have had few resources to help locate runaway fathers. State and local law enforcement agencies have had neither the staff or the funds to run down deserting fathers who disappear without a trace or who are adept at playing hide and seek, eating up the time and resources of those trying to locate them.

Three-fourths of the 1,630,000 families on welfare live in homes where the father is absent. In 44 percent of these situations the fathers have deserted their wives or never married the woman in the first place. One can only guess at what the figures might be for nonwelfare families in similar situations since there is no information available. However, the problem does exist and we must deal with it.

I have been interested in locating runaway fathers for many years. As a former Salt Lake County attorney and a two term president of the National District Attorneys Association, I know from firsthand experience how tragic and often hopeless locating a deserting father can be. Recognizing the need for a satisfactory system to locate these fathers and secure support money from them, I introduced a bill in the Senate in July of 1959 that would allow the Secretary of Health, Education, and Welfare to supply from the social security files the most recent address of fathers certified as having failed to support their families who were receiving welfare. The bill created enough pressure that this was made possible through administrative action and I withdrew my bill.

The amendment proposed by the Committee on Finance goes one step further and allows those files to be opened up to any parent or the attorney of that parent seeking information on a deserting spouse.

We therefore no longer discriminate against nonwelfare families in not providing the same information provided to welfare families. By assisting nonwelfare families in this manner, it may be possible for mothers to obtain the support for their children, which is rightfully theirs, before it becomes necessary to look to welfare for that support.

We must take all possible action that will discourage child abandonment. In far too many instances, fathers today simply ignore their responsibilities to their own children leaving the burden of caring for them to the taxpayer through the welfare system. We need to expand our present machinery to locate these deserters and compel them to live up to the responsibilities which they assumed when they became parents. I hope that Congress will see fit to retain this amendment.

TRAUMA CENTERS

Mr. BEALL. Mr. President, improving emergency care and services has been one of my major goals. In my State, we have the most sophisticated trauma centers in the Nation.

The President has rightfully recog-

nized that the know-how and technology that is saving lives in Vietnam can perform similar "miracles" here at home.

The current issue of U.S. News & World Report features this problem and discusses some of the efforts that are underway in the country. I am convinced that once the American public understands the gap between what we are capable of doing in this area and what is actually being done today, for the most part that they will demand that we improve our domestic emergency care and services. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHERE MINUTES COUNT: DRIVE FOR BETTER EMERGENCY CARE

Getting under way across the country is a medical offensive aimed at keeping people alive after often fatal kinds of emergencies such as auto accidents, shootings and heart attacks.

It's a drive that involves the whole range of emergency care—from quicker dispatching of ambulances to the initial treatment a doctor furnishes in a hospital.

More than a million lives are lost each year in crisis situations. Medical authorities estimate that wider use of new techniques and equipment could prevent 60,000 of these deaths.

The condition of most emergency care in the United States today has prompted some doctors to say a soldier wounded in the rice fields of Vietnam gets quicker and better care than he would as the victim in the average automobile accident in a big city back home. That is beginning to change, although slowly in many areas, as studies by governmental and medical authorities indicate. In more detail:

HALF THE BATTLE: GETTING VICTIMS TO THE HOSPITAL

Some 16 million people in 185 U.S. communities already can avoid needless—and often fatal—delay in getting an ambulance simply by dialing 911 on their telephones.

When the number is dialed, a switchboard automatically sends the call to a central dispatching office. There, a dispatcher alerts the nearest vehicle which is equipped to handle the emergency.

American Telephone & Telegraph Company, which installs the system in cooperation with its Bell affiliates and local governments, plans eventually to place it in every part of the nation. Red tape, however, is holding up installation in many areas. One example:

Several local governments often share one 911 system. In metropolitan Birmingham, Ala., 47 separate communities are on a single emergency circuit.

In such cities, before the system can operate, local agencies must agree on who has jurisdiction in a particular crisis and how much of the costs each will pay. This is a slow and controversial process. Birmingham took years to get its 911 system into operation, and officials say that some problems remain unresolved.

CRITICAL 4 HOURS

Ambulance delay accounts for needless death for thousands and pain for millions each year. More than half of the 675,000 heart-attack fatalities occur within an hour of an attack. On a national average, victims must now wait about four hours before receiving expert care.

The big drive is to reduce this delay. Some health officials are doing this by stationing ambulances, with two-way radios, at strategic spots around a city—such as parking lots or shopping centers. When an emergency occurs near the ambulance, the crew is dispatched via radio, saving perhaps an hour or more.

A problem is that relatively few of the nation's 44,000 ambulances are equipped with radios. Only 6 per cent have two-way sets. Only 57 per cent have even one-way, dispatch radios.

Top-notch ambulance service—such as that in Baltimore, Chicago, Seattle, and Jacksonville, Fla.—is using not only two-way radios, but such items as electrocardiograph (EKG) machines, telemetry systems and defibrillators.

LONG-RANGE DIAGNOSIS

EKG machines are used to measure heartbeats, and telemetry is the system that monitors the health of astronauts on moon flights. By linking the two in an ambulance, doctors at work in a hospital are able to keep track of a patient's condition—even though he is miles away, still en route.

The doctors can radio the ambulance team instructions aimed at keeping the victim alive. Using this system, highly trained ambulance attendants can perform many services normally reserved for doctors—when State law permits.

As a practical example: One third of all heart-attack deaths are accompanied by fibrillation—a wild shuddering of the heart that prevents it from pumping blood. With proper training, an ambulance crew that finds such a victim can use a defibrillator to administer an electrical shock.

This stops the shuddering and allows the heart to resume its normal function. Doctors says this technique could save lives if the equiment is available and the crew trained. With defibrillators, a mobile coronary-care unit in Seattle was able to save 42 of a total of 324 victims—13 percent—over an 18-month period.

Ambulance teams, under a doctor's supervision via two-way radio, can handle several other "paramedical" duties, including:

Giving transfusions and medication—orally, intraveneously or by hypodermic needle.

Performing such minor surgery as tracheotomies—opening a small hole in the neck's air tube in order to prevent suffocation.

More and more ambulance teams are learning these functions, in addition to providing such advanced first-aid services as stopping bleeding, applying splints and tourniquets, and giving closed-chest heart massages.

Says Dr. Roy M. Baker, medical adviser to Jacksonville's highly regarded ambulance service:

"With telemetry and under supervision, our ambulance technician *is* the doctor on the scene. He is simply an extension of the doctor's arm."

Jacksonville's ambulance service, a branch of the city's fire department, is staffed with 63 experienced firemen who volunteered for the duty. They receive 50 hours of first-aid training, followed by 100 hours of hospital training.

SPEEDY VIRGINIA SQUAD

Former President Lyndon B. Johnson got a sample of first-class ambulance service in April, when he suffered a heart attack while visiting his daughter in Charlottesville, Va. An ambulance from the Charlottesville-Albemarle Rescue Squad—stopping at the nearby University of Virginia Hospital to pick up a doctor and an unusual cardiac-rescue system—sped to the former President.

This rescue system, consisting of a battery-powered EKG machine and a defibrillator, carried in two small boxes, can be taken to the patient's bed.

But the experts say that most ambulances are poorly equipped and often manned by untrained attendants.

The fact is, only 37 percent of the vehicles used across the country to rush patients to hospitals are actually ambulances, according to a survey by the Department of Health, Education and Welfare. Another 9 per cent are rescue vehicles. The remaining 54 per cent are hearses, station wagons, vans and trucks.

Another HEW survey shows that in 27 States, only 42 per cent of the ambulances carry even such rudimentary equipment as leg splints. Typical ambulances may carry little more than oxygen tanks and bandages.

One reason for the sparse equipment: Few ambulance teams are trained to use the sophisticated equipment and techniques that are available today. Medical authorities say that up to 300 hours of training is needed for attendants to master such procedures as defibrillation. In fact, officials would like to see all attendants eventually become paramedics—technicians with two or more years' formal training.

That is a distant goal, they admit. At present, only an estimated 5 per cent of the 220,000 ambulance drivers in the United States have received even the 80 hours of training recommended by the Department of Transportation's National Highway Traffic Safety Administration. Nearly 40 per cent have had only standard first-aid training or none.

COSTLY PROGRAMS

Main reason for poor training and equipment is expense. Nearly 60 per cent of U.S. ambulances are operated by commercial concerns—including 44 run by funeral homes and 14 per cent by other businesses.

In addition, 24 per cent are provided by volunteer groups, and 13 per cent by police or fire departments.

Ambulance service is seldom a moneymaking proposition. Across the country, such services are able to collect only 60 to 65 per cent of their charges, and in some areas as little as 10 per cent.

Three quarters of the undertakers say their ambulances are losing money, and continue to operate only as a public service. Losses are written off as a form of advertising and good will.

But costs of this service are rising rapidly. So is pressure from federal and State governments for better equipment and training.

One third of the undertakers surveyed by HEW said they intend to drop the ambulance service as soon as 1966 federal standards become effective in their States. This trend has already started, even though many States have yet to enforce the standards.

In many cases, undertakers are replaced by commercial services, branches of local government, or volunteers. But in some cases they are not replaced at all, and ambulance service stops.

"ATROCIOUS" MINORITY

The economic plight of the business has encouraged what authorities call "atrocious" conduct by a few unscrupulous ambulance operators. Some undertakers have taken away the dead at disaster scenes and left the injured to wait. A few commercial operators have refused to pick up patients who could not pay the fee.

Some communities, in an effort to avoid these abuses, have organized volunteer rescue units. About a quarter of the nation's ambulance service is provided by such groups. Government surveys rate their services from poor to quite excellent.

To pay for highly expensive equipment, volunteer groups must often turn to cake sales and door-to-door canvassing. Says one federal official:

"These volunteers are highly motivated people, but it may take as many as 30 of them to provide two-man, round-the-clock, seven-day service."

Alabama Governor George C. Wallace was provided with volunteer service at its best in early May, when a would-be assassin shot him at a Laurel, Md., shopping center.

An ambulance from the Laurel Rescue Squad, stationed only four blocks away, sped

the Governor to Holy Cross Hospital in nearby Silver Spring, where a team of surgeons saved his life.

Laurel's squad is made up of 200 volunteers—some of them firemen and policemen from Washington and Baltimore. Squad members receive up to 200 hours of training. They regularly donate time to man the squad's fleet of emergency vehicles—including ambulances, rescue trucks, even an airplane and a 60-foot boat.

"It's just something we felt had to be done for the community," says Lt. Finley G. Docarmo, a squad officer. "Either the volunteers do it, or it doesn't get done."

In an effort to bring ambulance service up to grade nationwide, Congress in 1966 passed the National Highway Traffic Safety Act, which ordered the Department of Transportation's National Highway Traffic Safety Administration to set federal standards.

This agency has provided 50 percent matching funds for localities to buy 1,500 modern ambulances costing as much as $15,000 apiece. Also, 25,000 ambulance attendants are expected to receive the recommended 80 hours of minimum training by July 1.

THE OTHER HALF OF THE BATTLE: IMPROVING EMERGENCY ROOMS

Getting the patient to an emergency room rapidly is part of the fight. But in hospitals, too, advances are under way—in the face of growing problems. The number of patients crowding into emergency rooms has tripled in the past 14 years, as the chart on page 78 shows. In 1972, 60 million American may have to use them.

Dr. Reinald Leidelmeyer, a cofounder of the American College of Emergency Physicians, cites two reasons for the avalanche of patients:

"In the first place, the American people have become enormously mobile. It is a rare occurrence, indeed, that a newcomer to an area takes the time to find himself a physician before he really needs one.

"Secondly, the family physician—who had been the focal point of initial medical care through the ages—became more and more scarce. And when he was available, he was in a chronic state of overexhaustion."

As a result, a patient now has two choices: He can spend weeks waiting for a doctor's appointment, or he can turn up at a hospital's emergency room where he may wait several hours before eventually getting treatment.

Actually, only a third of the millions of patients have true, life-threatening emergencies. Another third have serious, but nonfatal, conditions that need treatment, such as broken bones or sudden illnesses. The other third have relatively minor complaints—such as viruses and influenza. They turn to emergency rooms often because they cannot find or afford a private physician to help them.

UNREADY HOSPITALS

This army of the ill has caught the nation's 7,000 hospitals unprepared. For one thing, only 17 per cent of the emergency rooms have a physician on hand 24 hours a day. And even if a doctor is on duty, he may not be competent to handle a particular situation. Dr. Leidelmeyer put it this way:

"In the hospital where I work, an ophthalmologist—who had done nothing for years and years except measure refractions and write prescriptions for glasses—was suddenly forced to deliver a baby. Everything apparently worked out well, but it was obvious that the patient came out of it in a better condition than the physician."

Increasingly, many hospitals no longer man their emergency rooms by rotating their entire staff of physicians, interns, nurses and technicians. Instead, they are turning to new methods to provide well-trained personnel 24 hours per day.

In Pontiac, Mich., about 30 doctors with a variety of specialties contract to staff the emergency room at all times. Such a large number enables each of them to maintain a private practice.

In an Alexandria, Va., hospital, on the other hand, the emergency ward is run by only four doctors who do not keep a private practice.

Variations of both plans are being adopted across the country.

Behind these changes is a growing conviction among doctors that emergency medicine is becoming more and more a professional specialty. Some medical schools are setting up residency programs to train emergency physicians. Some hospitals are upgrading their emergency rooms to departmental status—with bigger budgets, better-trained staffs and more clout in hospital hierarchies.

Medical authorities report that a big problem for emergency rooms is the same one that faces ambulance services—expense. Hospitals also have a difficult time collecting bills from emergency patients. Many hospitals say they cannot afford to maintain well-equipped and staffed emergency wards.

REMOVING DUPLICATIONS

Now beginning is a major effort to cut out needless duplication in larger cities with many hospitals. In such cities, instead of each hospital trying to maintain a full emergency department capable of handling all problems, the institutions are encouraged to specialize in a particular medical problem, such as burns or childhood diseases.

It is agreed that problems for ambulances and emergency rooms are complex and even formidable. Yet there is evidence that enough progress is being made so that, in the next decade, many thousands of lives now lost to heart disease and trauma will be saved.

Accidents, the chief cause of trauma, in 1971 cost the United States—in terms of property damage and the victim's lost productivity—an estimated 28 billion dollars. President Nixon commented in his 1972 state-of-the-union message:

"These are sad and staggering figures—especially since this toll could be greatly reduced by upgrading our emergency medical services. Such improvement does not even require new scientific breakthroughs; it only requires that we apply our present knowledge more effectively."

One question is: Who will pay? Authorities say it will cost about 2 billion dollars a year—beyond the estimated 75 billion now spent on health—to supply the country with adequate emergency medical care.

As a starter, President Nixon has authorized 8.2 million dollars to be spent by the year ending June 30, and 15 million the following year, to build five model emergency medical systems around the country.

Many doctors would like to see more federal funds invested in emergency medicine—enough to help insure the saving of 60,000 lives a year.

THE THREE "SUDDEN KILLERS" THAT TAKE A MILLION LIVES A YEAR

Heart attacks claim 675,000 lives a year in the U.S., are the leading single cause of death. Sixty per cent of the victims never reach the hospital.

Stroke, a sudden blood clot or vessel rupture in the brain, kills 211,000.

Trauma—often called "the neglected disease of modern society"—strikes down nearly 155,000 people each year. Trauma is a little-understood condition inflicted by a serious wound. It can be caused by highway accidents, shootings, burns, other catastrophes. Trauma has become the fourth leading cause of death for all ages.

A LESSON FROM VIETNAM: SAVING LIVES BY HELICOPTER

To speed medical aid to injured and seriously ill, a growing number of States and localities are lifting a technique right out of Vietnam:

They are using helicopters to transport trained "paramedics" to isolated patients, then fly the patients back to hospital emergency rooms.

Helicopters can whirl into a spot so remote—such as a mountainside or swampland—that an ambulance could never reach it, and deliver relief that would otherwise be delayed for hours.

One example: When a school bus overturned near Salida, Colo., nine football players aboard the bus died immediately, and many others were seriously injured. Salida's tiny hospital could not handle the sudden deluge of patients.

The local sheriff summoned three Army helicopters, manned by medical corpsmen from Fort Carson. The copters arrived an hour later and airlifted 15 of the most serious cases to St. Luke's Hospital in Denver, 125 miles away.

FEDERAL AID

These helicopters were a part of a joint project of the Departments of Defense, Transportation, and Health, Education and Welfare called MAST (Military Assistance to Safety and Traffic).

In the project, military helicopters at five Air Force and Army bases in Arizona, Colorado, Idaho, Texas and Washington are on constant call to provide emergency medical services for isolated areas nearby.

Project officials say the effort costs little or nothing extra, because the helicopters and crews are members of air-rescue units already stationed at the bases. Instead of training runs, they fly humanitarian missions—more than 1,000 since the program began two years ago.

The aircraft are the kind used in Vietnam—Army "Hueys" and Air Force "Huskies." They are manned by a pilot, copilot and two medical corpsmen, and can carry three patients easily.

MAST has been so successful that officials are considering expanding it to include 18 more bases across the South and West.

State and local governments also are beginning to use helicopters, often bought for civil-defense or law-enforcement purposes, as ambulances. State National Guards and Army Reserves are now operating 1,800 helicopters, and State law-enforcement agencies, with grants from the Justice and Transportation Departments, have purchased an additional 100.

In Maryland, three State-police helicopters serve as ambulances to deliver serious accident or heart-attack victims to the University of Maryland Hospital's trauma-study center.

"The helicopters put everybody in the State within one hour of the trauma center," says Dr. R. Adams Cowley, director of the center.

LANDING, COST PROBLEMS

Most medical authorities warn, however, that helicopters have their limitations as ambulances.

Says Dr. Dawson Mills, director of the National Highway Traffic Safety Administration's emergency medical service:

"The troubles with helicopters are twofold.

"First, they're no good in an urban environment. They can't land amid traffic jams, high-rise apartments and power lines. Their usefulness begins 30 miles outside cities.

"Secondly, they're too expensive for most agencies. The helicopter alone can cost $130,000—without the crew's salary."

Still, where they are in use, helicopters are providing quick ambulance service and saving lives.

ADDRESS BY MRS. ESTHER PETERSON

Mr. MOSS. Mr. President, Mrs. Esther Peterson was awarded an honorary doctorate at the commencement exercises of the University of Utah in Salt Lake City on the third day of June 1972. Mrs. Peterson delivered the commencement address at that time. I have known Esther Peterson for many years. She is a native Utahan and many of her family live in our State today. They are leaders of our community. Esther has not lived permanently in Utah for a good many years.

Nearly all of the members of this body know her for her work here in Washington, where she served as the first Consumer Affairs Representative in the Executive Office of the President under Lyndon B. Johnson. She established that office, which has become so important in our Government. Presently, she is working for private industry in the Washington area.

What she said in her commencement address is thoughtful and challenging, and I believe should be brought to the attention of the Senate. I therefore ask unanimous consent that the address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

1927–72

(By Esther Peterson)

I am honored and moved to be here today: honored, because this is a fine university with a great tradition; moved, because Utah is home. And when you come home, things come together—you think about what you carried away years ago . . . and where you've been in the meantime.

During the last few weeks, I've been wondering what I could say to you that would be meaningful. I asked a friend at the university what I should talk about. "Just talk about what it was like for you when you were starting out and what it's been like since," he told me.

I remember my own graduation day at BYU in 1927, 45 years ago, but for the life of me I can't remember the commencement speech.

My youth was a time of great innocence. Like so many others in my graduating class, my concerns centered around school—grades, dates, and social affairs. I comprehended little of what transpired beyond BYU's halls, and, to tell the truth, I didn't care very much either.

In a sense, my class reflected the period in which we lived—a period so unlike yours today. America was riding a wave of hope then. We had won the "War to End All Wars," or so we thought. At home, universal prosperity had been proclaimed—a chicken in every pot, a Ford in every garage. America was keeping cool with Coolidge; and the business of America, according to substantial citizens, was business. Horatio Alger was the mythic hero of the day, setting us an example of success through will power. The social gospel was if you failed, you had only yourself to blame. Women had won the vote, but it was still a man's world, much more than it is today.

Of course, there was a world I and my class did not know about. Underneath the calm surface was a seething discontent. If we had had radio or TV then, we might have known about it. This other world was one of low wages with no security and little protection for most working people. There was hunger and sickness for thousands of would-be Horatio Algers, but people of substance took little notice of them. Anyone who questioned this order of things, in even a gentle way, as Norman Thomas did, was said to disturb the peace. Even now, some people would like to return to those days of not seeing and, therefore, not knowing.

My first encounter with people disturbing the peace, or "troublemakers" as they were called, came in 1918 during the great railroad strike. One of the students who boarded in our house was hired to help break the strike at ten dollars a day, about twice what railroad workers then earned. When he was taken to the job in Salt Lake, I went along for the ride. I was twelve at the time. I remember the turmoil, and police on horses pushing back the crowds to form a path for our open car. We were forced to stop for a moment next to a woman with two children. She was so close I could have reached out and touched her.

"Why do you do this to us?" she asked, her eyes full of hurt more than anger.

Her look and her question haunted me, but I did not begin to understand what she meant until years later when I first saw working conditions and started to disturb the peace a little myself.

What lay before the young college graduates in 1927? For men it was business or profession—my sisters married doctors and a lawyer. My brothers went into business and the law. For women it was largely teaching or nursing. I set off on what was one of the few professions open to women—teaching school. At least that was what I thought at the time. Why not law or medicine, science, economics or mathematics? Girls just did not go into these fields. A few did, but most of us just didn't try. Of course all of us had the usual alternative—get married. We didn't even consider doing both. The idea was to rear a family, be a helpmate to your husband moving up the career ladder. Achieve through his career. Entertain his clients and customers. Participate in community activities which reflect to his credit. Protect him as much as possible from the worries of family life and the disciplining of the children, and by all means, don't get involved in any controversial, political, or social issues. For that would hurt your husband's career, besides being most unorthodox.

How fortunate I was a few years later at Columbia University to meet, fall in love with, and marry a man who thrived on social controversy and believed everyone, including women, including his wife, should participate in it. Looking back as a long-liberated woman I feel that my husband was and is one of the first liberated men, one who never felt threatened by his wife's work or interests. One who shared the problems, chores and worries of rearing a family of four children, while also sharing all the joys of that condition, and who allowed and encouraged me to be my own person in the maelstrom of politics and in the pursuit of a succession of unexpected careers.

We used to go to meetings where current issues were hotly debated, then sit on a park bench afterwards, arguing, until the park closed. Gradually, the philosophy I had been raised with fell apart—the philosophy that nobody was making too much money, that it had to be only your fault if you were not successful.

In these days of affluence, it is difficult to imagine America of the Thirties. People were frightened and desperate, and suicides were common. People worried about having children they might not be able to feed.

I started teaching in Boston and did volunteer work on the side at the YWCA, working with women from the factories. (We were raised in the Mormon Church to give freely of our time.) That's where I first started thinking about measuring reality against principle.

We talked a great deal about the principle of brotherhood at the YWCA. If we believe in brotherhood, we asked, why do we have separate Y's for Negroes? Why don't we integrate? We were just beginning to wrestle with a simple question like that. Several years later, the YWCA was integrated. It wasn't easy, and it still isn't perfect, but the principle had been established, and there was no going back.

The work at the YWCA led to involvement in the Amalgamated Clothing Workers, which led to the opportunity to work at the Bryn Mawr Summer School for Women Workers in Industry and then as a lobbyist in Washington. None of this was planned; if I had tried to plan it, it probably would not have worked out this way.

During the '40s in Washington, I came to know Utah's own Senator Elbert Thomas, the man who had much to do with the new social and economic underpinnings of our present society. He used to say that the future of America depended on its ability to measure its actions and achievements against the principles set down in the Constitution and the Bill of Rights. (It was a sad day when he was voted out of office as the result of the vicious and dishonest campaign waged against him.)

In working with Senator Thomas, I learned more about the importance of reaching agreement in *principle* with people of other views, then working to make reality conform with that principle.

The Minimum Wage Act of 1938 was an example of this approach. The *principle* was that if you worked full-time, you should be paid enough to live on. It took a lot of work and time to get a bill at all, and in the end compromises were made. Large groups on the fringes of labor were shut out—restaurant and laundry workers, retail clerks, and farm workers, to name a few. The real results were not so dramatic as either the pros or cons predicted, but they were rewarding.

The point is that the principle of a living wage had been established, and in the years since, we have gradually extended the law to include most of the groups which were at first shut out. Even the people who clean up after you in dorms and football fields are covered. The highest price of the compromise—and sometimes I wonder if it wasn't too high—was paid by the agricultural workers. These people still face the most stubborn opposition to their claim for a decent living in exchange for their labor.

The Minimum Wage Act is only one of a number of legacies passed on to you by your parents' and grandparents' generations, underpinnings for a better society. These goals that represented radical change in the Thirties and Forties—Social Security, Workmen's Compensation, Unemployment Insurance, to name a few—now find broad acceptance. They still require refinement and improvement. But they are there, irreversibly so, and nearly everyone agrees that they benefit society as a whole and that there is no going back.

No sooner were those underpinnings there than it was time to move on, to tie up the loose ends and to measure reality against principle in other ways—no time to rest on our laurels, however human the impulse may be. The Fifties and Sixties presented new lessons and problems. We found out there are limitations to legislation: What was the use of creating a Food and Drug Administration without "teeth," without enough inspectors to do the job? We learned that some of our reforms had been badly conceived—we found out that urban renewal, for example, could mean moving people out and giving them no other place to live.

We were forced to see the dilemma experienced by black Americans.

We began to realize that poverty is largely inherited, and we tried to break its vicious cycle.

What hurt most of all, in the early Sixties we stumbled into the war in Vietnam. We found out that the strong and powerful president we had wanted in the Thirties to give us social change could also almost single-handedly push us into war.

As we sank more and more resources into the war, we were humiliated by the realization that our enormous war machine could not defeat these little people. And in the process of learning this lesson, we killed so many of the ones we were trying to save from totalitarianism. "Peace with honor"—isn't it time we got together as a people to figure out what honor really means?

I hope maybe the disillusionment of our experience in Vietnam will be health in the end. It has made us question ourselves and our values as never before. At the same time, we are questioning our sacred institutions—religion, business, even the family. I wonder if there has ever been a society challenged to change so much so fast . . . and in a relatively peaceful, humane way. There's the problem, of course: in a peaceful, humane way. For it is not acceptable in America simply to wipe out the opposition as Stalin did.

I don't need to spell out to you the tasks that lie ahead—your generation has helped define and create awareness of them. If we can describe these tasks in simple terms, I suppose it would be the struggle for human rights in America . . . of still trying to make reality measure up to the principles established in the Constitution. This does not mean "do goodism," but rather a healthy sense of self-interest in view of the whole, a kind of human ecology: What happens to my brother happens to me.

It's the old philosophical problem with which democracy began, the problem of balancing my rights with the rights of others. We have won enough in the struggle for human rights, I think, to bear out Jefferson's observation that we could not enslave others without enslaving ourselves. Purging the old philosophy of *narrow* self-interest will surely move us closer to our original goal of hope for all who live in America.

If our society is to survive in a human way, we must reorder some of our priorities. Can't the engineers of Lockheed and Boeing turn wheels for rapid transit just as well as for the SST? When you think of the talented, highly trained people out of work today, their skills lying idle. . . . Can't we find ways to use these skills toward human ends? And on a personal level, can't we begin to scale down our use of natural resources? For example, do we have to continually expand our use of electric power at the price of clean air and water? Maybe we'll walk more. Maybe we'll open our cans the old way. Maybe "whiter than white" will not be the standard for neighborhood acceptance, and just clean will be good enough. Maybe public possessions we can all enjoy will begin to mean more to us than private possessions.

The questioning is beginning. Young and old—"people of substance," as well as the underprivileged—are asking radical questions. The disturbers of the peace are everywhere.

What lies ahead for you, the Class of 1972? Professions, business, etc.—just as in 1927—but with a difference. Now there is a kinder climate for disturbers of the peace. Today if you become a doctor, you will find some doctors experimenting with new ways of practicing medicine in groups, some challenging vested interests (within the profession). If you practice law, you have options which did not exist in the '20s—to follow the paths of the Naders, legal aid people, bringing equal justice under law to many who had never known it. If you teach, you will find room for stimulation and exploration which existed only on a limited scale before. If you go into business, you will find the beginnings of breathing room for the idea that social responsibility and honesty are good business. There are new careers . . . for ombudsmen and public advocates of all sorts. No matter what the field, the time is ripe for innovation and change. And if the job doesn't exist, you can always start it yourself!

You have been nurtured here. Now comes the time to break away, to test yourselves, to adjust to a harsher climate and get involved. Certain things underlie the philosophy that has guided me through my experiences and perhaps they may be helpful to you. These four things are: measuring reality against principle, a desire to get involved, a policy of flexibility, and willingness to take a risk.

How do we involve ourselves, you ask. How do we change the existing order of things? The task is so great, what can we do? We have no movement of our own, you say; unlike the older generation, we've no organized source of power and comfort such as the labor movement provided in the old days.

It is exhilarating to be part of a movement, but don't depend on mass movements to bring social changes. In fact, I wonder if the time for the mass movement approach to social change hasn't passed. Can it be that we have reached an era of more searching and lasting change in which all of us as individuals participate in the struggle for human rights? This does not mean that we all have to become public advocates. Whether you dance or farm, practice law or type, doesn't matter. It's the way you use your life that matters.

The prospect of involving yourself is exhilarating, partly because it involves risk. The more involved you become, the more mistakes you will make—and it will hurt. At the same time, the more you involve yourself in work you enjoy, the stronger and more effective you will be. You will experience satisfaction. And you will never be bored.

Keeping flexible as far as your job goes gives you options you might not otherwise have. Throw yourself into the work at hand, but be ready to change if you outgrow it or if you find that another sort of pursuit will use your abilities more fully. If you can keep your financial commitments fairly modest, you will be freer to move around.

Compromise among differing people is the essence of the democratic system. And isn't it the essence of life and living with each other? It doesn't mean giving up what you believe in; it means respecting other points of view and still getting the job done. How discouraging it is to find people who want to improve society actually hindering progress by their failure to learn constructive tactics. The Constitution and Bill of Rights would not exist in the first place were it not for the art of compromise. It was the genius of the people who bequeathed us this system to make certain that the very diverse people who followed would continue to use this art as the means of reconciling differences and effecting change.

Get to know "the enemy" and he becomes many people, some of whom you will share some attitudes with. It will take imagination and humor to reach out and find that common ground. In my own experience with industry, I have found that the stereotype of industry's refusal to change has often proved unfounded. Some of their fears have been almost a matter of habit, and for the fears that did have some basis in reality, we have been working out good compromises.

We talk about saving the system from the threats which menace it today. Aren't we talking about making the system work in the way it was intended? It was meant to be a living system, to be bent, to be shaken, and to grow. Why not use the tools at hand? There are many examples of this approach: nineteenth century water pollution laws have been dusted off and put to work by dedicated lawyers; the voting privilege is being strengthened and used by young people—a process in which your own Hinckley Institute plays a valuable role. Across the country your generation is recognizing the power of the electoral process.

Attacking the system or withdrawing from it—aren't these two sides of the same coin? Frankly, I see no great difference between the individual who refuses to throw himself into the process for fear of losing his heritage and the one who uses it to his own selfish ends. One's withdrawal makes the other's acts possible. As for attacking the system with violent means, I can only quote Martin Luther King, who continually reminded the people he led through long and painful trials, that "the means *create* the ends." Haven't we learned in this past decade that there is no such thing as saving the nation by destroying it?

Now more than ever, there is personal hope—of fulfilling the potential of human relationships, of better understanding how children grow, of pleasure in work, of the end of sharp distinctions between work and play. Most important, perhaps we can move toward a society in which each human being feels needed and useful in some way. It's beginning to happen. People are groping toward new arrangements to give the shelter once provided by the extended family and the small community, seeking an end to isolation. We are admitting the need to care and be cared for, to love and be loved.

If I can read from Ecclesiastes, Chapter 3:

"To every thing there is a season, and a time to every purpose under the heaven;

"A time to be born, and a time to die; a time to plant, and a time to pluck up that which is planted;

"A time to kill, and a time to heal; a time to break down, and a time to build up;

"A time to weep, and a time to laugh, a time to mourn, and a time to dance;

"A time to love, and a time to hate; a time of war, and a time of peace."

This will be your season for a while. Let it be a time to plant . . . a time to heal, and a time to build up . . . a time to laugh, and a time to dance . . . a time to love, and a time of peace.

THE YOUTH OF MONROE COUNTY, KY.

Mr. COOK. Mr. President, at a time when many believe that the youth of our Nation are failing to become productive citizens, I think we should take note of those who are pursuing this worthy goal. Michael Carter, Deborah Ray, and Pamela Emberton, of Monroe County, Ky, are fine examples of youth striving for both the betterment of themselves and society. Young Mr. Carter, for example, not only won the Kentucky State class A championship in pole vaulting but also placed first in a national annual high school mathematics test given at Tompkinsville High School in Tompkinsville, Ky.

I ask unanimous consent that the article published in the Glasgow, Ky., Daily Times be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TOMPKINSVILLE YOUTH CITED

Michael Carter, 16, young Tompkinsville High School student, excells in sports as well as in mathematics.

In the state Class A Regional Pole Vaulting Contest held in Glasgow on May 19, he won easily by vaulting 11 feet 10½ inches, thereby establishing a Regional Record.

On May 27, Michael competed at Lexington Sport Center, Lexington, Ky., and this time won the State Class A championship in pole vaulting.

Carter also plays on the Tompkinsville High Football team as defensive guard.

On March 14, 1972, in a National Annual High School Mathematics test which was given at Tompkinsville High School, Michael Carter was high scorer, Deborah Ray, daughter of Mr. and Mrs. Harold Ray received second highest score and Pamela Emberton, daughter of Mr. and Mrs. Eagle Emberton was third.

On May 4, 1972, the high school was informed that these three students ranked first, second and third respectively in the test in the State of Kentucky. Michael and Deborah have been selected to participate in the first U.S.A. Mathematical Olympiad to be given to 100 students throughout the United States.

Our community is justly proud of these fine young students and their achievements. Their parents and the Tompkinsville High School faculty are also to be commended for their guidance and instruction in making this possible.

The Tompkinsville High School on May 5, presented Michael an award for placing first in the high school.

Michael is the son of Dr. William Carter and Mrs. William Carter. He is the grandson of Commonwealth's Attorney, Paul Carter and Mrs. Carter. He is a member of the First Baptist Church and is active in church affairs.

JUSTICE IN HAWAII

Mr. TUNNEY. Mr. President, Mr. Tersh Boasberg, a former employee of the Office of Economic Opportunity and at present a distinguished practicing attorney in Washington, D.C., recently journeyed to Hawaii as the attorney to defend a recipient of an OEO program grant. The alleged purpose of the hearing that Mr. Boasberg attended was to develop facts relating to the issue of whether this antipoverty grant should be refunded. Mr. Boasberg—in a witty, droll, and lucid style—has written his observations of the way the wheels of justice grind out decisions under the watchful eye of Mr. Thomas Mercer, the director of the San Francisco region of the Office of Economic Opportunity. Not so carefully concealed by the author's intentionally breezy style is a trenchant condemnation of bureaucratic decision-making gone awry. Humans fade into pathos, and what remains is a graphic depiction of why many people in this country say that OEO is unresponsive to the needs of the disadvantaged.

I ask unanimous consent that Mr. Boasberg's statement be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

JUSTICE IN HAWAII

I spent Memorial Day weekend in Hawaii on the Kona Coast of the Big Island. "God's country", said the airline representative, "the most beautiful sunsets in the world. Have a nice weekend." Visions of hula girls, macadamia nuts and mai tais. I packed my madras bathing suit, French suntan oil and my summer whites with the permanent press.

I went to Hawaii as the attorney to defend the Mil-Ka-Ko (Milolii-Ka'u-Kona) Research and Development Corporation and its sister, the Mil-Ka-Ko Fishing Cooperative. These anti-poverty projects were being closed down by Mr. Thomas Mercer, the Director of the San Francisco Region of the Office of Economic Opportunity. Well, they weren't technically being closed down. As OEO likes to put it, their grants were expiring on May 31, 1972 "by mutual agreement of the parties." Mr. Mercer was terminating the grants allegedly for reasons of corporate mismanagement, poor records, and the programs' inability to serve the poor. The funds remaining in the grant would have to be returned to the U.S. Treasury, together with Mil-Ka-Ko's few secondhand trucks and cold storage boxes for the fish.

OEO didn't like to discuss the real reason for the termination, namely, that on Mr. Mercer's one day trip to Mil-Ka-Ko on January 5, 1972, he took an immediate and intense dislike to Shirley Mesher, Mil-Ka-Ko's voluntary consultant. Shirley isn't the easiest person to get along with if you happen to be an OEO Regional Director. She's spent the last two years helping to keep Mil-Ka-Ko alive, living with Mrs. Maggie Basinga and her six children in what used to be the projection room of an abandoned movie house in the village of Captain Cook. The preceding five years she spent near Selma, Alabama, organizing SWAFCA, an indigenous Black co-op, long a nemesis of OEO.

Shirley tends to alienate officials by encouraging the eligible poor to go down to local welfare offices to ask for food stamps, social security benefits and medicare. She doesn't recruit maids and busboys for the local hotels and she doesn't support the airlines. In Hawaii, there are some people who don't like this kind of welfare activism and they don't like to be reminded of the pock-marked face of young girls or of fishermen's swollen eyes, running mucous from the ocean's glare.

So the next week, Mr. Mercer took aside Confessor Riveira, the president of the R & D Corp. and Louis Paulo, the head of the Fish Co-op, and told them (in front of three other witnesses), "Either Shirley Mesher goes or your program goes." Riveira and Paulo said they needed Shirley. Mr. Mercer began to shut down the programs.

After all, Mr. Mercer was the new Regional Director. Wasn't his mission to clean up the poverty mess? And anyway, what did a bunch of uneducated Hawaiians, Puerto Ricans and Filipinos know about federal program and financial management?

After making conditions intolerable for Mil-Ka-Ko, Mr. Mercer commenced termination proceedings on March 30, 1972, barely 13 months after the program had started. (He just couldn't wait another two months until the grant expired of its own accord.) On April 10, Mr. Mercer summarily suspended Mil-Ka-Ko, froze their bank accounts, set a quick hearing for April 12, and named himself as the impartial hearing officer.

But Mr. Mercer had erred. Under OEO's regulations, Mil-Ka-Ko was entitled to hire a lawyer (pay him $12.50 an hour) and have a public hearing since their grant authority, technically, was being "terminated" rather than "not extended". A federal court in Washington told Mr. Mercer he had to give Mil-Ka-Ko's lawyers more than three days to prepare their defense. Mr. Mercer decided that facing a public hearing on the Kona Coast in front of all those poor people and their lawyers was too risky. He withdrew the termination proceedings on April 19 and cancelled the public hearing.

Instead, Mr. Mercer waited. Then, on May 12, he told Mil-Ka-Ko that their authority to operate would be terminated on May 31. Under another OEO regulation they were entitled only to an "informal meeting" with an OEO official "to show cause" why they should be refunded. Unfortunately, they were not entitled to a public hearing, an independent hearing officer, or to confront and cross-examine OEO witnesses.

OEO set the "informal meeting" for May 27. Mr. Mercer was to give his "objective" decision after hearing the recommendations of the presiding OEO official. Mil-Ka-Ko went back to federal court, where the judge "suggested" to OEO general counsel that perhaps Mr. Mercer was overly involved. Consequently, Mr. Mercer named his new deputy director, Mr. Gonzales, to make the final decision.

The informal meeting started on Saturday, May 27, not on the Kona Coast, but at Hilo—a full three hour drive over tortuous roads from Kona. OEO calculated that the meeting might be more manageable if it was held at Hilo since few of the poor fishermen and farmers had their own cars and since all of Mil-Ka-Ko's records were at their office in Kona. Holding the meeting over Memorial Day weekend also should tend to discourage press and T.V. coverage.

But Mil-Ka-Ko rented old trucks and vans and 150 people showed up at Hilo: fishermen from Milolii, farmers from Captain Cook, busboys from Kailua, construction workers from Ka'u, and their wives, children and grandparents. A few others also gave up their weekend because they couldn't believe the federal government was taking away the few old trucks and cold storage boxes that Mil-Ka-Ko owned.

They testified in broken English and pidgin Hawaiian. Arthur Kuahuia and his 18-year-old wife, Evelyn, said now that they had the Co-op, they didn't have to get up at 1 o'clock in the morning; drive to the nearest store two hours away to buy cube ice; fish for 10 to 12 hours straight; and then drive another six hours to peddle their fish at the auction in Hilo. Twenty-three-year-old Cam Spencer and Steven Kuahuia, cradling their two infants, described how they still braved the ocean in outrigger canoes with 25 HP motors.

Mr. Kasuga testified that since he could buy ice from the Co-op, he now could get his fish to market without them "burning" (turning white from the heat). Mrs. Kasuga wanted the OEO official to know that it was sometimes difficult for her to raise 14 children (two had already died) in Milolii because the village still had no electricity, running water or sewage. And Mrs. Akiu, Mrs. Kaliwali and Mrs. Basinga told about their twice-monthly meetings, the written agendas, election of directors and the myriad records, financial statements, balance sheets, MIS data, regulations and guidelines, which OEO's San Francisco office had thoughtfully required.

William and Sarah Kahele, Kalani Gregg, Louis and Mona Paulo, Shigi Takayama, Mrs. Rentigrada and Confessor Riveira testified that the fishermen who earned $1,000 a year before the Co-op were now earning $4–5,000; about the youth program which had been started; that for the first time on the Big Island a land reform project was underway; and that food co-op was being organized.

For three days and two nights the people of the Kona Coast tried to "show cause" why Mr. Mercer should let them continue to operate their meager program and second hand trucks. Most had never even met a federal official. Few had ever testified before anyone.

At the end, 20-year-old Shirley Kasuga read a poem that the young people of Milolii had written:

"Auwe! We sorry Hi Makamaka
We forget our place,
Da next time We No!

"We sorry we listen about
Da kine Rights and Believe dem,
Da next time, We No....

"So, we sorry for da kine plikia
An for liking more dan been poor,
An smile 'alooha' and serve for da tourist,
The next time We No...."

The court reporter couldn't finish transcribing the whole poem. She had to leave by the rear door of the meeting room so no one could see her crying. And the official tape recording would never show the tears on Kalani's cheeks, or on Shirley's or mine.

The "impartial" OEO official had to leave promptly at 3 p.m. on the 29th in order to catch the last plane to San Francisco. It did not matter that much remained to be said. Three days were enough. And besides, didn't Mr. Gonzales have to give his reasoned decision no later than May 31st?

Later that evening, Louis and Mona Paulo brought out their guitars, and William and Sarah Kahele, their ukuleles. They played and sang in Hawaiian. The Paulos' daughter danced hula. We ate sashimi. (The airlines were right.)

They thanked me profusely. They were even grateful to OEO for sending such an "objective" official. No one had testified against Mil-Ka-Ko. Surely, the program would continue.

When I left, Shirley Mesher put a lei around my neck. Shirley Kasuga took my picture. They all sang "Aloha." I kissed them goodbye.

The OEO telegram came on May 31st from Mr. Gonzales. "After considering all the evidence, the government feels that you have not been able to show cause why you should be refunded . . . a GSA official will pick up the trucks and cold storage box . . ."

Have a nice weekend. Aloha.

COMMENT ON JOINT COMMUNIQUE BY PRESIDENT NIXON AND PRESIDENT ECHEVERRIA

Mr. JAVITS. Mr. President, when I met President Luis Echeverria, I was enormously impressed with his energy, dedication, and philosophy. Here was one leader of the developing world who was concerned not only with relations between the countries of the developed world and those of the developing world, but also with closing the gap between the haves and have-nots within his own country as soon as he could.

One of the worrisome facts about the impressive Mexican economic development prior to the Echeverria administration was that a serious problem of income distribution was developing. President Echeverria's policies have consciously attempted to diffuse the fruits of this impressive and continuing rate of economic growth more evenly throughout the nation.

I was impressed with President Echeverria's address to the joint session of the Congress. In my view he was "telling it as it was" from the point of view of a respected leader of Mexico and of the developing world. This is a point of view we do not hear frequently.

At the conclusion of the state visit of President Echeverria, a joint communique was issued by both Presidents. The purpose of my intervention today is to bring this communique to the attention of Members of Congress. The communique makes clear not only that the meetings between President Nixon and President Echeverria were amicable, but also that progress was made on the substantive issues troubling United States-Mexican relations and U.S. relations with the rest of the developing world.

I note in particular that in the joint communique President Nixon "recognized the important role developing countries could and should play in erecting a new international monetary system and in progressing toward a free and fair trading system. In endorsing trade policies more responsive to the problems of both developed and developing countries, he reaffirmed his intention to seek congressional authorization at the appropriate time for the United States to participate with other industrialized countries in a system of generalized tariff preferences for imports from developing countries."

As Senators know, following the leadership of, first, President Johnson and then of President Nixon, most other countries of the developed world—the United Kingdom, the Common Market, Japan, Sweden—have now extended generalized tariff preferences to the countries of the developing world. President Nixon has now reaffirmed the U.S. intention to seek the legislative authority to allow the United States to live up to its pledge and it would be my expectation that generalized preferences legislation would be an integral part of any trade package sent to the Congress late this year or early next year. I also point out that our trade balance with Mexico and with the developing world as a whole remains in healthy surplus.

I also applaud President Nixon's statement that the developing nations "could and should" play an important role in erecting a new international monetary system. It is my feeling that there may be a strong community of interest between the type of new monetary and trading system that the United States wants to see evolve and that which the developing world wishes to see evolve. I note also that in making this statement President Nixon wisely was being responsive to one of the areas of greatest interest to the developing world as these issues developed at the recently concluded UNCTAD III conference.

I ask unanimous consent that the joint communique issued by President Nixon and President Echeverria be placed in the RECORD.

There being no objection, the joint communique was ordered to be printed in the RECORD, as follows:

JOINT COMMUNIQUE FOLLOWING TALKS BETWEEN RICHARD NIXON, PRESIDENT OF THE UNITED STATES OF AMERICA, AND LUIS ECHEVERRIA ALVAREZ, PRESIDENT OF THE UNITED MEXICAN STATES, JUNE 15–16, 1972

President Richard Nixon and President Luis Echeverria Alvarez welcomed this opportunity to renew their personal friendship and the cordial dialogue which began at their first meeting here in 1970. They regarded this visit as particularly appropriate at a time when the eyes of the world have been focused on President Nixon's recent visits to Peking and Moscow. The visit of the Mexican President to the United States serves to direct broad attention to the equally important tasks of advancing new approaches to Latin America and the less developed nations of the world.

They also agreed that their meetings had contributed to the establishment of a new era, an opening characterized by a spirit of frankness with Mexico and which they hoped would characterize intra-Hemispheric relations.

The two Presidents exchanged impressions on world and Western Hemisphere affairs in considerable detail. President Nixon described his talks with the Chinese and Soviet leaders. President Echeverria recounted his experiences on recent visits to Japan, Chile and Peru. They found this review informative, useful as well as stimulating. They were firmly united in the view that world peace with social justice is essential to the well-being of all mankind.

The Presidents discussed overall relations between their two countries—political and economic affairs, and cooperation in the scientific, technical, cultural and other fields.

The President of the United States recognized the important role developing countries could and should play in erecting a new international monetary system and in progressing toward a free and fair trading system. In endorsing trade policies more responsive to the problems of both developed and developing countries, he reaffirmed his intention to seek congressional authorization at the appropriate time for the United States to participate with other industrialized countries in a system of Generalized Tariff Preferences for imports from developing countries.

Regarding the problem of the salinity of the Colorado River, President Echeverria told President Nixon that Mexico reiterates its position as regards receiving its assignment of original waters from the Colorado River, to which the Treaty of February 3, 1944 refers, and therefore, with the same quality as those derived from the Imperial Dam.

To this, President Nixon replied that this was a highly complex problem that needed careful examination of all aspects. He was impressed by the presentation made by President Echeverria and would study it closely. It was his sincere desire to find a definitive, equitable and just solution to this problem at the earliest possible time because of the importance both nations attach to this matter.

As a demonstration of this intent and of the goodwill of the United States in this connection, he was prepared to:

(a) Undertake certain actions immediately to improve the quality of water going to Mexico;

(b) Designate a special representative to begin work immediately to find a permanent, definitive and just solution of this problem;

(c) Instruct the special representative to submit a report to him by the end of this year;

(d) Submit this proposal, once it has the approval of this Government, to President Echeverria for his consideration and approval.

President Echeverria said that he recognized the goodwill of President Nixon and his interest in finding a definitive solution to this problem at the earliest possible time. He added that based on two recent trips to the Mexicali Valley and his talks with farmers there, his Government, while reserving its legal rights, had decided to stop using waters from the Wellton-Mohawk project for irrigation purposes while waiting for receipt of the US proposal for a definitive solution.

Both Presidents agreed to instruct their Water and Border Commissioners to prepare and sign a Minute containing the above program and commitments as soon as possible.

The Presidents discussed the many areas of ongoing cooperation between Mexico and the United States, and their conviction that such cooperation serves to bind our people even closer together in mutual effort and understanding. They took note of the agreements concluded during the visit by their respective Secretaries for Foreign Relations: a bilateral agreement with regard to the exchange of information, training and research in the fields of science and technology; a subsidiary agreement which contemplates the exchange of young technicians and scientists (including the training of some 100 young Mexican technicians and scientists

through US Government agencies); renewal of the agreement on Cultural Relations.

President Nixon and President Echeverria discussed the serious nature of the illicit international traffic in narcotic drugs. They reviewed the joint enforcement measures which their countries have successfully undertaken over the past two years. President Nixon informed President Echeverria of recent measures taken to combat the drug problem in the United States. They agreed to acquire and employ additional equipment in the antinarcotics campaign and to make available increased training of personnel for this purpose.

With regard to the question of migratory Mexican workers, the two Presidents discussed the economic, social and political factors that produce this problem and agreed it was desirable for each government to undertake immediately a study of this question with a view to finding a mutually satisfactory solution.

Recognizing the communality of many environmental problems and the need to seek cooperative solutions through the exchange of research and experience, the two Presidents have agreed that appropriate policy level officials from Mexico and the US will meet on a regular basis for discussion and consultation concerning current and future environmental problems of mutual concern and the methods for dealing with them in a more systematic way.

The conversations between Presidents Nixon and Echeverria were at all times cordial and marked by the spirit of good neighborliness which exists between Mexico and the US. At the same time problems were discussed frankly and openly as between true friends in an atmosphere of mutual respect and trust. President Echeverria particularly wished to convey on behalf of Mrs. Echeverria, his party and himself, his deep appreciation for the warm hospitality which was extended to them by President and Mrs. Nixon.

President Nixon expressed his great pleasure that President and Mrs. Echeverria will now have an opportunity to visit other areas and cities of the United States and assured them they will receive a warm and friendly welcome from the American people.

LAND-GRANT STATUS TO COLLEGE OF THE VIRGIN ISLANDS AND THE UNIVERSITY OF GUAM

Mr. MOSS. Mr. President, the Higher Education Act Amendments of 1972 (S. 659), which has been cleared by both Houses and sent to the President, contains an amendment I offered to give land grant status to the College of the Virgin Islands and the University of Guam. I am delighted.

The amendment, which I originally offered as S. 1148 in the 91st Congress, goes a long way toward correcting an inequity. Before passage of this bill, Guam and the Virgin Islands were the only two areas under the American flag which had schools of higher learning and no participation in the land-grant college programs.

The population of Guam is about 100,000 and that of the Virgin Islands about 65,000. The young people in these territories who seek careers in agriculture, the extension service, community services, environmental sciences, dietics, home economics, mechanical arts and the many other disciplines in which land-grant colleges traditionally excel, have had to apply to colleges in the States or Puerto Rico. This has raised many problems. Mainland schools often have stringent out-of-State student enrollment policies and tuition is beyond the means of the average student from Guam or the Virgin Islands. Now these problems will disappear.

Also, the residents of the two territories can now take advantage of the cooperative extension programs which are connected with land-grant universities. Over the years, the Cooperative Extension Service has vastly increased its services in home living, community improvement, and youth development. All of these services are helpful and welcome in both the territories.

The passage by Congress culminates a lengthy legislative struggle. S. 1148 was favorably reported by both the Senate Interior and Agriculture Committees, was passed unanimously by the Senate and referred to the House Agriculture Committee where it was killed in the final days of the 91st Congress by a 2-to-2 Agricultural Subcommittee vote.

The bill was then reintroduced in the 92d Congress and offered as an amendment to S. 659. It was also incorporated in the House-passed bill.

I am especially pleased that the final version of the measure includes the full $3 million I had requested originally, rather than the lesser amounts recommended by Senate Agriculture Committee in the 91st Congress. Each college will now receive the $3 million as an endowment in accordance with the intent of the first Morrill Act. Both of the schools, far removed from the mainland United States, need and deserve this added assistance.

The funds made available to the colleges can be used for instruction equipment and supplies in agriculture, mechanical arts, English, mathematics and natural and physical sciences, and the special preparation of teachers. The funds cannot be used for the purchase or preservation of buildings or the purchase of land. I also anticipate that the courses of instructions which have particular importance to the evolving needs of the citizens of each of the territories would be added to the college curriculum.

Both schools are comparatively young. The University of Guam was founded in 1952 and the College of the Virgin Islands 10 years later.

It is time that both of them had the advantages that the Congress, down through the years, has made available to land-grant colleges.

It is also time that the citizens of these island territories get the advantages of quality education both for the present generation of students and those yet to come.

FIRST NATIONAL CONFERENCE ON STRIP MINING

Mr. ROBERT C. BYRD. Mr. President, at the request of the distinguished Senator from Oklahoma (Mr. HARRIS), I ask unanimous consent to have printed in the RECORD a statement by him relative to the First National Conference on Strip Mining, held in Middlesboro, Ky., on June 17, 1972.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR HARRIS

On June 17, 1972, I took part in the First National Conference on Strip Mining held in Middlesboro, Kentucky. The conference was attended by some 500 representatives of various local organizations dedicated to stopping the exploitation of land resources and people through strip mining. They came from eleven states—Kentucky, Tennessee, West Virginia, Alabama, Ohio, Indiana, Montana, Wyoming, Oklahoma, Arizona and New Mexico. There were also approximately 100 people in attendance at the hearing who were local strip mining operators and workers. A spokesman for them addressed the conference.

Following statements by all the groups represented, the conference broke into workshops on: federal legislation and national energy policy; state legislation, legal action and tax action; methods and strategies for effecting political party platforms; Tennessee Valley Authority and public utilities. After hearing and discussing the reports of the various workshops the whole conference went on record in favor of a general policy statement as follows:

"First and foremost, we want strip mining *stopped*. Then we can turn our attention to alternative energy sources and a national energy policy—with more jobs for all, saving our people and our land. We now know the growing threat and our growing strength. We will work together until the job is done.

"We endorse all measures which will make more efficient use of our present energy supply and which will help curb our outrageous growth in energy consumption."

As a cosponsor of a bill principally authored by Congressman KEN HECHLER of West Virginia, I believe that strip mining should be abolished, and I urge senators to support this position when this matter comes before the Senate. I am also the principal sponsor in the Senate of a bill to prohibit the Tennessee Valley Authority from purchasing strip-mined coal. The government itself through this agency is one of the worst culprits in this whole ugly scramble from purchasing strip-mined coal. The government itself through this agency is one of the worst culprits in this whole ugly scramble and causing great harm to ordinary people who are looking to the political process for help.

Furthermore, I believe that until strip mining is stopped altogether we should prohibit the exportation of strip-mined coal. Foreign countries, such as Japan, which buys as much strip-mined coal each year as is produced in the entire state of Kentucky, would not themselves allow this devastating practice in their own country; yet we allow them to purchase this cheap product of our exploited land and people and sell their final product—steel, for instance, back into this country at low cost. Thus, we are not only exporting cheap coal but thousands of jobs as well. This ought to be halted.

I am urging the Senate Interior and Insular Affairs Committee to take the strong and vital action necessary to stop strip mining and prevent the continued wasting of our land, streams, resources and people which strip mining necessarily entails.

THE CONTINUING CRISIS IN BURUNDI

Mr. TUNNEY. Mr. President, I again invite the attention of the Senate to the tragic situation in Burundi. Last week I introduced three resolutions designed to

elicit information and respond to the recent conflict between the ruling minority tribe, the Tutsis, and the ruled majority tribe, the Hutus. I am encouraged by reports that the mass slaughter has subsided, although we still lack authoritative news reports to verify this fact.

However, there is one facet of this devastating revolt which continues to merit the consideration of us all: the widespread destruction and impending famine which threaten to cripple southern Burundi. This morning on the "Today" show on NBC, a member of the Catholic Relief Service, Mr. Joseph Payton, discussed the problem from personal insight he had gained in the small African nation. Mass confusion still exists among Burundians in the aftermath of the slaughter in which at least 50,000 people were killed. According to Mr. Payton, if a massive effort is not mounted immediately, thousands more will die of starvation.

Our Nation should respond at once to the call for aid. Senate Resolution 317, which I submitted on June 12, requests the United Nations to report on the most effective ways to channel humanitarian assistance into Burundi. I urge all Senators to consider our moral obligation to act in this time of tragedy. It is my sincere hope that the Senate will recognize the desperate plight of Burundians and respond to their needs.

ENERGY RESEARCH PRIORITIES

Mr. MOSS. Mr. President, I ask unanimous consent to have printed in the RECORD the very timely and provocative remarks of the distinguished Senator from West Virginia (Mr. RANDOLPH), urging a realistic ordering of our energy research priorities, in a statement before the Committee on Interior and Insular Affairs on June 7, 1972.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

REALISTIC FEDERAL ENERGY RESEARCH PRIORITIES ARE NEEDED

(Statement of Senator RANDOLPH)

Mr. Chairman, I appreciate this opportunity to file a statement this morning as an ex-officio member of the Committee on Interior and Insular Affairs for the National Fuels and Energy Policy Study. The subject of this hearing—Federal energy research priorities and programs—is, as never before, the key to our nation's future energy economy.

As I have stated before, our nation, and numerous other nations, are embarking on a gigantic gamble in attempting to maintain reliable and abundant production of crude oil, natural gas, and coal from other than domestic reserves. The assumption, hopefully, is that some substitute source, or sources, of immense amounts of energy will be developed in time to replace depleted non-renewable fossil fuels. Yet, should available energy supplies falter, or the requisite technology not develop, the American people and, perhaps, even large portions of the world, may experience economic and social depression verging on catastrophe.

DEPENDENCE ON OIL IMPORTS

During recent months I have become increasingly concerned for our Nation's policy of continually increasing dependence on foreign energy resources, in particular on oil imports. When the vagaries of the policies of the oil producer countries are examined the current trend is even more disturbing. In fact, the oil import program is the subject of hearings before the House Committee on Foreign Affairs this morning.

An article in last Sunday's Washington Post highlighted recent activities of the Organization of Petroleum Exporting Countries (OPEC) in their striving to obtain control over not only production facilities but also over oil's transportation systems, especially over oil tankers. As each month passes our energy economy is becoming more captive of and dependent upon imported oil.

In recent years, oil has become the dominant fuel for electric power generation along the East Coast. Today, 90 percent of the electric power generation in the Atlantic seaboard region is dependent on imported oil. In New York City, for the first time in 90 years, the Consolidated Edison Company consumes not one pound of coal for electric power generation. By the end of this year, fossil fuel electric generation in the State of Maryland will be totally dependent on imported oil.

Even more dramatic, however, is the export of dollars to pay for this oil. The value of the imported oil in Petroleum Administration District One in 1964 was $629 million. This had risen to $1.4 billion last year for District One alone. In 1970, total national imports of crude oil, distillates, and residual fuel oil cost this Nation's balance of payments approximately $2.3 billion.

Several weeks ago Treasury Secretary John B. Connally stated that "the potential impact of unrestrained oil and gas imports is of such a great magnitude as to pose a special threat to our trade balance and to the very viability of the international trading system."

ASSURING A FUTURE DOMESTIC ENERGY ECONOMY

Energy research and development is but a small part of the larger issue of people and energy, with all its ramifications—land use, mass transit, security, economic growth, mobility, etc. Perhaps the most significant of these is the location of future populations. Ever expanding patterns of concentration of population in certain areas of our Nation could place unmanageable regional burdens on all fuels and energy sources. Perhaps the most significant constraint is on our practical ability to extract and transport energy resources in the quantities envisioned.

During today's hearing testimony by Administration and other witnesses doubtless will place emphasis on the same need for a comprehensive Federal energy research program that was acknowledged in 1962 by the Senate Interior Committee's National Fuels and Energy Study Group. As a nation we are more dependent today on imported energy resources than at any time in our nation's history. And we lack the technologies so necessary to assure the future of our domestic energy economy in many regions of the country.

Clearly, our nation's long-term energy posture depends on the successful development of solar energy, the nuclear breeder reactor, and controlled fusion. First, however, we must successfully meet the requirements of the 1970's and 1980's when there will be need for the development of sulfur oxide control technology, both high- and low-BTU coal gasification, and geothermal energy sources. And there also must be the development of improved efficiencies in the conversion and end uses of energy.

These are several references to technological areas where Federal support offers potential for resolution of both our environmental and energy dilemmas. While many of these areas, and others, were reflected in the President's message on Clean Energy last July, we have not seen any enthusiastic commitment on the part of the Administration to assure their development. For example, the two new sulfur oxide control technologies cited by the President for demonstration have yet to be announced, and a year has gone by.

Perhaps the most significant long-term potential for relieving the emerging energy crisis exists in improving the feasibility and capability for the more efficient conversion and utilization of energy resources. Improvement in the efficiency of energy-conversion would relieve our dependence on imports and mitigate the environmental impacts of energy production and use.

CURRENT RESEARCH PRIORITIES

Today's hearing is to consider current and planned Federal support of energy research and development. Clearly, no achievement or national goal is more critical to our nation's future than assuring adequate and reliable domestic sources of energy that also preserve a quality environment.

Last year extensive hearings were held as part of the National Fuels and Energy Policy Study on the Department of the Interior's coal gasification program. Under that program, three different processes for production of pipeline quality gas from coal are being demonstrated in Illinois, South Dakota, and Pennsylvania under joint government-industry sponsorship. The Federal share in this energy development is $15.9 million in fiscal year 1972—and an estimated $29.2 million in fiscal 1973.

As laudable as these programs are they are only partially responsive to the obvious national energy needs. They are under-funded and are unresponsive to the critical reality that only about 18 percent of the steam coal produced in the Appalachian and Interior regions can be expected to meet 1975 environmental standards. Thus, 82 percent of current coal production will die.

Loss of this coal supply would represent a loss of $1 billion annually in sales—and a reduction of about 30 percent of the current work force employed in the bituminous coal industry. It would affect adversely 44,500 mine workers, including 15,000 in my home state of West Virginia alone. I find this situation unacceptable. Improved technology can save this valuable fuel from under-utilization at a critical time in our energy history.

This year I had the privilege of chairing hearings, pursuant to the National Fuels and Energy Policy Study, on Federal programs to develop synthetic low-Btu gas from coal. This type of gas would be acceptable for the generation of electricity in existing boiler and in new advanced power cycles, while still using high-sulfur coal and oil.

The principal differences between advanced power cycle developments and the coal gasification program, as I understand it, is the emphasis placed by the Environmental Protection Agency's program on on-site production of a low-Btu gas for use in gas turbines. The Department of the Interior's program, on the other hand, has emphasized synthetic high-Btu quality gas which can be mixed with natural gas for distribution through existing natural gas pipeline systems. Both the EPA and Interior Department objectives are good—and necessary. Neither should get short-circuited in funding and effort.

Although several industry groups have indicated a willingness to demonstrate this high risk low-Btu gas development with joint Federal-private sector funding, proposals submitted almost one year ago remain pigeon-holed within both the Department of the Interior's and the Environmental Protection Agency's archives. The question must be asked: Has the Office of Management and Budget set up fiscal roadblocks?

Considering this and past records of performance on Federal energy research directed

at using our domestic fossil fuels, we cannot say that such Federal performances have been other than totally inadequate. Considering the anticipated adverse impact of proposed and existing air pollution standards on Appalachian and other sources of high-sulfur coal supplies, better pollution abating technologies must be found. EPA Administrator Ruckelshaus has stated that the only truly satisfactory way for Eastern coal to continue to serve as a large scale source of energy is to convert it to synthetic liquid or gaseous fuels.

ACTION IS NEEDED NOW

Action, not rhetoric, is needed now to increase Federal and industry support of energy research and development. Although, I do not usually favor independent agencies for research purposes, unless the necessary steps are taken immediately to decrease our dependence on foreign sources of fuel and to increase the dependence on domestic energy resources, I am prepared to suggest that an independent body be established to spearhead energy research similar to the corporation proposed by Senator Jackson in S. 1846 for coal gasification and the corporation proposed by Senator Moss in S. 2510 for the development of new energy sources. Such an Energy Development Corporation could serve as a focus for both government and industry research and, conceivably, could obtain its revenues from a fee such as that proposed by Senator Magnuson in Amendment No. 364 to S. 1684.

I have mentioned this proposal as a last resort alternative to what I consider to be the unresponsiveness of current Federal energy research programs and priorities to the obvious issues and problems facing our energy system and our national economy.

REPORT FROM ISRAEL ON SOVIET JEWS

Mr. RIBICOFF. Mr. President, last month my good friend Representative ROBERT DRINAN visited Israel as a representative of the National Interreligious Task Force on Soviet Jewry. This group was formed in 1971 to mobilize Christian concern for Soviet Jews.

In the comparatively short time he has been in office, BOB DRINAN has been an eloquent and clear voice in support of Israel and the oppressed Jews of the Soviet Union.

During his visit to Israel the Congressman spoke with key Israeli officials, including Foreign Minister Eban, and many of the new Soviet immigrants themselves. He has recommended the convening of a second Brussels Conference by Christian religious leaders to highlight the plight of Soviet Jewry. Representative DRINAN has also underscored, on the basis of his firsthand experience, Israel's desperate need for assistance in absorbing thousands of new Jewish immigrants from the Soviet Union. Hopefully, the Senate will soon be taking its final action on legislation to provide $85 million in U.S. aid to assist in this formidable task.

Upon his return from Israel, Representative DRINAN wrote three newspaper articles about his trip. I recommend them to all those who share our concern for the future of Soviet Jewry. I ask unanimous consent that the three articles, which were published in the Boston Globe on June 3 and June 4, and in the Jewish Advocate on June 15, be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

ISRAEL NEEDS U.S. AID FOR RUSSIAN JEWS

(By Representative ROBERT F. DRINAN)

The fate and future of Soviet Jews dominated the news and the concerns of Israelis during my days in the Holy Land.

More than 200 recent immigrants from Russia fasted and prayed day and night at the Western (Wailing) Wall during the period when President Nixon was in the USSR. These Soviet Jews pressed me to try to discover what Mr. Nixon might say to Russian officials concerning the arbitrary denial of visas to the estimated 80,000 Soviet Jews who have applied. I could only assure these immigrants that the members of the United States Congress would continue to press for justice for Jews within the USSR and for the recognition of their right to emigrate.

During my stay in Israel, Patriarch Pimen of Moscow's Orthodox Christian Church visited Jerusalem. His coming prompted demonstrations against the policy followed by the Kremlin since at least 1939, of suppressing every manifestation of Jewish culture and religion.

Israeli officials confirmed to me that the in-gathering of Soviet Jews—40,000 of whom may emigrate to Israel in the next 12 months—had approached a turning point and a moment of crisis. Israel's Minister of Immigration and Absorption Nathan Peled stated that his nation confronts, in the task of absorption of Jews from Russia, one of the most severe challenges in its history.

Peled insisted that the care of Soviet Jews was "first on the list of national priorities." It is, he asserted, Israel's privilege and duty to assure that the "aliyah" of the Russian Jews to return to the "promised land" will fulfill the meaning of "aliyah," a "rise to a better place."

Louis Pincus, chairman of the worldwide Jewish Agency, felt that President Nixon's presumed raising of the question of Soviet Jews with the Kremlin might improve the situation drastically. But he felt that the continued efforts of Americans, especially non-Jewish Americans, would be essential if Russia were to grant visas to at least a small percentage of those who apply.

I spoke with the Foreign Minister Abba Eban about a number of things—including Presidential politics in America—but the conversation always came back to the new exodus, the 13,000 Russian Jews who, contrary to all expectations, had been allowed to leave the USSR.

Eban expressed his gratitude at the anticipated passage of a bill in the United States Congress which would furnish to Israel $2,000 in American assistance for each Soviet refugee, a measure along the lines of similar assistance given in the past by the United States to refugees from Hungary, Czechoslovakia and Cuba. (The $2,000 hardly covers the sum of about $1,000 required for the purchase of each visa in Russia and for the substantial transportation costs to Vienna and thence to Israel.)

The most touching manifestation of concern came from a letter to a newspaper written by a high school girl named Mira Shahar of Haifa. She described the message she heard on the radio. "We still don't know what will happen to the Jews of Leningrad". She told of her "sharp feeling of guilt which became worse and worse." She concluded her letter with these moving words:

"Suddenly I felt the meaning of identification in its deepest sense. I wanted to help to do something for them. I wanted to ask God many things for my brothers in Russia but I could only whisper: 'Please give them power to continue to fight'."

[From the Boston Sunday Globe, June 4, 1972]

SOVIET JEWS IN NEW EXODUS

(By Robert F. Drinan)

Dr. Pintah Hanoch and his wife Dinah made their exodus from Riga, Russia, to Israel at Passover time in 1971. They left a city of 700,000, with a Jewish community of 40,000, because they finally had decided that they were determined to live as Jews and to do so was not possible in Riga.

At a luncheon in the cafeteria of Afula Hospital the Hanochs told me that they had no rabbi in Riga but only a government-appointed clerk to care for the synagogue. Religious instruction was almost unknown although family-transmitted piety in a Yiddish-speaking community survived almost miraculously in the 54 years after 1917.

Dr. Hanoch and his wife applied for a visa to Israel in 1969. Mrs. Hanoch came to her decision in a different way than her husband. She never had religious instruction and her mother was a militant Communist. She hardly identified herself as Jewish until the Six-Day War in June 1967. The pride she felt in this event made her determined not to allow her daughter, then one month old, to spend her life in Russia where anti-Zionist calumnies are repeated daily in the press and other media.

Dr. Hanoch and his wife described to me one of their relatives who, they said, was imprisoned for visibly exercising his Jewish faith. They asked me to try to intervene. They also urged me in the strongest terms to exhort increased numbers of American Jews and especially non-Jews and to write to those in Russia who are imprisoned because of religious beliefs and also to write to those 80,000 persons who suffer the wrath of the Kremlin because they have publicly declared that they want to leave Russia.

Talking with Pintah and Dinah Hanoch was one of the most moving experiences of my life.

I talked one afternoon at an absorption center in Tel Aviv with a widow named Raissa. Her husband had been killed in Russia under frightening if obscure circumstances. Now, Raissa took care of her two infant sons and learned Hebrew. Her descriptions of the culture shock she had been through in her first four months in Israel were characteristic of the psychological trauma which escapees from a police state must undergo as they adjust to a free society. Raissa said simply but beautifully that "I've learned not to be afraid" and "I've almost accepted the fact that I am now a person who is respected." Raissa shocked the government official who was with us when she said that "I've lost my identity as a Jew by becoming an Israeli."

My last morning in Jerusalem I chatted for some time with Boris and Mary Tsukerman and their sons Boris and Lev. Helping to fulfill their great desire to leave Russia was money sent to them by their cousin who, to my astonishment, turned out to be one of my constituents! When asked if they wanted to come to America, the Tsukermans replied quietly that their prayers over many years for a spiritual homeland had finally been answered in Israel. In view of the attitude of this family, and of Soviet immigrants I spoke to in Israel, I was not surprised to learn that of the 13,000 Russian Jews who have gone to the international relocation center at Vienna only 56 elected to go to the United States although virtually all of them would be eligible to do so.

It is impossible to undersestimate the exultation which exists in Israel over the current exodus of Soviet Jews. Israelis openly express the hope and even the expectation that 500,000 or more Russian Jews will come to Israel in the 1970s. Some members of the knesset and some professors at Hebrew Uni-

versity with whom I spoke expressed the view that the influx of Soviet Jews would open up a whole new era in the cultural and religious development of Israel.

To be sure, dissatisfaction and misunderstandings exist on both sides. Some immigrants of an earlier period and some sabras complain that too much is given too soon to the Soviet emigres. The migrants, on the other hand, complain that they have too little choice regarding their place of residence or their occupation. A good one-third of the male immigrants are professional or skilled. One-third of the 2500 new citizens who arrive each month are under 18. Practically none of the new arrivals know any Hebrew and few appear to have relatives who can help them. As a result difficulties exist and there is no indication that greater problems will not arise.

During my days in Israel studying the meaning of the new exodus of Soviet Jews I could not help but think that it should have been Christians who convened the Brussels Conference. Have Christians learned nothing from their virtual silence during the holocaust when six million Jews were killed? Would a second Brussels Conference convened by Protestant, Catholic and Orthodox Christians focus world opinion on Russia and the Arab states so that finally these nations would terminate their oppression of Jewish culture I think that it would. And I hope that Brussels II will be organized.

Leaving Israel I was overwhelmed by the searing truth that the oppression of Jews in modern times can be prevented only by Christians mobilizing world opinion against the oppressors. Perhaps Christians will do so only after they have realized the full implications of what Reinhold Neibuhr, the famous Protestant theologian, meant when he told us that no one can be a good Christian until first he is a good Jew.

Congressman Studies Impact of Israel's Soviet Refugees

(By Rev. Robert F. Drinan)

I was honored and delighted to be able to accept in early April an invitation from the National Interreligious Task Force on Soviet Jewry to visit Israel as their representative and to report to them and to the nation on the problems related to the extraordinary new migration of Russian Jews to Israel, an exodus which sometimes reaches 1,000 arrivals per week in Tel Aviv.

I had the opportunity to meet at length with Israel's distinguished Foreign Minister, Abba Eban, and with a number of other high ranking government officials—including the Minister of Immigration and Absorption, Mr. Nathan Peled—as well as the Chairman of the world-wide Jewish Agency, Mr. Louis Pincus, and many recently-arrived Soviet Jews.

Let me give some of my reflections about 1.) the economic situation in Israel, 2.) the political stability of Israel which I observed and 3.) the critical problems related to the ingathering of Soviet Jews.

Economic situation

No one can fail to see in Israel the manifestations of its expanding and booming economy. The gross national product continues to rise, unemployment is unknown and the median per capita income has substantially increased despite the impact of worldwide inflationary trends.

Unfortunately the continued massive expenditures required for defense keep individual and corporate taxes at very high levels. Despite the concededly high taxes, however, there still is not enough money for many of the things that Israel desires to do to improve itself. All of the universities in Israel confront sharp deficits and are pleading for assistance from the government. The number of university students has almost quadrupled since 1960. Capital expenditures for Hebrew University have gone up sharply, for example—particularly in view of the fact that the site of Hebrew University prior to 1948, Mount Scopus, is now the scene of the construction of at least 20 new buildings for academic and residential services.

Israel's total expense for medical care has risen so sharply in the past five years that this area is also cause for serious alarm. One of the heaviest expenditures in the medical field derives from the excellent care which the Israeli government seeks in every possible way to extend to the million Arabs who reside in the territories administered by Israel since the end of the war in June, 1967.

The economic stability of Israel is aided by the flourishing condition of its citrus industry, expanding foreign markets for Israeli-made products such as chemicals and, of course, the ever-growing tourist industry.

Every analysis of the economic future of Israel, however, must begin and end with the military predicament of this small nation. Israel's tragic "simmering war" is perpetuated by a dozen surrounding nations inhabited by 100 million Arabs hostile to the very existence of Israel, and shows no apparent sign of being defused. Indeed there are ominous indications that the situation might be worsening. In the recent past Iraq formed a treaty of "friendship" with the Soviet Union similar to the inflammatory 15-year pact negotiated several months ago between the USSR and Egypt.

If Israel were not afflicted with hostile Soviet-assisted nations all around her the economic growth of Israel would in all probability surpass all of the other accomplishments that have occurred in this fantastic land since 1948. That Israel has progressed so far economically in the first twenty-five years of its existence is nothing short of miraculous.

Political stability

As a member of the United States Congress it was of course fascinating to talk to members of the Knesset and to compare their viewpoints with those of typical voters in Israel.

Many Israelis complain about the high average age of members of the Knesset and the apparent almost total absence of representation in that body of the newer, non-European elements of the Israeli population. There does not appear to be in Israel, however, that same alienation from government which is so frequently evident in the United States.

The key and the unfathomable political question in Israel is, of course, the future political status of the more than one million Arabs who reside in the territories administered by Israel since June, 1967. Young persons at the age of 18 within these Arab communities are not drafted into Israel's army. Only 200 young adults from all of this vast new population attend Hebrew University, despite vigorous recruiting activities by the officials of this institution. Endless speculation continues among everyone as to the best plan by which Israel may deal with the administered territories while maintaining for itself that military security which is indispensable for its survival as a nation.

Israel seeks in a number of creative and imaginative ways to explain its purposes and objectives to the Arab nations which surround it and also to the people of the Soviet Union. I was pleased to tape a radio program over the facilities of the Voice of Israel for the people of Russia. From the testimony of several of the Soviet Jews with whom I conversed the Voice of Israel beamed in Russian, Yiddish, and English to Russia is extraordinarily effective.

Our own Voice of America is also apparently effective in Russia, although the relatively few programs broadcast by the Voice of America in Yiddish is totally unjustifiable, in my judgment—a point of view I have been expressing for many months.

The training programs conducted in Israel for citizens of African and Asian nations continue to expand in number and in influence. Israel expends a very generous and indeed an extraordinary amount of its resources on these programs which bring young people from the developing nations of the world for training in the colleges and technical institutes of Tel Aviv, Haifa and other Israeli communities. Perhaps I could sum up my conclusions with regard to the political stability of Israel by saying that one has a right to be cautiously optimistic. The State of Israel, although surrounded by imminent external dangers, has a highly sophisticated and democratic form of government which will survive and flourish.

How many Soviet refugees?

One of the questions which arose in almost every discussion I had about the emigration to Israel of Soviet Jews concerned the speculation about the motivations which finally led the USSR to release first a trickle and now possibly a torrent of emigrees to come to Israel. If anything is explainable about the foreign policy of the Soviet Union in this regard it would appear that this USSR policy was prompted by the intensive world-wide protest against the oppression of the Russian Jews. I believe that protest led the Kremlin to its decision early in 1971 to grant exit visas to about 20 percent of those 80,000 Soviet Jews who have applied.

A second point of speculation in my discussions in Israel centered on the question of what world events would cause Russia either to revert to its policy of forbidding emigration or, on the other hand, open up the doors even wider to a larger number of Soviet Jews who might apply to go to Israel or to some other nation. Perhaps the only clear conclusion from all of my discussions on this subject was the inescapable inference that continued, massive and international protest on behalf of the right of Soviet Jews to emigrate will be indispensible for the forseeable future.

It would appear that the emigration of Jews from Russia is the only even partial resolution of the problems resulting from their oppression. Despite the world-wide clamor for freedom of religion for Soviet Jews it does not appear that the Russian government is prepared to yield at all on the severe restrictions which the Kremlin, at least since 1939, has imposed on Jewish seminaries, synagogues and on all religious and cultural activities of the three million Jews who reside in the USSR. Indeed, the official attitude of the Kremlin during the past five years has hardened. I saw in Israel, English translations of diatribes and vicious cartoons against everything Jewish which appear regularly in the Soviet press. The tone and content of this material was horrifying. In view of the pervasiveness of this material in the mass media in the Soviet Union it is not difficult to imagine the derision cast upon the members of those Jewish families who apply for a visa to leave Russia. Sad and depressing tales of the cruelty visited in their schools upon the children of these Jewish families came to my attention in Israel.

Speculation by Israelis as to the number of Soviet Jews who may eventually come to Israel ranges from 100,000 to a million. Fortunately, Israel will receive at least some modest assistance in the enormously expensive resettlement of the Soviet refugees—expected to cost one billion dollars this year alone—by the enactment of a bill now pending in Congress under which the government of Israel would be entitled to 2,000 dollars for each refugee who comes to Israel seeking asylum. This bill would grant financial subsidies in the same way that the United States assisted the refugees of Hun-

gary, Czechoslovakia and Cuba. This bill, which passed the House of Representatives several weeks ago, will hopefully pass the Senate and be signed by the President within the relatively near future. Every effort must be continued, however, to educate the American people—Jews and Christians alike—about the new exodus to Israel and all of the problems which this new wave of immigrants has brought to this small nation. Most Americans for example, do not recognize the fact that if the same proportionate number of refugees were coming to the United States as are now coming to Israel from Russia, the United States would have some three and a half million refugees to resettle within one calendar year!

While Israelis exult in the liberation of some of their brothers and sisters in Russia, everyone in Israel is profoundly concerned about the dreadful plight of the thousands of Jews who remain in Arab nations. Israelis express fear, for example, that the 4,500 Jews left in Iraq may now follow in the footsteps of the 130,000 Jews who resided in Iraq prior to 1948.

In other nations Jewish prospects are similarly bleak. The 4,500 Jews left in Syria of the 40,000 who lived there prior to 1949 are now afflicted in unbelievable ways. Only 450 Jews remain in Egypt out of that country's pre-1948 Jewish community of 80,000. In all of North Africa less than 50,000 Jews remain. with 35,000 of these residing in Morocco. The emigration to Israel of Jews in Arab lands poses dangers and difficulties even beyond those to which Soviet Jews are subjected.

There appears to be very little concern, or at least little discussion, about the plight of Jews who remain in the Communist nations of Eastern Europe. Several individuals, however, made the obvious point that possibly the strategy of Russia allowing Jews to migrate may become an accepted practice in Communist-dominated nations.

As I flew out of Tel Aviv on El Al after six unforgettable days, days of listening to Israelis from every walk of life, I was profoundly grateful for the efforts of the National Interreligious Task Force on Soviet Jewry. The work of this group has hardly begun. I have the hope that the members of this group and individuals everywhere will persuade Christians to act on the new crisis in Israel.

COMMENCEMENT ADDRESS BY SENATOR BIRCH BAYH

Mr. WILLIAMS. Mr. President, on June 3, the distinguished Senator from Indiana (Mr. BAYH) delivered the commencement address at Fairleigh-Dickinson University, in Madison, N.J. I believe his speech is especially appropriate during a time when so many of our college students are sincerely evaluating and testing the workings of our Government.

Senator BAYH has long been a defender of our constitutional rights and an advocate of full and indiscriminatory protection of our civil liberties. He has continually demonstrated, through his work in the Senate, his profound capability of serving all people of this country and his deep dedication to the American system of government.

But Senator BAYH, in his fight against those forces and causes he truly believes to be detrimental to our constitutional rights, has never been insensitive to our obligations to this Nation. Senator BAYH warned the newy graduated students that "dissent must be kept within the bounds of the law." He went on to remind all citizens of this country that—

Patriotism, today as in the day of Nathan Hale, requires that we support our country when she is right and use our energies to make her right when she is wrong.

Mr. President, I ask unanimous consent that this significant speech by Senator BAYH be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BIRCH BAYH

Very frankly, I am concerned about the relevancy of a commencement speech in these troubled times. Of course, I shall attempt to be relevant by discussing a subject that I believe should be of fundamental concern to all of us and by sharing with you my thoughts on this subject.

It may seem a bit unusual to ask you—the Class of 1972—who have labored through advanced biochemistry, 17th Century literature or seminars in primeval anthropology, to reflect on basic civics of years gone by.

However, I think this is necessary because too many Americans tend to take our basic freedoms, our Bill or Rights, for granted. And, in my judgment, it is a sad but nevertheless basic truth that the freedoms embodied in the Bill of Rights are threatened today. They are threatened not by some sinister external force. Rather they are threatened from within, by well-meaning Americans who confuse patriotism with acquiescence and protest with treachery.

As Justice Brandeis once observed, "The greatest dangers to liberty lurk in insidious encroachment by men of zeal, well meaning, but without understanding."

Actually, going back to this nation's formulative years, there was a significant group of national leaders, including Alexander Hamilton, who questioned the need for the Bill of Rights. They said that such basic rights were implicit in the very existence of the union and logical extensions of English common law.

Fortunately, the forces which wanted an explicit expression of these freedoms, including Thomas Jefferson, prevailed and the Bill of Rights was adopted as Amendments one through ten of the Constitution. I say "fortunately" because through the decades scores of Supreme Court decisions protecting basic individual liberties have relied upon the first ten Amendments.

Historically there have been several attempts to undermine these rights. The first significant attempt to roll back the blanket of democracy came soon after the Bill of Rights was ratified. In the 1790's Congress passed the Alien and Sedition Acts, some of which were soon repealed, but one of which remained on the books for almost a century before being ruled unconstitutional by the Supreme Court.

Among the more frightening provisions of the Alien and Sedition Acts, as some of you may recall, was that providing prison terms up to two years for publishing material viewed as false or malicious in relation to the Nation, the President or Congress. In short, beware of criticism. This overt contradiction of a free press was used, before it was declared unconstitutional for the most base political purposes. The real question, of course, was who should interpret what was false or malicious in relation to the Nation, the President or Congress.

It is interesting to note that during the term of Federalist President John Adams ten individuals were fined and imprisoned under the Sedition Act. It must be more than mere coincidence that all ten were Republicans.

In the period immediately following World War I the Bill of Rights suffered dramatically while Attorney General Palmer created and then exploited the "Red Scare" to chase blindly after alleged communists anarchists with little regard for the protections of due process embodied in the Bill of Rights.

For example, Palmer ordered that individuals holding divergent political views be incarcerated indefinitely while ignoring the following basic rights: grand jury hearing, due process, speedy and public trial, confrontation by witnesses, no excessive bail and no cruel or unusual punishment. All these rights were suspended for simply holding different political opinions in a supposedly open society.

Besides holding political prisoners in violation of their rights, Palmer gave short shrift to the rights of privacy, assembly and free speech with wholesale raids on individuals and groups suspected of so called unpatriotic acts.

Armed with 3,000 deportation warrants, his agents made simultaneous raids on "radical" meetings throughout the country. Everyone attending was arrested. Others were apprehended in their homes. Persons attempting to visit jailed members of their own families were arrested on suspicion of affiliation with proscribed groups. Deportation hearings were conducted without benefit of legal counsel or other judicial safeguards.

All in all, 2,700 people were convicted, including, it is well to remember, a Presidential candidate, Eugene Debbs, who had polled a million votes.

At its worst it was not unlike the procedures followed by the gestapo in Nazi Germany 15 years later.

A generation after Attorney General Palmer was doing his thing at the expense of liberty, Senator Joseph McCarthy unleashed his wholesale attacks on Communists and alleged Communists who, according to the late Senator, were lurking behind every doorway and under every bed in Washington. He, too, paid little attention to Constitutional protections for the accused. For his reckless disregard of individual liberty he was censured by the Senate.

I share these notes from history because today the Bill of Rights, the fundamental freedoms which distinguish our society from a totalitarian society, are facing another serious test.

The unhappy reality, from which we must not run lest we condemn future generations to life without liberty, is that for the past three years our government has pursued policies which if followed to their logical conclusions will mean serious and lasting erosion of individual liberties.

There is the ongoing attempt to intimidate the media and render freedom of the press as obsolete as the penny newspaper. TV stations are constantly reminded that their licenses have to be renewed by FCC. The second highest official in the land has suggested that news commentators undergo a test of philosophy before being permitted to go on the air. One of the leading national news commentators, Daniel Schorr, was the subject of an FBI investigation after criticizing the President.

There is the lingering memory of May Day last year when Constitutional rights were suspended for mass arrests which, because of their gross illegality, resulted in a conviction rate of less than one-tenth of one percent. I do not believe that anyone has the right to overthrow the government by violence. As much as I despise the Vietnam war—and I have voted to end that war time after time—opposition to the war does not justify throwing bricks through windows at the Justice Department, bombing Federal buildings, nor burning down ROTC headquarters.

We simply cannot run a nation of 200 million people if anarchy prevails. Illegal demonstrations have also been unfortunate because they have made it possible for those who want no protest to resort to severe tactics against all demonstrations, even those

which are legal and proper, something which would otherwise be unacceptable to most Americans.

Dissent must be kept within the bounds of the law. But this does not condone an arrest policy which itself violates the law of the land. Perhaps even worse than the illegality of the May Day arrests in the long run will be the unfortunate precedent they established.

Now, there is in this country today a legitimate concern about the increase in crime. People fear for their safety—they fear for the safety of their families even in their own homes. But is our society so lacking in innovative ideas that we must destroy the basic tenets of the Bill of Rights in order to fight crime.

There is no place in a free society for a legal system which permits knocking down the doors of private homes without a search warrant; there is no place in a free society for a legal system which grants the chief executive the power to bug and wiretap without a Federal court order; there is no place in a free society for a legal system which disregards the right of each of us to be secure in the privacy of our own homes.

We can and we must control crime. But I am confident that if we only have the will we can control crime without preventive detention, without no-knock, without preying on innocent civilians, without photographing peaceful demonstrators, without bugging and without a retreat from the basic freedoms which distinguish our society from a totalitarian society.

Last but not least there is the Vice President, who presumes that anyone who disagrees with administration policy is a cowardly traitor. The Angewisms of radilib, nattering nabobs of negativism and pussillanimous pussyfooters have replaced the mud pail and fellow traveler of Joe McCarthy. Anyone who dares to disagree somehow becomes disloyal and unamerican.

There are those in high places who have forgotten the words of President Eisenhower when he said, "If human rights and freedoms are to flourish, government must operate with its power sharply defined and limited by the governed."

In recent years well intentioned officials have permitted the steady erosion of basic individual liberties to such a degree that today we face a crucial test of the survivability of our system of government and our historical commitment to individual liberty.

Last year then-Assistant Attorney General William Rehnquist, now Mr. Justice Rehnquist, attempted to explain away the suspension of basic freedoms during the May Day demonstrations by saying, "The circumstances were extraordinary."

In Germany in the 1930's, in Greece in the 1960's, in country after country that has evolved into a police state, the first step came when constitutional liberties and guarantees were dispensed with because of extraordinary circumstances. Almost invariably this was done in the name of preserving order and maintaining the safety of the public—the same excuses put forth by Mr. Rehnquist and the others who have sought to justify patently unconstitutional acts and the erosion of individual rights.

I yield to no one for the love of my country. For me patriotism is not out of style. But I disagree with those modern day patriots who say if you don't go along you are unpatriotic or disloyal. They define patriotism as the blind allegiance to policies which may be wrong. I disagree.

Patriotism, today as in the day of Nathan Hale, requires that we support our country when she is right and use our energies to make her right when she is wrong.

The ultimate test of our belief in liberty and freedom is not the license which we give to those with whom we agree. Rather, the true test is the tolerance with which we insist on protection of the rights of those with whom we disagree. It is easy to defend the right of free speech for one who is praising you. It is much harder, and therefore perhaps more important, to defend the right of free speech for one who is damning you.

This should be a matter of special measure of concern to each of you in the Class of 72. As you face this watershed in your lives you must not forget that your dreams, your opportunities, and your rights as an individual will be diminished in proportion to the loss of freedom in society at large.

Some may say that I am an alarmist. There are those who say it can't happen here. Well, I hope and pray that they are right. But lest we forget how precious our freedom really is, and lest we relax our vigilance in protecting that freedom—to you who say it will never affect me, let me remind you of the words Pastor Neimoller uttered in Nazi Germany a quarter century ago:

"They came after the Jews. And I was not a Jew. So I did not object.

"Then they came after the Catholics. And I was not a Catholic. So I did not object.

"Then they came after the trade unionists. I was not a trade unionist. So I did not object.

"Then they came after me. And there was no one left to object."

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 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.

FEDERAL FINANCING BANK—UNANIMOUS-CONSENT AGREEMENT

Mr. ROBERT C. BYRD. Mr. President, having discussed this request with the distinguished Senator from Alabama (Mr. SPARKMAN), the distinguished Senator from Texas (Mr. TOWER), the distinguished Senator from Wyoming (Mr. McGEE), the distinguished assistant Republican leader, and the distinguished majority leader, I propound the request as follows:

I ask unanimous consent that at such time as S. 3001, a bill to establish a Federal financing bank, is called up and made the pending business before the Senate, there be a limitation of time on that bill of 2 hours, to be equally divided between the distinguished Senator from Alabama (Mr. SPARKMAN) and the distinguished Senator from Utah (Mr. BENNETT); that there be a limitation of time of 1 hour on any amendment thereto in the first degree; that there be a limitation of time on any amendment to an amendment, debatable motion, or appeal, of 30 minutes, the time to be equally divided in each instance between the mover of such and the manager of the bill, except in any instance in which the manager of the bill supports such, in which case the time in opposition thereto be under the control of the distinguished Republican leader or his designee; provided further, that Senators in control of time on the bill may yield therefrom to any Senator on any amendment, debatable motion, or appeal.

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 9 a.m., following a recess.

After the two leaders have been recognized, the distinguished Senator from Delaware (Mr. ROTH) will be recognized for not to exceed 15 minutes, after which the distinguished Senator from Iowa (Mr. HUGHES) will be recognized for not to exceed 15 minutes, following which the Chair will lay before the Senate the unfinished business, S. 3390.

The pending question at that time will be on the adoption of the amendment by the distinguished Senator from Wyoming (Mr. McGEE), amendment No. 1262, on which there is a time limitation of 3 hours.

Upon the disposition of amendment No. 1262 by Mr. McGEE, the Chair will temporarily lay aside the unfinished business, and S. 3390 will remain in a temporarily laid aside status until the disposition of the so-called product safety bill, S. 3419, on which there is a time limitation of 2 hours, with a time limitation on an amendment by Mr. COTTON of 3 hours, a time limitation on an amendment by Mr. GURNEY of 2 hours, and a time limitation on any other amendment, debatable motion, or appeal of one-half hour.

Mr. President, there will be rollcall votes tomorrow. The calendar will be called during the time that the distinguished majority leader is being recognized.

I assume that we may very well expect a rollcall vote on the amendment by Mr. McGEE. The product safety bill is somewhat controversial, and controversial amendments will be offered thereto. So the Senate may be alerted to the fact that there unquestionably will be yea and nay votes tomorrow.

RECESS UNTIL 9 A.M. TOMORROW

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 recess until 9 a.m. tomorrow.

The motion was agreed to; and at 5:55 p.m. the Senate took a recess until tomorrow, Wednesday, June 21, 1972, at 9 a.m.

NOMINATIONS

Executive nominations received by the Senate June 20 (legislative day of June 19), 1972:

DEPARTMENT OF JUSTICE

Ralph E. Erickson of California to be Deputy Attorney General, vice Richard G. Kleindienst, elevated.

DIPLOMATIC AND FOREIGN SERVICE

The following-named Foreign Service officer for promotion from class 3 to class 2 and to be also a consular officer of the United States of America:

James A. May, of California.

For appointment as Foreign Service officers of class 2, consular officers, and secretaries in the Diplomatic Service of the United States of America:

Milton Kovner, of Maryland.
James M. Snyder, of Florida.
John F. Troy, of Louisiana.

For appointment as Foreign Service information officers of class 2, consular officers, and secretaries in the Diplomatic Service of the United States of America:

Fred D. Hawkins, of Tennessee.
Marlin W. Remick, of Virginia.

For reappointment in the Foreign Service as Foreign Service officers of class 3, consular officers, and secretaries in the Diplomatic Service of the United States of America:

Charles A. Cariddi, of California.
Paul W. Deibel, of the District of Columbia.
Deion L. Hixon, of Virginia.
Samuel Karp, of Pennsylvania.
Earl A. Kessler II, of Florida.
Frank E. Wallace, of Tennessee.

For appointment as Foreign Service officers of class 3, consular officers, and secretaries in the Diplomatic Service of the United States of America:

Roland P. Amatels, Jr., of Florida.
Kenneth E. Cox, of Florida.
E. Lewis Crosson, of Texas.
Charles E. Gates, of California.
James F. McKinlay, of Virginia.
Larry G. Piper, of Texas.
Lawrence J. Robert, of Michigan.
Richard T. Salazar, of the District of Columbia.
John D. Sinozich, Jr., of Illinois.
Byron P. Walker, of California.
Charles E. Watkins, of Virginia.

For appointment as Foreign Service information officers of class 3, consular officers, and secretaries in the Diplomatic Service of the United States of America:

Stanton H. Burnett, of Washington.
Robert A. Collinge, of Virginia.
Eddie Deerfield, of Illinois.
Ernest E. Goodman, of California.
Clement Don Jones, of Florida.
Richard McKiernan, of Illinois.
James Perrin, of Florida.
Robert A. Riccio, of Rhode Island.
Irwin K. Teven, of Illinois.
James P. Thurber, Jr., of California.
Herbert W. Timrud, of Missouri.

For reappointment in the Foreign Service as Foreign Service officers of class 4, consular officers, and secretaries in the Diplomatic Service of the United States of America:

Roy J. Apel, of California.
Miss Margaret J. Barnhart, of Pennsylvania.
Jack Beni, of West Virginia.
Miss Anne L. Carroll, of Idaho.
Wilbur W. Hitchcock, of New Jersey.
Miss Frances Dodd Howell, of North Carolina.
Charles J. Konya, of Maryland.
Mrs. Olga Lepo, of Florida.
George W. Small, of West Virginia.
Franklyn E. Stevens, of California.
Elwin Trafton Vangas, of New Hampshire.
Miss Olga Marie Zhivkovitch, of Illinois.

For appointment as Foreign Service officers of class 4, consular officers, and secretaries in the Diplomatic Service of the United States of America:

Richard C. Andre, of Ohio.
Raymond M. Bailey, of Ohio.
John Condayan, of Virginia.
Douglas K. Davidson, of Maine.
Robert G. Deason, of California.
Charles R. Doscher, of California.
Miss Marjory J. Fiebig, of Michigan.
John G. Gilmore, of New Hampshire.
George Iacono, of Maine.
Franklin E. Jackson, of Kentucky.
Howard T. Jackson, of New York.
Gus P. Peleuses, of Ohio.
Edward Joseph Perkins, of California.
Sunao Sakamoto, of Hawaii.
Miss M. Virginia Schafer, of Washington.
Donald R. Schoeb, of Maryland.
Leonard J. Scioli, of Pennsylvania.
Philip Meade Smith, of Pennsylvania.
La Rue H. Velott, of California.
Harold E. Vickers, of California.
Christopher P. Viachos, of Maryland.
Frederick Warner, Jr., of California.
Donald A. Wetherbee, of New York.

For appointment as Foreign Service information officers of class 4, consular officers, and secretaries in the Diplomatic Service of the United States of America:

Dion Anderson, of the District of Columbia.
Frank P. Catanoso, of Ohio.
Donald E. Creager, of Wisconsin.
John L. Dennis, of California.
Terry C. Eakin, of Colorado.
Aurelius Fernandez, of New York.
Kent A. Herath, of Ohio.
Vincent J. Hovanec, of Florida.
Ray Peppers, of South Carolina.
Joseph Sadlik, of Virginia.
David G. Smith, of New York.

For reappointment in the Foreign Service as Foreign Service officers of class 5, consular officers, and secretaries in the Diplomatic Service of the United States of America:

John B. Moody, of Georgia.
Walter John O'Grady, of New York.
Edward B. Pohl, of Louisiana.
Cecil S. Richardson, of New York.

For appointment as Foreign Service officers of class 5, consular officers, and secretaries in the Diplomatic Seervice of the United States of America:

James E. Baldridge, of Illinois.
Thomas F. Barron, of California.
Miss May A. Belair, of Massachusetts.
Donald J. Bouchard, of Maine.
James F. Brackman, of West Virginia.
Mrs. Mary Reed Cencetti, of the District of Columbia.
Miss Helenann Clarke, of California.
Terrance M. Day, of Maryland.
Francis J. Dennett, of Florida.
Miss Faye E. Dunn, of Alabama.
Jake M. Dyels, Jr., of California.
Joseph F. Fagan, of Pennsylvania.
Charles A. Gillespie, Jr., of California.
John R. Graham, of Pennsylvania.
Miss Caroline M. Hasenkamp, of Florida.
Edward F. Height, of California.
Henry M. Howe, of Georgia.
Miss Catherine M. Hurley, of Connecticut.
Bernard Johns, of the District of Columbia.
Mrs. Patricia P. Kemper, of Florida.
Lewis A. Kert, of California.
Miss Velma H. Lewis, of New Hampshire.
Miss Frances T. Lide, of Mississippi.
Robert N. McGovern, of California.
Miss Judith M. McHale, of Maryland.
Thomas F. Milliren, of Pennsylvania.
Peter K. Murphy, of Massachusetts.
Miss Marie F. O'Shea, of New York.
Miss Margery J. Palmer, of California.
Vincent A. Ragone, of New York.
Charles P. Reilly, of Washington.
Oscar A. Reynolds, of Texas.
Kenneth J. Robinson, of Florida.
Miss Erma Schumacher, of California.
Allan D. Silberman, of Maryland.
Manuel Silberstein, of California.
Miss Mildred P. Tamny, of Pennsylvania.

For appointment as Foreign Service information officers of class 5, consular officers, and secretaries in the Diplomatic Service of the United States of America:

Alfred M. Crocker, of Texas.
William T. Hines, of the District of Columbia.

For promotion from Foreign Service officers of class 7 to class 6:

Roger A. McGuire, of Ohio.
Richard H. Zorn II, of Illinois.

For reappointment in the Foreign Service as a Foreign Service officer of class 6, a consular officer, and a secretary in the Diplomatic Service of the United States of America:

Mrs. Marian L. Tipton, of Idaho.

For appointment as Foreign Service officers of class 6, consular officers, and secretaries in the Diplomatic Service of the United States of America:

Miss Carolyn M. Allen, of Oklahoma.
Joseph F. Aronhime, of Maryland.
John A. Bastek, of Connecticut.
Phillip V. Battaglia, of Illinois.
Michael Billick, of Florida.
Maurice L. Brooks, of New Jersey.
Bruce J. Christopherson, of Colorado.
Miss Betty J. Collins, of Texas.
William A. Colwell, of New York.
Herbert D. Dunhaver, of California.
Quetzal Doty, of Illinois.
Richard C. Faulk, of New Jersey.
Miss Janice F. Friesen, of California.
Rudolph F. Glasl, of Wisconsin.
James J. Grusheski, of Tennessee.
Richard G. Haegele, of Illinois.
Miss Anna M. Hafey, of New Hampshire.
George A. Hannemann, of Texas.
Francis P. G. Hearne, of New Jersey.
Irvin Hicks, of Maryland.
Stephen J. Hobart, of Florida.
Paul M. Hooper, of Texas.
Thomas C. James, of California.
Herbert Klee, Jr., of Illinois.
Albert D. Krehbiel, of Hawaii.
Miss Jean R. Langhorst, of Ohio.
Duane T. Linville, of Indiana.
Kenneth Longmyer, of California.
Alfred J. McGinness, of Ohio.
James W. McGunnigle, of New York.
Gregory L. McLerran, of Texas.
Miss Mary Ann Meysenburg, of Nebraska.
Edward M. Milburn, of Illinois.
John D. Moller, of North Carolina.
John Monioudis, of Virginia.
Roberto R. Munoz, of Texas.
James F. Myrick, of the District of Columbia.
Alfred H. Neal, Jr., of the District of Columbia.
Robert K. Nelson, of Washington.
Ralph L. Nider, of Pennsylvania.
Joseph P. O'Neill, of New York.
Spencer W. Phillips, of Connecticut.
James W. Roodhouse, of Illinois.
Carl N. Schmidt, of Virginia.
Miss Monica J. Schmitt, of Florida.
Miss Elaine Barbara Schunter, of Michigan.
Fredrick G. Shirley, of Kentucky.
Thomas J. Sinclair, of Maryland.
Norman A. Singer, of Illinois.
William G. Smallwood, of Washington.
Moffett R. Smith, of Texas.
Gerald R. Toney, of Texas.
Donald R. Tremblay, of California.
Richard L. Weeks, of New Hampshire.
Miss Frances Lee Weinmann, of Washington.
Daniel R. Welter, of Massachusetts.
Edward H. Wilkinson, of Indiana.
Russell M. Winge, of Minnesota.
Bernard J. Woerz, of New Jersey.
Johnny Young, of Pennsylvania.

For promotion from a Foreign Service officer of class 8 to class 7:

Lawrence Marshall Grossman, of Nebraska.

For appointment as Foreign Serivce officers of class 7, consular officers, and secretaries in the Diplomatic Service of the United States of America:

William W. Allen, of Oregon.
Robert D. Arthur, of California.
Miss Joyce A. Bednarski, of the District of Columbia.
R. Rand Beers, of Michigan.
James P. Bell, Jr., of Maryland.
John E. Bennett, of Massachusetts.
Edwin L. Brawn, of Maine.
Donald S. Bryfogle, of Virginia.
Landon C. Carter, of Virginia.
Geoffrey W. Chapman, of New Jersey.
Gene Burl Christy, of Texas.

Haley D. Collums, of Tennessee.
James P. Covey, of New York.
J. Michael Davis, of Florida.
Wesley W. Egan, Jr., of North Carolina.
George P. Fourier, of Oregon.
Miss Arlene I. Gemmil, of New York.
James Hogan Glenn, of Nebraska.
Miss Ann E. Griffin, of California.
James M. Griffin, of Massachusetts.
Dennis M. Grimmer, of Wisconsin.
Alan Shaw Hegburg, of the District of Columbia.
Dale Roy Herspring, of California.
Donald K. Holm, of Minnesota.
James R. Hooper, of Michigan.
Joseph S. Hulings III, of South Carolina.
Jerrell G. Keathley, of Texas.
Willis D. King, of Oklahoma.
Douglas S. Kinney, of Florida.
Miss Therese Ann Kleinkauf, of New York.
Richard P. Livingston, of Tennessee.
Michael K. Lyons, of New York.
Ronald L. Main, of Oklahoma.
Thomas H. Martin, of Illinois.
Drew Stephen May, of New Jersey.
Gerald McCulloch, of Michigan.
Donald James McNally, of New Jersey.
Adriaen M. Morse, of Arkansas.
Michael A. Nayor, of New York.
Kenneth N. Peltier, of Texas.
David C. Pugh, of Florida.
Ronald Benjamin Rabens, of Illinois.
Miss Margot Ellen Reiner, of New Jersey.
Thomas Lee Robinson, of Michigan.
Roger Keith Rutledge, of Tennessee.
Jack W. Ryan, of Ohio.
Joseph Philip Saba, of Pennsylvania.
Louis D. Sell, of Kentucky.
James Gary Seyster, of California.
LeRoy C. Simpkins, of California.
Richard J. Stemple, of Illinois.
Charles R. Sten, of Washington.
Domonic Vallese, of Pennsylvania.
Theodore J. Villinski, of Iowa.
Miss Rhoda Weinstein, of New York.
Thomas M. Widenhouse, of Illinois.
Miss Sharon P. Wilkinson, of New York.
Edward L. Williams, of New Jersey.
Robert A. Windsor, of Florida.
Eugene C. Zajac, of Illinois.

For appointment as Foreign Service Information officers of class 7, consular officers, and secretaries in the Diplomatic Service of the United States of America:

Sheridan W. Bell III, of Delaware.
Cesar D. Beltran, of California.
Csaba T. Chikes, of Georgia.
Miss Margaret M. Converse, of New York.
Miss Katherine M. Griffin, of North Carolina.
Stevan M. Horning, of Indiana.
Victor L. Jackovich, of Iowa.
Joe B. Johnson, of Texas.
John F. Kerr, of Texas.
Francis William Lowrey, of New Mexico.
Miss Carol E. Ludwig, of Iowa.
Miss Diane E. Mayer, of Ohio.
Gary P. McElhiney, of Massachusetts.
Kenneth A. Simms, of California.
Christopher M. Wallace of Washington.
Miss Veda B. Wilson, of the District of Columbia.
Van S. Wunder III, of Ohio.

For appointment as Foreign Service Officers of class 8, consular officers, and secretaries in the Diplomatic Service of the United States of America:

Miss JoAnne Arzt, of New York.
Ryan Clark Crocker, of Washington.
Arnold Jackson Croddy, Jr., of Maryland.
Miss Holly Gosewisch, of Wisconsin.
John E. Hope, of California.
Wayne Stephen Leininger, of Florida.
Bruce McKenzie, of California.
William Howard Moore, of Virginia.
Richard A. Morford, of Indiana.
Ronald J. Neitzke, of Minnesota.
John F. Tefft, of Wisconsin.
John J. Tkacik, Jr., of Virginia.

For appointment as a Foreign Service information officer of class 8, a consular officer, and a secretary in the Diplomatic Service of the United States of America:

Mrs. Ann Hume Loikow, of Virginia.

Foreign Service Reserve officers to be consular officers of the United States of America:

Charles J. Cusick, of Maryland.
William R. MacLauchlan, of Maryland.
Neil E. McPherson, of Maryland.
Paul G. Nyhus, of New Jersey.

Foreign Service Reserve officers to be consular officers and secretaries in the Diplomatic Service of the United States of America:

Ronald T. Allen, of Maryland.
William J. Amshey, of Virginia.
Edmund L. Andrews, of Maryland.
Anthony Arredondo, of Colorado.
Ernest J. Ballesteros, of California.
Miss Pamela K. Balow, of Illinois.
Julian L. Bartley, of New York.
Milton A. Bearden, of Texas.
Edwin L. Beffel, of the District of Columbia.
Henry M. Bennett, of Texas.
Martin J. Bergin, Jr., of Virginia.
Roger Blattberg, of Virginia.
Richard L. Branche, of Ohio.
Miss Terrezene Brown, of California.
James A. Bruha, of Virginia.
Thomas A. Brunton, of California.
James E. Burkart, of Maryland.
Claude P. Connelly, of Virginia.
Frank Cummins, of Maryland.
John J. Devine, of Virginia.
J. Patrick Donohue, Jr., of Virginia.
Joseph F. Fernandez, of Florida.
Bernard M. Fitzgerald, of Virginia.
Robert T. Francis II, of Virginia.
Oliver P. Garza, of Texas.
Michael H. Goldman, of Virginia.
Todd D. Hagenah, of Virginia.
Roman J. Halla, of Virginia.
Lowell V. Hammer, of Maryland.
George Hawks, Jr., of Maryland.
Otis L. Hayes, of Tennessee.
McCrea Hazlett, of New York.
George B. Holmes, of the District of Columbia.
Miss Joszet S. Hudson, of Georgia.
Wyatt B. Johnson, of the District of Columbia.
Sidney L. Jones, of Michigan.
Miss Agnes T. Kang, of Maryland.
Ronald L. Kates, of New Jersey.
David N. Kelling, of Virginia.
James Kim, of Virginia.
Richard B. Leach, of Virginia.
Miss Concetta Leonardi, of Massachusetts.
George E. Lichtblau, of Maryland.
Miss Linda H. Louie, of Maryland.
Bruce MacMaster, of the District of Columbia.
Herbert Manell, of California.
David C. Martin, of Maryland.
Edward S. McCarthy, of Virginia.
John F. McCarthy III, of Virginia.
Raul A. Mendez, of Virginia.
Richard H. Miller, of Maryland.
George H. Mitchell, Jr., of Virginia.
V. Miro Morville, of the District of Columbia.
Patrick N. Murphy, of Virginia.
Bruce L. Pearson, of California.
David M. Ransom, of Virginia.
Richard L. Ratcliff, of Maryland.
William A. Read, of Wyoming.
Thomas Joseph Rice, of Washington.
Gary G. Roberts, of Maryland.
Montgomery L. Rogers, of Maryland.
Glenn A. Rounsevell, of Virginia.
Joseph G. Sancho, of Ohio.
Robert K. Simpson, of Massachusetts.
Richard A. Smith, of Virginia.
Miss Mary Cynthia Smoot, of the District of Columbia.
Laurance Stanley, of New York.
Justice B. Stevens, of California.
Dale E. Sumption, of the District of Columbia.
Gerald J. Svat, of Virginia.
Miss Frances F. Switt, of New Jersey.
Melvin M. Tano, of Hawaii.
Edward William Tatge, of Maryland.
Leonard D. Therry, of Virginia.
Darryl R. Thibault, of California.
Wade E. Thomas, of Virginia.
Miss Susie J. Tucker, of the District of Columbia.
Richard D. Van Winkle, of New Jersey.
Daniel K. Webster, of Virginia.
Frederick L. Wettering, of Illinois.
Ben B. Wickham, Jr., of Connecticut.

Foreign Service Reserve officers to be secretaries in the Diplomatic Service of the United States of America:

Marian D. Bowe, of Nebraska.
Charles B. Dickens, of the District of Columbia.
Louis V. Ebert III, of Maryland.
William Richard Ford, of Michigan.
Kenneth M. Kauffman, of California.
Arnold C. Long, of Washington.
Stephen E. Montgomery, of Texas.
Richard W. Rauh, of Illinois.

Foreign Service Staff officers to be consular officers of the United States of America:

Leroy E. Beal, of Missouri.
Theodore A. Dawson, of Iowa.
Lyle A. Dittmer, of Washington.
Gilbert H. C. Giegling, of California.
Eugene C. Harter, Jr., of Ohio.
R. Dennis Jones, of Maryland.
Miss Marilyn A. Miller, of Pennsylvania.
Ward D. Morrow, of Pennsylvania.
James J. Murray, of New York.
William C. Poole, of Virginia.
Miss Carol B. Reavis, of the District of Columbia.
Richard A. Reiser, of Ohio.
Dennis R. Shaw, of South Dakota.
Jimmy P. Tinsley, of Alabama.

IN THE U.S. ARMY

The following-named officer to be placed on the retired list in grade indicated under the provisions of title 10, United States Code, section 3962:

To be general

Gen. John Hersey Michaelis, [redacted] Army of the United States (major general, U.S. Army).

DEPARTMENT OF JUSTICE

Carl E. Hirshman, of New Jersey, to be U.S. marshal for the district of New Jersey for the term of 4 years, vice Anthony T. Greski, resigned.

DEPARTMENT OF DEFENSE

Adm. Thomas Hinman Moorer, U.S. Navy, for reappointment as Chairman, Joint Chiefs of Staff, for an additional term of 2 years.

U.S. ARMY

Gen. William C. Westmoreland, [redacted], Army of the United States (major general, U.S. Army), to be placed on the retired list in the grade of general under the provisions of title 10, United States Code, section 3962.

Gen. Creighton W. Abrams, [redacted], Army of the United States (major general, U.S. Army), for appointment as Chief of Staff, U.S. Army, under the provisions of title 10, United States Code, section 3034.

U.S. AIR FORCE

The following officer to be placed on the retired list in the grade of lieutenant general under the provisions of section 8962, title 10 of the United States Code:

Lt. Gen. John W. O'Neill, [redacted] FR (major general, Regular Air Force) U.S. Air Force.

The following officer under the provisions of title 10, United States Code, section 8066, to be assigned to a position of importance and responsibility designated by the Presi-

dent under subsection (a) of section 8066, in grade as follows:

To be lieutenant general

Maj. Gen. Edmund F. O'Connor, [redacted] (major general, Regular Air Force) U.S. Air Force.

U.S. NAVY

Rear. Adm. Marmaduke G. Bayne, U.S. Navy, having been designated for commands and other duties determined by the President to be within the contemplation of title 10, United States Code, section 5231, for appointment to the grade of vice admiral while so serving.

U.S. MARINE CORPS

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

In accordance with the provisions of title 10, United States Code, section 5232, Maj. Gen. Foster C. LaHue, U.S. Marine Corps, having been designated for commands and other duties determined by the President to be within the contemplation of said section, for appointment to the grade of lieutenant general while so serving.

EXTENSIONS OF REMARKS

WEST VIRGINIA'S 109TH ANNIVERSARY, JUNE 20, 1972, IS SIGNIFICANT DATE FOR OUTLINING PROGRESS IN MOUNTAIN STATE

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Tuesday, June 20, 1972

Mr. RANDOLPH. Mr. President, 109 years ago, President Abraham Lincoln signed the proclamation which created the 35th State of the Union. On this anniversary, I invite Senators to join with me in marking this significant birthdate of the State of West Virginia.

Much that has been written about the Mountain State in recent years has served to obscure the richness and diversity of its human and natural resources. We read of disasters and of economic upheavals. These have occurred in West Virginia and in other States in varying proportions.

We have a good heritage. The lands that now make up West Virginia were once the outward reaches of American civilization. Old Fields, near Moorefield, was one of the earliest settlements on the western frontier. West Virginia is the fourth richest State, minerally speaking, in this richest Nation on earth. Its deep reservoirs of coal and oil and natural gas, timber, and limestone and silica sands undergird our great eastern industrial complex. Over the past two decades, the complete mechanization of our mining industry has strengthened West Virginia's role as a major producer of bituminous coal.

With its plethora of natural resources, the Mountain State has attracted in increasing numbers the major industrial companies of America. From this industrail base has sprung a broad diversity of industry.

But West Virginia's richest resource is its people, who were committed to shaking off the economic agonies of the 1950's, when the transitions of coal mining from hand labor to machinery ended thousands of jobs. I should note that this mechanization process is now affecting other major industries throughout the Nation, and the experiences of West Virginia can be of great benefit to all.

Today West Virginia is alive and well, with new job opportunities opening along a network of interstate and Appalachian developmental highways which provide new accessibility to its natural resources. Its lofty mountains and sparkling streams have long attracted knowing tourists. Today, these and other attractions have actually created an immigration of new citizens seeking the serenity of the open spaces. West Virginia is in the forefront in environmental concerns, facing such current issues as surface mining and stream pollution and timber management early in the game.

In their commitment to strengthening the economic and social resources of our State, West Virginians are following a heritage that compounds into a bright and golden page in history. When, after Fort Sumter, the Southern States seceded one by one from the Union, and formed a separate nation, the people of what was then western Virginia chose not to go along. As some historians still say, it might have been an illegal act on their part, their breaking away from the rest of Virginia. But they felt constrained not to compound a greater wrong. They formed a new State, because they felt that America as a Nation was worth saving. And they contributed heavily to that salvation in both manpower and resources.

Mr. President, my colleagues and many other Americans, do recognize that this 109th birthday of the State of West Virginia is in a sense a year of challenge for us, as well as a time of looking back. We are working to build a better West Virginia as a part of a better Nation and a better world.

CANADA'S CONTINUING EFFORTS TO GET A CANADIAN PIPELINE ROUTE CONSIDERED

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 20, 1972

Mr. ASPIN. Mr. Speaker, the Canadian Government has made strenuous efforts—so far unsuccessful—over a long period of time to get the U.S. Interior Department to seriously consider a Canadian route to the Midwest for both natural gas and oil pipelines.

I would like to include in the RECORD today an excerpt from the Commons Debates of the Canadian House of Commons on June 9, 1972. This excerpt summarizes very well Canada's continuing, if frustrating, attempts to get the Interior Department to undertake an objective, thorough analysis of the relative merits of a Canadian route. The excerpt follows:

A massive leak from a pipeline, difficult to construct and maintain over and through the permafrost territory, could in itself destroy the northern ecology. In conjunction with the ecology problems, the two transport methods and routes would have to be weighed in light of the economics of getting the product to the consumer. In brief, which method and route would be more beneficial to Canadian consumers, and indeed to the ecology of North America? It is just that simple a question, but it requires a decision. I hope the minister will make an announcement today. As I said, Mr. Speaker, the Conservatives for some time have recommended that a study be carried out.

Tanker oil pollution near the western shoreline of Canada, in conjunction with the increase in the price of gasoline, are among the foremost problems facing Canadians.

You cannot divorce oil pollution from unemployment or the economic growth of the nation, but it can be done with judgment, with rules, regulations and decisions based on facts. As I said, Mr. Speaker, there is an increasing demand for fuel and gasoline throughout the world.

Now, I want to turn for a few moments to deal with the question of the dangers that have arisen simply because no decisions have been made. On February 15, 1970, the Liberian tanker *Arrow* was wrecked on the Cerberus Rock in Chedabucto Bay off Nova Scotia. Only 1.3 million gallons, of an estimated 2.5 million spilled into the water, were recovered. The remainder contaminated 190 miles of shoreline in the bay, miles of beaches on Sable Island 100 miles away, and 4,800 birds lost their lives. The *Arrow* was Canada's major oil spill disaster. What happened? Who paid the shot? Read the Henderson report. The Canadian taxpayer paid the shot. They cannot determine who owned the tanker. There has been no way of measuring the damage, and so the taxpayer has paid the shot.

At the beginning of May U.S. Interior Secretary Morton issued preliminary approval for a go ahead of the TAPS tanker system to ship oil from Prudhoe Bay to Valdez by pipeline and from there to the west coast by giant oil tankers. One terminus for these tankers is Cherry Point in the state of Washington, which is exactly 20 miles away from the place in Canada which is polluted today. The tanker *Arrow* was 18,000 tons dead weight. The tankers for the TAPS route are to be over 100,000 tons dead weight. What will our shoreline be like if one of these large tankers is wrecked? Where will the government be then? Where will its supporters in British Columbia be then? It is a sad story.

The ACTING SPEAKER (Mr. LANIEL): Order, please, I regret having to interrupt the hon. member, but the time allotted to him has expired.

Hon. DONALD S. MACDONALD (Minister of Energy, Mines and Resources). Mr. Speaker, I am glad to have the opportunity to follow the hon. member for Calgary North (Mr. Woolliams) in this debate because I can put to him directly the very extensive record, which has already been outlined in this House, of work done both with regard to the question of the Mackenzie Valley pipeline route and the dangers involved for Canada's west coast because of the TAPS route.

[Mr. WOOLLIAMS.]

The hon. member made a number of points,