

HOUSE OF REPRESENTATIVES—Tuesday, March 13, 1973

The House met at 12 o'clock noon. Rev. John R. Graham, minister, United First Parish Unitarian Church, Quincy, Mass., offered the following prayer:

We reach for the responsibilities of the day burdened with the realization that the demands defy fulfillment.

While cynics rage and rattle their causes in our ears, may we seek the serenity of our consciences.

There are no right answers; only right actions. May we experience those rare moments when plans and performance meet to create deeds of courage.

Fond of portraying ourselves as guardians of the good, we must become the gatekeepers of compassion.

Wearied by pressure, bowed by business, confused by crises, and distracted by limited loyalties, may we give the same attention to people we do to programs and paper.

May our achievements bear the only mark of meaning: human decency. Then we will not only have done our best but we will have done all that is required of us. Amen.

THE JOURNAL

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

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE SENATE

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

H.J. Res. 334. Joint resolution to provide for the designation of the second full calendar week in March 1973 as "National Employ the Older Worker Week."

TRIBUTE TO REV. JOHN R. GRAHAM, UNITED FIRST PARISH CHURCH, QUINCY, MASS.

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

Mr. BURKE of Massachusetts. Mr. Speaker, may I take this opportunity to announce that I am pleased and privileged to announce that Rev. John Rushton Graham of the United First Parish Church of Quincy, Mass., delivered the opening invocation on the floor of the House of Representatives. The United First Parish Church, which is in my district, the 11th District of Massachusetts is also known as the Church of the Presidents "where a noble heritage inspires today's living." John Adams and John Quincy Adams, the second and sixth Presidents of the United States, are buried in the crypt of the historic church.

I am most honored to have the Reverend John Rushton Graham from Quin-

cy, Mass., city of the Presidents, as our chaplain today.

Of added interest to the Members of this body, in February of 1971, the United First Parish Church of Quincy, located at 1266 Hancock Street, Quincy, Mass., was designated by the Advisory Board on National Parks, Historic Sites, Buildings, and Monuments and approved by the Secretary of the Interior Department, Rogers C. B. Morton, as a national historic landmark. The First Parish Church received a certificate and plaque designating it as a national historic landmark and, as a landmark, the property is automatically placed on the national register of historic places.

In its report to the Advisory Board, the National Survey of Historic Sites and Buildings noted that architecturally, the First Parish Church of Quincy represents the transition between the Federal and Greek revival styles. Its massive tetra-style Doric portico, the monolithic columns of which weigh 25 tons each, is Grecian in inspiration, but the plan as well as the interior detail of the main body of the church, with its graceful arched windows, remains largely within the earlier Federal and Georgian tradition. Built in 1827-28 of Quincy blue granite, the church was designed by Alexander Parris of Boston. A fine mahogany pulpit dominated the galleried interior, which features an exquisitely plastered dome in the center of the ceiling. An unobtrusive rear wing dating from 1889 constitutes the only change to the church since it was built. In 1961-64, the church underwent restoration and stands today in good condition. The First Parish Church is open to visitors who wish to view this historic and important landmark.

ALLEGED ATTACKERS OF SENATOR JOHN STENNIS APPREHENDED

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

Mr. MONTGOMERY. Mr. Speaker, of course it is very satisfying to know that those who apparently attacked and shot Senator JOHN STENNIS on January 30 have been apprehended.

I only hope the courts will take swift action and, if proven guilty, these people will be put behind bars with no chance for a quick parole.

As I had feared, one of those arrested had committed a robbery on January 10 and was out on bail at the time he allegedly attacked the Senator. This should come as no surprise since 30 percent of the crime in Washington is committed by persons out on bail.

I congratulate the Mississippi Legislature, city of Jackson, and private individuals for the reward money. It seems that the break in the case came from an informer who was, of course, interested in the reward money.

I commend the Metropolitan Police and the FBI for their endless and patient work in this case. I hope the courts will put strength back in the judicial

system here in Washington with quick action on these suspects.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman from Mississippi yield?

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

Mr. GERALD R. FORD. I read that one of those allegedly involved was out on bail. Does the gentleman recollect that we passed several years ago the District of Columbia anticrime bill, which included a preventive detention provision?

I would assume that this individual could have been kept in jail pending his actual trial. I hope if that authority did exist that the court had investigated the individual's previous record, and if it did I regret that it did not keep him in jail pending that trial.

I would like to add, however, Mr. Speaker, that in the administration's new crime bill that is coming up sometime this week, I trust, from the White House, there will be a preventive detention provision in the hard drug area where they have been apprehended and indicted so they can be kept from further criminal activity while awaiting trial.

Mr. MONTGOMERY. I thank the gentleman for his remarks.

PERMISSION FOR COMMITTEE ON RULES TO FILE PRIVILEGED REPORT

Mr. PEPPER. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file a privileged report.

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

There was no objection.

COMPREHENSIVE OLDER AMERICANS SERVICES AMENDMENTS OF 1973

Mr. PEPPER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 273 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 273

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 71) to strengthen and improve the Older Americans Act of 1965, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Education and Labor now printed in the bill as an original bill for the purpose of amendment under the five-minute rule, said substitute shall be read for amendment by titles instead of by sections, and all points of order against title V of said substitute for failure to comply with the

provisions of clause 4, rule XXI are hereby waived. At the conclusion of such consideration, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. After the passage of H.R. 71, it shall be in order in the House to take from the Speaker's table the bill S. 50 and to move to strike out all after the enacting clause of the said Senate bill and insert in lieu thereof the provisions contained in H.R. 71 as passed by the House.

THE SPEAKER. The gentleman from Florida is recognized for 1 hour.

CALL OF THE HOUSE

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

THE SPEAKER. Evidently a quorum is not present.

MR. BRADEMAS. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The call was taken by electronic device, and the following Members failed to respond:

[Roll No. 43]

Badillo	Ford,	Mills, Ark.
Bafalis	William D.	Moorhead, Pa.
Barrett	Gibbons	Murphy, N.Y.
Bell	Gray	Nelsen
Bergland	Hanna	Nix
Biaggi	Harsha	O'Hara
Blatnik	Harvey	Pike
Brooks	Hays	Price, Tex.
Chisholm	Hebert	Rarick
Clark	Holifield	Rooney, N.Y.
Collier	Holtzman	Roy
Conyers	Hosmer	Steelman
Delaney	Ichord	Steiger, Wis.
Dulski	King	Stokes
Foley	Kyros	Waldie
	McEwen	

THE SPEAKER. On this rollcall 386 Members have recorded their presence by electronic device, a quorum.

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

COMPREHENSIVE OLDER AMERICANS SERVICES AMENDMENTS OF 1973

THE SPEAKER. The gentleman from Florida is recognized.

MR. PEPPER. Mr. Speaker, I yield 30 minutes to the able gentleman from Ohio (Mr. LATTA), and pending that I yield myself as much time as I may consume.

Mr. Speaker, House Resolution 273 provides for an open rule with 1 hour of general debate on H.R. 71, which is a bill to increase and modify grant programs authorized by the Older Americans Act of 1965. This is the greatest bill for older Americans that the Congress has ever had before it. The bill almost completely embodies the recommendations of the White House Conference on Aging held here at the latter part of 1971. H.R. 71 authorizes the Commissioner of Education to make grants to State and local educational agencies for educational programs for elderly persons whose ability

to speak and read the English language is limited and who live in an area with a culture different than their own.

The bill would further strengthen the role of the Administration on Aging as a focal point of Federal concern for older persons and upgrade its organization status.

The bill would create a Federal Council on the Aging, and strengthen State agencies on aging as the focal points in planning and developing service systems and area agencies for providing comprehensive, coordinated, community-based services for the elderly.

It would establish a National Information and Resource Clearinghouse for the Aging, and develop a network of information and referral sources in the States and communities.

It would provide authority to lease, renovate, and construct multipurpose senior centers through grants, contracts, or mortgage insurance and support staffing grants for the initial operation of such centers and the delivery of social services.

It would expand the research, demonstration, and training programs of the act and authorize the establishment and support of multidisciplinary centers of gerontology.

It would expand the national older American volunteer program, including foster grandparents and the retired senior volunteer programs.

It would encourage—and this is a very significant feature—encourage that the nutrition program for the elderly is operated, wherever possible, in conjunction with comprehensive, coordinated service systems developed under title III.

It would provide for special impact demonstrations and model projects in the areas of transportation, housing, education, employment, preretirement, and continuing education as a part of comprehensive, coordinated service systems for the elderly.

It would provide special programs for older persons under the Library Services and Construction Act, the National Commission on Libraries and Information Science Act, the Higher Education Act of 1965 and the Adult Education Act. And, finally, it would create a new program to provide for the employment of individuals 55 and over in community service activities.

The rule makes the committee substitute in order as an original bill for the purpose of amendment, and provides that the substitute shall be read for amendment by titles instead of by sections, and that all points of order against title V of said H.R. 71 for failure to comply with the provisions of clause 4, rule XXI of the House of Representatives, which prohibits appropriations in authorization legislation, he warned.

The rule also provides that after the passage of H.R. 71 it shall be in order to take from the Speaker's table the bill S. 50, and to move to strike out all after the enacting clause of the said Senate bill and insert in lieu thereof the provisions of H.R. 71 as passed by the House.

Mr. Speaker, I urge the adoption of House Resolution 273 in order that we may discuss and debate H.R. 71, and so that this very monumental program for

older Americans may be considered by the House.

I especially wish to lend my support to the older worker provisions of this bill. In Dade County, Fla., the Dade County Senior Centers have been sponsoring an older worker manpower program for a couple of years. The people on the program and the community alike share in the benefits. Some of these workers deliver meals every day to shut-ins who would be trying to subsist on a bowl of soup and maybe some cold meat if they were lucky. For the shut-ins, these workers may be the only people they see all day. Therefore delivering the meals is only part of the job. The workers may stop a moment and chat and ascertain if there is anything further they can do. They have saved people's lives by realizing the gas was on with no fire, by finding a man who had fallen and could not get up and call for help, or by noticing that the electrical wiring was in a very unsafe condition and having it corrected. These older people are tireless workers, but only through a program that pays them can they afford to leave their own homes and help others for they too are living in poverty.

Certainly we need to provide an opportunity for older people to share their talents and skills with us. Very soon the few demonstration programs that do exist will be dismantled. Not because they were not successful, but only because these programs are categorical, as they need to be. Surely we need to provide some part-time paid employment for our older people. They do not have the time to wait for unemployment figures to go down. I urge the support of this major piece of legislation and particularly title IX.

The Congress in enacting this bill will heed the challenge of 20 million senior citizens whose representatives met together with other concerned Americans during the President's White House Conference on Aging, in December of 1971. The Congress has responded to a substantial number of recommendations of that conference in this bill which would provide for the needs of the elderly in all walks of life. H.R. 71 together with the Social Security Act Amendments will for the first time in our country's history help us to respond to our responsibilities for older Americans.

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

MR. PEPPER. I yield to the gentleman from Iowa.

MR. GROSS. Mr. Speaker, I would ask the gentleman from Florida why the Committee on Rules found it necessary to waive and thus suspend clause 4 of rule XXI?

MR. PEPPER. I will say to the able gentleman from Iowa, who is always interested in such a waiver, that this title authorized funds for insurance which would make possible the construction of certain housing projects that are part of this program, and due to the fact that technically that would be an appropriation on an authorization bill the committee was requested to waive this point of order.

The gentleman from Indiana (Mr. BRADEMAS) can give the gentleman fur-

ther information on the matter if he so desires.

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

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

Mr. LATTA. Mr. Speaker, in a nutshell it sets up a revolving fund, and the gentleman from Iowa knows that in these revolving funds we have to waive points of order so we do not have to reappropriate for each expenditure from the fund.

Mr. GROSS. I thank the gentleman.

Mr. LATTA. Mr. Speaker, this bill is one of the bills which was vetoed by the President. However, as reported this time by the committee it is \$601,500,000 less than the vetoed bill. I hasten to point out that this bill still contains \$277,450,000 for fiscal year 1973, \$470,300,000 for fiscal year 1974, and \$627,150,000 for fiscal year 1975.

To give you some idea as to how much this program has escalated, we need only to go back to the year 1966 when \$7,500,000 was appropriated. Since then the cost of this program has soared from \$7,500,000 to \$277 million for fiscal year 1973. It is no wonder we have budgetary problems in this country.

Let me give you a few other examples of the escalation of the costs of social programs over the past couple of years.

Federal outlays which benefit the elderly will total \$63.5 billion in 1974, an increase of 71 percent since 1970.

Federal food aid increased 3½ times from \$1.2 billion in 1969 to \$4.1 billion in 1974.

Total Federal funds benefiting the sick have grown from \$18.1 billion to \$30.3 billion, or 67 percent, in the last 4 years.

Since 1970, there will be 14.6 million more aged, poor, and disabled beneficiaries receiving medicare and medicaid services.

Research on cancer and heart disease, the two greatest causes of death in the United States, has increased 117 percent since 1969 to a new total of \$765 million.

Outlays for special benefits for disabled coal miners—black lung—have increased from \$10.4 million in 1970, the first year of the program, to an estimated \$965 million in 1974.

Federal outlays for direct benefits to low-income persons increased 88 percent from \$16.1 billion to \$30.3 billion since this administration took office.

In 1969, outlays for income security programs were \$37.7 billion; by 1974, they will have more than doubled, to \$87.6 billion.

Since 1969, funds for student grants and work study have increased nearly fourfold by \$700 million, with the numbers of awards increasing by more than 1.5 million.

Federal funds for drug abuse prevention and drug law enforcement programs have increased from \$82 million to \$785 million since 1969; a ten-fold increase.

Federal funds for minority businesses will increase to \$1,100 million in 1974—was \$700 million in 1972 and \$200 million in 1969. Loans to go to over 11,500 minority firms in 1974—9,000 in 1972 and 4,700 in 1968—and management assistance will be provided to over 18,000 minority firms.

Outlays for all air, water, and other

pollution control and abatement have increased from \$0.7 billion in fiscal year 1969 to \$3.1 billion in fiscal year 1974. Outlays for waste treatment grants have increased from \$135 million to \$1.6 billion in these same years.

Federal funding for Indian programs in the Department of the Interior has more than doubled between fiscal years 1969 and 1974, going from \$270 million to \$618 million.

Loan and grant obligations under the USDA community development programs increased from \$1.3 billion in 1969 to \$2.9 billion in 1974.

Is it any wonder that the President has been forced to veto some very attractive and important bills since these spending measures have come full bloom? He will undoubtedly veto this bill unless we cut it back within reason. I suggest we take that course of action and get a bill enacted into law rather than pursue the committee's course of action and get the bill vetoed.

Mr. Speaker, I have no further requests for time.

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

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

Mr. GROSS. This is projected for 3 years; is it not?

Mr. LATTA. That is correct.

Mr. GROSS. I could not keep track of the gentleman's statement as to expenditures each year.

Mr. LATTA. \$277 million.

Mr. GROSS. The total over the 3-year period is well above \$1 billion; is it not?

Mr. LATTA. That is correct.

Mr. GROSS. How in the world can anyone in this House today have any idea of what the financial situation of this Government is going to be a year from now, much less 3 years from now?

Mr. LATTA. We really do not know, in answer to the gentleman's question. This bill is typical of the bills this Congress has passed in the last several years which have gotten us into a lot of trouble from a budgetary standpoint. These bills start out with a low figure and each succeeding year we mandate that the Federal Government spend more and more. As this process continues, we have to pay the piper, and we just cannot do it.

Mr. GROSS. I could not agree more with the gentleman from Ohio, and I commend him for his statement.

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

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

Mr. PEPPER. I yield to the gentleman from Hawaii.

Mr. MATSUNAGA. Mr. Speaker, I rise in support of the rule and of the bill itself, H.R. 71, the proposed Comprehensive Older Americans Services Amendments of 1973.

Mr. Speaker, the greatness of any nation can be measured by the degree to which it cares for its elderly citizens and its needy. Enactment of H.R. 71 into law will add to the greatness of America.

Mr. MATSUNAGA. Mr. Speaker, as a sponsor of H.R. 2252, a similar measure, I would first like to commend the gentleman from Kentucky (Mr. PERKINS), chairman of the Education and Labor Committee, and the gentleman from Indiana (Mr. BRADEMAS), chairman of the

subcommittee which developed the bill, for their diligence in pursuing this legislation and for the excellence which they have achieved in their pursuit.

Mr. Speaker, this legislation is not foreign to us. The 92d Congress predecessor of H.R. 71 was passed by overwhelming margins in both Houses, only to be "pocket vetoed" by President Nixon after Congress had adjourned sine die. It would have cost too much to take proper care of our elderly citizens, according to the President. While the House Education and Labor Committee may not have shared this view, it nonetheless fashioned a piece of legislation which is remarkably conciliatory to the President's position. H.R. 71 represents a decrease in authorizations of more than \$600 million. Other changes were effected in the bill which should make it more acceptable to the administration.

Still, H.R. 71 contains a great deal which will allow America's elderly citizens at least a chance for a decent level of living.

The central focus of the existing Older Americans Act has been the provision of services to elderly Americans, primarily through more than 1,500 projects financed through title III. H.R. 71 would extend and strengthen the programs now covered by the act. Among other major provisions, the bill would:

Upgrade the Commissioner on Aging and strengthen the Administration on Aging within HEW.

Concentrate project grants under title III on services aimed at providing economic and personal independence for the aged.

Increase research and demonstration efforts in the field of aging.

Establish a program of multipurpose senior centers as focal points for the delivery of services to the elderly.

Expand elderly volunteer programs such as RSVP and foster grandparents.

Establishes a community service employment program for older Americans, to provide employment for low-income elderly and an economical way to meet pressing public needs.

Mr. Speaker, the provisions of H.R. 71 are not a panacea for the problems of the elderly. But they are certainly not the fiscal boondoggle which some have suggested. This measure is a reasoned, bipartisan approach to one of America's highest priorities—the welfare of our aged.

I urge the overwhelming approval of the rule and H.R. 71.

Mr. PEPPER. Mr. Speaker, I have no further requests for time.

I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. BRADEMAS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 71) to strengthen and improve the Older Americans Act of 1965, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from Indiana (Mr. BRADEMAS).

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 71, with Mr. NEDZI in the chair.

The Clerk read the title of the bill.

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

The CHAIRMAN. Under the rule, the gentleman from Indiana (Mr. BRADEMAS) will be recognized for 30 minutes, and the gentleman from Minnesota (Mr. QUIE) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Indiana.

Mr. BRADEMAS. Mr. Chairman, I yield myself 10 minutes.

Mr. BRADEMAS. Mr. Chairman, I rise in support of H.R. 71, the Comprehensive Older Americans Services Amendments of 1973.

Mr. Chairman, this bill is one of the most important pieces of legislation for older citizens since the Social Security and Medicare Acts; for it can mean effective action for older persons through a wide range of services, including transportation, preretirement training, health services, senior citizens' community centers, and employment.

H.R. 71 extends for an additional 3 years the grant programs authorized by the Older Americans Act of 1965, which expired on June 30 of last year. Prompt action is therefore necessary to provide continued support to State agencies on aging, more than 1,200 local agencies on aging, and the more than 1,700 community projects providing services to older people.

But H.R. 71 does not simply extend the present program. Rather, it marks a significant strengthening of the Older Americans Act in ways which will greatly increase our ability to respond to the many and varied problems of older people striving to live independently in their home communities.

BACKGROUND

Mr. Chairman, during the 92d Congress, the Select Subcommittee on Education, which I have the honor to chair, held 14 days of hearings on bills to extend and amend the Older Americans Act of 1965. The subcommittee heard from witnesses representing the various departments of the executive branch, organizations representing the aging, as well as private individuals, Governors, and other State officials.

A bill was unanimously reported by the subcommittee and the full committee and subsequently passed by both Houses of Congress, again unanimously. This measure was subsequently vetoed by the President.

Mr. Chairman, because Mr. PERKINS and I believe this measure to be so important for the well-being of the 20 million older citizens in America, we introduced the vetoed measure once again on the first day of the 93d Congress.

Since that time, over 125 of our colleagues on both sides of the aisle have joined us as cosponsors.

The committee has heard administration officials elaborate more fully on their objections in hearings before my subcommittee and I feel that we have responded to those concerns.

Subsequently, the bill was reported by the subcommittee—12 to 1—and the full committee with only one dissenting vote—33 to 1. Mr. Chairman, I believe the vote of the subcommittee and the full committee is evidence of the wide bipartisan support this measure continues to enjoy.

At this time, Mr. Chairman, I would like to thank all those Members who have joined in cosponsoring this legislation. In particular, I would like to cite the contributions to this legislation of the gentleman from Kentucky, the distinguished chairman of the Education and Labor Committee, Mr. Perkins, as well as the gentleman from Minnesota, the distinguished ranking minority member of the committee, Mr. QUIE.

I would also like to commend other members of the subcommittee, the gentlelady from Hawaii (Mrs. MINK), the gentleman from Idaho (Mr. HANSEN), the gentleman from Washington (Mr. MEEDS), the gentlelady from New York (Mrs. CHISHOLM), the gentlelady from Connecticut (Mrs. GRASSO), the gentleman from Kentucky (Mr. Mazzoli), the gentleman from New York (Mr. BADILLO), the gentleman from Florida (Mr. LEHMAN), the gentleman from Pennsylvania (Mr. ESHLEMAN), the gentleman from New York (Mr. PEYSER), and the gentleman from Connecticut (Mr. SARASIN) for their invaluable contributions to the improvement of programs for our older Americans.

Mr. Chairman, by approving this bill today, we can help make possible significant improvement in the lives of 20 million older Americans. Our vote today will mean action, not just rhetoric, for America's older citizens.

SUMMARY

In brief, Mr. Chairman, the measure before us, is, I believe, a most important and necessary measure.

This bill would—

Increase aid to States to meet the variety of problems facing the elderly;

Strengthen the status of the Administration on Aging within the Department of Health, Education, and Welfare;

Authorize special new programs in housing, transportation, preretirement training, and public service employment for the needy aged;

Provide for multidisciplinary gerontological centers to conduct research on aging;

Authorize the construction or acquisition of community senior citizens centers;

Create a Federal Council on the Aging to study various problems affecting the elderly, including taxes and transportation;

Strengthen State agencies on aging as the focal point for providing comprehensive, coordinated, community-based services;

Provide for decentralization of aging services by creating areawide plans within States;

Establish a network of information and referral sources and establish a National Information and Resource Clearinghouse for the Aged;

Expand the research, demonstration, and training programs under the act;

Expand the National Older Americans

Volunteer program—which includes Foster Grandparents and the Retired Senior Volunteer program—RSVP;

Coordinate the nutrition program with the various other activities provided under the act;

Provide special programs for older persons under the Library Services and Construction Act, the National Commission on Libraries and Information Science Act, the Higher Education Act, and the Adult Education Act; and

Create a new program in the Department of Labor to provide for employment of individuals 55 and over in community service activities.

RESPONSE TO ADMINISTRATION OBJECTIONS

As I have previously said, Mr. Chairman, I feel that we have responded to many of the objections President Nixon cited in his veto message. Mr. Chairman, we have attempted to meet some of the President's objections by—

Reducing the authorizations from \$1.978 billion in the original bill to \$1.376 billion over a 3-year period—a cut of \$603.500 million;

Deleting title X, which provided training and counseling for middle-aged and older workers; and

Reducing the authorizations for both title II, the basic State program, and title IX, which provides for community employment for the needy elderly and providing that title IX programs be deferred for 1 year.

The amendments are based on the experience gained after more than 7 years of progress since the programs started under the act were launched, on extensive hearings in both House and Senate committees where many recommendations concerning the needs of older people were made by prominent leaders in the field of aging, and on the many recommendations that came out of the recent White House Conference on Aging.

TITLE III—BASIC PROGRAM

Mr. Chairman, the heart of the program, of course, is in title III, which authorizes grants to States and, through them, to local communities to deliver needed social services to the aging. The bulk of the activities carried out under the Older Americans Act have been in connection with the title III programs. Last year, for example, more than 1 million older persons were served by over 1,500 projects funded under title III. These projects delivered a wide range of services including transportation, nutrition, home health, recreation, aid to the handicapped, and services for independent living designed to assist the elderly in retaining their independence and avoiding institutionalization.

These services are funded through what are essentially block grants to State aging agencies. These State agencies, in turn, make project grants to local agencies for the delivery of services within service areas. This legislation strengthens the title III provisions in order to assure delivery of needed services to our elderly population.

Suffice it to say, Mr. Chairman, H.R. 71 responds intelligently and humanely to many of the needs expressed by spokesmen for the elderly and will mean a great deal to the 20 million older people across the country.

This bill indicates to these individuals that we have not forgotten them and that we are concerned that they continue to have the support to contribute to society, not as welfare recipients, but as independent citizens in their own communities.

I urge all Members of the House to support this much needed legislation.

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

Mr. BRADEMAS. I would be glad to yield to my friend the gentleman from New York (Mr. REID).

Mr. REID. Mr. Chairman, I have one question which I would like to put to the distinguished Chairman. The point I have asked the individual gentleman from Indiana is this: Does he not believe that the administration should be put on very clear notice that these services are critically needed for some 30 million senior citizens, including the need for nutrition, and that this bill along with vocational rehabilitation must not be held hostage to outdated priorities; that if this bill along with others is vetoed, the Congress will draw certain conclusions relative to programs which the President may be interested in; and that the subcommittee has made every effort to accommodate its position to a responsible fiscal approach consistent with crucial human needs?

I rise in support of H.R. 71, the Comprehensive Older Americans Services Act, legislation to provide a wide range of programs and services to the elderly.

The Comprehensive Older Americans Services Act is landmark legislation for the Nation's elderly. Administratively, it strengthens the Administration on Aging within HEW by making the Commissioner on Aging responsible to the Secretary and expanding the authority of the Administration on Aging. Title III, the State and community grant program, has been revised to concentrate funds on services aimed at providing economic and personal independence for the aged. Special programs are authorized in housing, transportation, preretirement training, research centers on aging, and community senior citizen centers.

In addition, I would like to draw special attention to title VI, which expands the Foster Grandparents program and the Retired Senior Volunteers program, which I coauthored in 1969. Our senior citizens have considerable wisdom, gathered from a lifetime of experience, and they have a tremendous potential to play an active role in our society. Indeed, many of our senior citizens have their most creative and productive years ahead of them, and these programs, if adequately funded, go a long way toward providing our senior citizens a chance to make a meaningful contribution.

The elderly in this country have been neglected far too long. Health care for senior citizens is less important than highways. Housing has a lower priority than going to the moon. Maintaining the oil depletion allowance is more important than providing adequate income for our 20 million senior Americans.

We spent \$5 billion in 1970 to keep ourselves looking young and \$1.3 billion on old-age assistance. This must change. The senior citizen has many special problems, but he also has great potential for

contributing to our society and we must find ways to help our senior population and to allow them to make these contributions. This legislation we are voting on today, begins to meet some of these challenges head on.

Last year, the House and Senate overwhelmingly passed this legislation only to see it vetoed by the President after Congress had adjourned. The President objected mainly to the authorization levels. To meet these objections the committee has reduced the authorization by 30 percent from \$2 billion over a 3-year period to \$1.4 billion.

I strongly believe that this reduction more than meets the President's objections and thus I hope that we will swiftly pass this legislation and that it will be signed by the President.

Mr. BRADEMAS. It would be difficult to quarrel with the gentleman, my friend from New York, who has been such a strong supporter of this measure.

Mr. QUIE. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania, the distinguished ranking member of the subcommittee, Mr. ESHLEMAN.

Mr. ESHLEMAN. Mr. Chairman, this bill is very similar to one passed last year 351 to 3 under a suspension of the rules.

It substantially carries out major recommendations of the White House Conference on the Aging and the findings of our subcommittee made during extensive hearings last year.

This bill eliminates the authorization that was contained in the bill vetoed by the President for a special manpower training program for middle-aged Americans. Undoubtedly, this authority is more appropriate to a manpower training bill.

The total of 3-year authorizations in this bill are \$1,422,000,000. This is over a half billion dollars less than the bill vetoed by the President last year.

In view of the very rapid and substantial increases in the budget for the Administration on Aging requested by President Nixon over the last 3 years these authorizations do not appear to be unreasonable and I would recommend to my colleagues passage of this bill.

Mr. QUIE. Mr. Chairman, I yield 10 minutes to the gentleman from Indiana (Mr. LANDGREBE).

Mr. LANDGREBE. Mr. Chairman, this bill is really a companion bill to the bill we dealt with last week, H.R. 11. There are great similarities in the two bills.

This bill was introduced into the committee and sponsored by a number of my colleagues on the Committee on Education and Labor, and has a number of features to it to which I must object.

I might remind the Members of the House that I was one of the three Members who voted against this bill when it passed last year. After that, of course, it was vetoed by the President.

However, my vote against the bill last year was based on an entirely different set of circumstances. I voted against the bill last year strictly on the grounds of money. I felt that we simply had to be fiscally responsible in the Congress, even though I appreciated that the program had many important benefits. It still does have some possible benefits, but at some place we have to draw the line.

The bill did pass by a big majority, and it went to the President, where it was vetoed.

Since the President's veto I have had an opportunity to examine this bill and to see the different sections of the bill that I find unacceptable.

No. 1, of course, is that it is still fiscally irresponsible even after it has been reduced following the Presidential veto.

It is administratively unsound and unworkable, and it proliferates programs that will destroy the effectiveness of the program.

It has been said here already today that to take care of the elderly is an honorable thing to do and that we can measure the greatness of our Nation according to our warmth in our hearts and our consideration for older people. Well, I would challenge anybody to prove that I do not have as much love for people as any Member in this House. However, that is not the point which I am trying to make. We are discussing a bill, and we are also discussing philosophies.

I have swung about, have done a complete 180-degree turnaround since last year because here I am proposing, promoting, and pleading for an extension of older Americans bill, but in the form of a substitute for the fiscally irresponsible bill that is before us.

In 1971, the budget for this bill was \$27 million. In 1972 it was \$100 million and in 1973, \$257 million. Does that not indicate that the President of the United States has some concern and consideration for older Americans?

Be that as it may, the liberals are going to be voting for this bill and they are going to be voting against my amendment.

For those who are on the floor who missed the article entitled "Requiem for the New Deal" in last Sunday's Star and Daily News, I would like to read for the record the following:

The liberal rationale for expensive social programs is both to redistribute income and to encourage the kind of social mobility that would reduce poverty to a matter of choice or bad luck. Since federal services programs have accomplished neither, it would make sense to undertake them more cautiously while making efforts to give money directly to the poor.

Mr. Chairman, if the liberals would like to hear a little bit of the fine print which they may have missed, I will continue:

But many liberal critics who have no use for Nixon's motives have a more complex reaction to his plan to dismantle federal social programs. During the past few years a group of serious social scientists and technocrats, many of them former advisers to Kennedy and Johnson, have been finding fault with the spending programs of the sixties.

And I suppose they could have included the seventies—

Their work, far from being an opportunistic response to a perceived public drift to the right, reflects a growing skepticism about the notion of meeting social problems with bureaucratic remedies.

Mr. Chairman, I want to make it as emphatically clear as I can that this bill before us, H.R. 71, does not do more for older people; it does more for the bureaucracy. I am thankful that the Presi-

dent of the United States, the Secretary of HEW, and other people involved in the bureaucracy are now opposed to this discredited approach of proliferating the programs duplicating the authorities, and really getting little or no services down to the people.

Mr. Chairman, I am going to take what time I am allowed here to go through the bill section by section. The portion concerning "Administration," of course, is something that anyone can read for himself.

There is established in the Office of the Secretary an Administration on Aging which shall be headed by a Commissioner on Aging. In the performance of his functions he shall be directly responsible to the Secretary.

In other words, we drop out this SRS chain of command, and he becomes directly responsible to the Secretary.

The Commissioner shall not delegate any of his functions to any other officer who is not directly responsible to him unless he first submits a plan . . .

This bill also sets up this new gold ribbon committee of 15 people who will have to be appointed by the President with the advice and consent of the other body. They shall receive GS-18 wages, with travel allowances and per diems.

Mr. Chairman, what are they going to be doing? They are going to order some studies to be made, with vast costs and far-reaching results, and I am sure the older people would like to know more about it.

Mr. Chairman, let me read further from the bill:

The Council shall undertake a study of the interrelationships of benefit programs for the elderly operated by Federal, State, and local government agencies.

Following the completion of this study, then they shall make a report.

Study No. 2:

The Council shall undertake a study of the combined impact of all taxes on the elderly—

Including but not limited to income, property, sales, and social security taxes.

Mr. Chairman, the third vast study done by these GS-18 committee members, a study ordered by them:

The Council shall, after consultation with the Secretary of Transportation and the Secretary of Housing and Urban Development, conduct a comprehensive study and survey of the transportation problems of older Americans . . .

Mr. Chairman, in my minority report on the bill I did not spend more time on these things because there are many more serious things to which I object. The change in concept at least between my amendment and this bill is very important in the State organization.

Mr. Chairman, in the committee bill it says:

The State shall, in accordance with regulations of the Commissioner, designate a State agency as the sole State agency.

They have dropped the word "Governor." In fact the word "Governor" has been totally omitted in H.R. 7. I rather like my Governor. We have a good Republican Governor in the State of Indiana.

Mr. Chairman, it further says over here on page 136:

The Commissioner shall, in accordance with regulations he shall prescribe, disburse the

funds so withheld directly to any public or nonprofit private organization or agency or political subdivision of such State submitting an approved plan in accordance with the provisions of section 304 and section 306. Any such payment or payments shall be matched . . . by the local agencies.

Under the bill that I am offering as a substitute, if the State is found not to be in compliance, their funds are simply cut off and the matter goes before the courts rather than going past the States and directly to political subdivisions, or non-profit organizations who might qualify.

The difference is that in my amendment, should a State fail to live up to Federal standards, their funds are simply cut off and they must appeal to the courts while under H.R. 71, should the State agency fall out of compliance, the Commissioner is authorized to ignore that particular State agency and proceed to disburse funds directly to political subdivisions or nonprofit organizations within that State. Only then can that State appeal to the courts.

Being a strong advocate of States rights I must prefer the language in my amendment.

With regard to training programs for the aged, we are going to have all sorts of them and we are going to build multidisciplinary centers for gerontology. We are also going to build senior citizens centers according to all of the Federal rules and regulations. Then, of course, these multipurpose centers will take precedence over some of the other needs of the community.

But my friends, the senior citizens I know are concerned with roofs over their heads. Not once have I received a letter from any senior citizen saying, "Will you please promote a multidisciplinary center for gerontology." Nor has even one senior citizen contacted me requesting a plush new senior citizens center. On the other hand, I know of many fine senior citizen programs being carried on in my community. For instance, in the KC hall in Rensselaer, Ind., 70 to 90 senior citizens meet each Tuesday, also in the union hall in Lafayette, as well as the pavilion at the city park in Lafayette, senior citizens groups gather in fellowship. Also the Valpo YMCA has promoted a most beneficial golden age club for many years. None of these are draining the public treasury and all are making a great contribution to the happiness and welfare of large numbers of older Americans.

The CHAIRMAN. The time of the gentleman has expired?

Mr. LANDGREBE. May I have 2 additional minutes?

Mr. QUIE. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. LANDGREBE. I need the 2 minutes for just two points.

One, this act amends a whole multitude of acts in the Congress. This bill does not only amend the Older Americans Act but the Library Services and Construction Act, the National Commission on Libraries Act, the Higher Education Act, and the Adult Education Act, just to mention a few.

I also strongly oppose title IX of the committee bill.

The committee did strike out title X, a job training program. I am authorized

to say before this body publicly and officially that the Department of Labor is opposed to title IX. They do not want it in the bill because it duplicates what they are already doing; except, of course, that it goes far beyond anything they would think of doing.

For example, Mr. Chairman, on page 183, line 4, it says:

(K) will authorize pay for necessary transportation costs of eligible individuals which may be incurred in employment at any project funded under this title in accordance with regulations promulgated by the Secretary; and the age for qualification under this title is 55.

I have a few friends in Indiana who work for a living and must get up at 4 or 5 o'clock in the morning and start up their autos and drive off to the factory, pay their union dues, United Fund contributions, their taxes, and deductions, and go home and try to eke out a living on what is left.

This alone I think is a new concept and disqualifies the bill.

In conclusion I will say I am against the bill as being fiscally irresponsible and administratively unsound and one which proliferates programs which will not improve the program but will eventually destroy its effectiveness.

Mr. BRADEMAS. Mr. Chairman, I yield 1 minute to the distinguished gentlewoman from Michigan (Mrs. GRIFFITHS).

Mrs. GRIFFITHS. I thank the gentleman for yielding to me.

I would like to say I am going to vote for this act, but I would like to point out that we are legislating in this act for the same people that we are legislating for under the Social Security Act. We are setting up two delivery systems. This is a very expensive way to handle legislation.

What we need to do in this Congress is to combine the services that serve one group of people and have one administration and take care of the entire thing out of one committee with one administration for one group of people so that they get the service at a lower cost than that at which we are now operating.

We have here the aged welfare poor and those with some money. Many fall between the cracks. It is really a very poor way of legislating.

Mr. CEDERBERG. Will the gentlewoman yield?

Mrs. GRIFFITHS. Yes; I yield to the gentleman.

Mr. CEDERBERG. I want to join the gentlewoman in her statement that she believes we ought to have one delivery system. It happens to be one of the reasons why I am going to vote in opposition to it.

This is not because I do not have concern for the older Americans, we all do, but I think we are going to have to consolidate some of these programs or we are going to go very far afield.

The gentlewoman from Michigan (Mrs. GRIFFITHS) serves, as do I, on the Joint Budget Committee, and we have not taken any action as yet, and here we come in with this kind of legislation and I think it is completely out of reason.

Mr. BRADEMAS. Mr. Chairman, I yield 7 minutes to the distinguished

chairman of the committee, the gentleman from Kentucky (Mr. PERKINS).

I wonder if the gentleman from Kentucky would yield to me for just one moment?

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

Mr. BRADEMAS. Mr. Chairman, I appreciate the contribution of my friend, the distinguished gentlewoman from Michigan (Mrs. GRIFFITHS). I would point out, however, that the bill under consideration provides services for any older persons whether they may be on social security or not. While I understand the concern of the gentlewoman from Michigan I would also have to point out in this regard that this is a time when the administration appears to be cutting back on social services for a variety of purposes, including the category of the elderly.

Again I thank the gentleman for yielding.

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

At the outset I should like to discuss briefly the background of H.R. 71, a bill to strengthen and improve the Older Americans Act.

Authorizations for programs under the Older Americans Act expired on June 30, 1972. In the second session of the 92d Congress, H.R. 15657, a bill to amend and strengthen the act, passed the House with only three dissenting votes, and passed the Senate unanimously. A conference report embodying the best of the two versions of the bill was approved by voice vote in the House on October 14, and unanimously in the Senate on October 12. As my colleagues know, however, H.R. 15657 was subsequently vetoed by the President.

The introduced version of H.R. 71 is identical to the conference report. Hearings were held on this legislation by the Select Subcommittee on Education which subsequently amended H.R. 71 to reflect certain of the recommendations made by the administration during the hearings. May I take this opportunity to congratulate and commend the chairman of our Select Subcommittee on Education, the gentleman from Indiana (Mr. BRADEMAS). The conscientious and active leadership he has provided over the last few years has made a great contribution toward helping to better meet the needs of elderly citizens. I want to compliment also the ranking minority member of our committee, Mr. QUIE, and members from both sides of the aisle—subcommittee and full committee—for their work and cooperation on H.R. 71.

May I briefly outline the major provisions of the act.

Title II of H.R. 71 upgrades the Administration on Aging in the Department of Health, Education, and Welfare by transferring it from the welfare-oriented Social and Rehabilitation Service to the Office of the Secretary of HEW. In 1965, the Administration on Aging was designed as an office with authority and great visibility in the Federal structure. In recent years, through budgetary and organizational efforts, the Administration on Aging has been downgraded.

Provisions of title II will insure that the Administration has the authority and the visibility which was originally intended. The proposed substitute would maintain the existing administrative structures and mechanisms, which will allow for further erosion of the AOA to even lower layers of the HEW bureaucracy.

Title II also provides for a National Information Resource Clearing House, which will collect, organize, and disseminate information related to the particular problems of the aging. Furthermore, title II provides for the establishment of a Federal Council on the Aging, which is assigned an active role in promoting the interests of older persons throughout the whole range of Federal policies and programs.

Title III of H.R. 71 strengthens and extends the major operating program which authorizes grants to States and local communities to deliver needed social services to the aging. Last year more than 1 million older persons were served by over 1,500 projects funded under title III.

The debate indicates that there is not a clear understanding of what occurs under title III. I should like at this point to discuss briefly the types of programs which have been supported under title III of the act. In 1970, of the 816,000 older persons served in title III—

Nine thousand five hundred were aided by homemaker health aids;

Three hundred were placed in foster homes;

Four thousand received protective services;

Fifteen thousand four hundred were given employment referrals;

Five hundred five thousand participated in recreation and leisure activities;

Seventy-six thousand were given transportation services;

Close to 17,000 either received delivered meals or meals in group settings; and

Fifty thousand received counseling services.

Many received more than one type of service. Mr. Chairman, these are not services which are being duplicated under other programs. It should be stated again that participation in the Older American Act programs is not reserved exclusively for persons on welfare.

Let me add, however, that many of the efforts provide additional services to those who are most in need. I recall about a year ago that a group of elderly people from my section of the country were permitted to come to Washington and for the first time to see the Capitol of the United States. It was the first time that they enjoyed a privilege like this. These were poor people who would not have had this opportunity were it not for the act we are considering today.

Presently \$68,000,000 is budgeted for the basic program for the current year, as contrasted with \$85,000,000 which is proposed to be authorized. The authorizations for the basic program over the 3-year period in the bill under consideration are \$165,000,000 less than the authorizations in the bill which was vetoed. There are no authorization ceilings in the substitute bill for fiscal year 1975 and years thereafter.

Title III also authorizes grants to the States for program administration and a program of grants for model projects. The authorizations in this bill for these programs over the 3-year period is \$70,000,000 less than that in the vetoed bill.

Title IV of H.R. 71 expands research in aging and the training of needed personnel in the field of gerontology.

Title V authorizes a series of new efforts directed at expanding the availability of multipurpose senior centers. These include grants for the acquisition, remodeling, and renovation of facilities, the provision of mortgage insurance, interest subsidy grants and initial staffing grants for such centers.

Title VI would extend the Foster Grandparents program and the Retired Senior Volunteer program and would enlarge volunteer opportunities for the aging under such programs.

Title VII provides for the coordination of the "Meals on Wheels" program with the delivery of other social services under title III, and for the utilization of other Federal programs in the new nutritional program.

Title VIII authorizes special library and educational programs for older citizens. Specifically, the Library Services Act, Adult Education Act and the University Extension and Continuing Education programs are modified so as to give needed emphasis to problems of the elderly.

Title IX provides for a new program of community service employment for the aging. This program builds upon the success of Operation Mainstream and will provide programs under which unemployed, low-income persons 55 years or over will be employed in community service activities. Fifty million dollars would be authorized in fiscal year 1974, as compared to \$100,000,000 in the vetoed bill, and \$100,000,000 in fiscal year 1975 as compared with \$150,000,000 in the vetoed bill.

The need for title IX is clear. A little less than 6 percent of the emergency employment program consists of persons over 55 years of age, and yet they comprise more than double that percentage of unemployment. Operation Mainstream has been reduced from 31,000 participants to 27,000, and the administration plans to phase out this program during the next 2 years.

Consider also the following statistics: Persons 45 years or over account for 20 percent of the unemployment—27 percent of the long-term joblessness and 31 percent of the very long-term unemployment. Yet the 45-plus age category constitutes only 4.9 percent of all new enrollments in manpower programs.

Even in Operation Mainstream, individuals 45 or over constitute less than a majority—44 percent of all participants.

As of January 867,000 45 or older were unemployed, approximately 45 percent greater than 4 years ago. There are now more than 2,700,000 men aged 45 to 64 who are not in the labor force, and 11,700,000 women. Assuming that just 25 percent of these men and 5 percent of the women wanted and needed employment, this would increase unemployment

for persons in this category by nearly 1,300,000—from 867,000 to about 2,200,000.

Approval of title IX is imperative in my judgment.

Mr. Chairman, this is an excellent bill which will help older Americans to lead fuller and richer lives. It is responsive to the concerns and needs expressed in our extensive hearings and it is responsive to the objections of the President in many respects. Let us keep in mind that authorizations for all the programs have been reduced by over \$600,000,000 from the vetoed measure. This is a responsive and a responsible measure, and I urge its overwhelming approval.

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

Mr. PERKINS. Will the gentleman from Indiana yield?

Mr. BRADEMAS. I yield the chairman 1 additional minute.

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

Mr. WYLIE. I certainly would not want to be placed in the position of voting against the elderly. I should like to ask a question on the creation of this Federal Council on the Aging. What was the reasoning behind asking that the Commissioner be confirmed by the Senate, and that the 15 members of the Council be confirmed by the Senate?

Mr. PERKINS. Let me say to the distinguished gentleman that we establish the Administration on Aging in the Office of the Secretary. The Council provided for in the bill, has very important statutory responsibilities including being advisers to the Secretary, the Commissioner on Aging, the President, and the Congress.

Mr. BRADEMAS. If the gentleman will yield, I might say further to the gentleman from Ohio that we were not impressed by the work of the present Committee of the National Commission on Aging, which has already been established. By establishing a Federal Council on the Aging, and by providing that Congress would have a role in the confirmation process of the members who would be appointed by the President, we hope to insure that we would have first-class people who would, indeed, do their jobs.

Mr. WYLIE. Will the gentleman yield for an additional question?

Mr. BRADEMAS. I yield 1 minute.

Mr. WYLIE. I think the point I wanted to make here was that there is a Commission on Aging in HEW at the present time; is there not? Is there a precedent for establishing a Cabinet-type level position for each members of such a Commission and why the change?

Mr. BRADEMAS. We have had since 1965, when the Older Americans Act was first passed, a, Presidentially appointed Commissioner on the Aging. It is quite clearly the intent of Congress in establishing an Administration on the Aging, headed by a Presidentially appointed Commissioner, that there would be the highest level visibility for and attention to the problems of the elderly. But it is also clear from the record which was demonstrated by the White House Conference on the Aging of 1971, that there

has been by the administration a systematic downgrading of the aging. I may say it began in the last administration and has continued into this administration.

Mr. WYLIE. My concern is that we are making the problems of the aging more political by putting it in this type of political arena. Aren't we establishing in effect another Cabinet-level department of Government outside the jurisdiction of the Department of Health, Education, and Welfare.

Mr. BRADEMAS. The gentleman said something about its being in the political arena?

Mr. WYLIE. Does this not put the whole problem of aging more in the political arena than at present?

Mr. BRADEMAS. Not at all. The gentleman may not be aware of the fact that the present law provides the Commissioner who is in charge of the Administration on the Aging is appointed by the President of the United States. We do not make any changes in that at all.

Mr. WYLIE. Who selects the Commissioner?

Mr. BRADEMAS. The President of the United States appoints the Commissioner.

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

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

Mr. MEEDS. Mr. Chairman, 2 years ago the White House Conference on Aging polled 200,000 persons 55 years of age and older about the problems of growing old. The results of that poll make the most compelling case I know for passage of the Comprehensive Older Americans Act.

More than half of those responding said they did not have enough money to make ends meet. Half had to live on less than \$200 a month. Twenty percent were limited to less than \$100 per month. Although social security was originally intended as an income supplement, 72 percent of those replying to the poll said it was their sole source of income.

Perhaps the most poignant finding was that 17.4 percent answered the question: "Do you sometimes feel that you have nothing to live for" with a "yes."

What happens to people in this country when they are too old to work—but too young to slow down? What is left to live for? It certainly is not financial reward, except for a fortunate few. Small towns have shrunken and families flown apart on the winds of social change. The children and grandchildren who once lived down the street now make lives of their own a thousand or more miles away. Only 5 percent of older people responding to the 1971 poll said they received money from relatives.

Public transportation no longer exists in small cities. Few older persons own or drive cars. Transportation is better in the big cities—but older and slower citizens are favorite targets of street criminals. Serious health problems go untreated, because of the difficulty in getting to doctors' offices. Food costs have so outrun fixed incomes that nutrition is a serious problem. It is no wonder

many old people drift into 50-year-old thoughts or disengage their minds to watch television all day and all night. One of the greatest wastes of our time is the mind death of elderly Americans bored into senility. Death is not of the body alone.

There is no good reason to waste the lives and experiences of senior citizens, because they have passed an arbitrary age or no longer feel like working full time. As one of the sponsors of the original Older Americans Act, I was delighted to see a White House Conference on Aging called to discuss these problems. Last year's Older Americans Act amendments, passed unanimously by both House and Senate, was one of the key results of that dramatic conference. But White House interest in its own conference and the fate of the elderly seems to have been less than ageless. One year after thousands of people told us about growing old in America, the President vetoed the bill.

This geriatric turnabout was strongly felt in my own congressional district. The South Snohomish County Senior Center, located in Edmonds, Wash., was praised at the White House Conference on Aging for its programs. High-ranking administration officials visited there to bask in the warm lights of publicity. Then the glow faded into the cold certainty of last year's veto.

The talented director of the center came to me to tell of the veto's damage. It demonstrates how our senior citizens were taken into the White House, assured of Mr. Nixon's concern and then shoved out the back door into budgetary oblivion.

At the South County Center, last fall's veto doomed a subsidized hot lunch program serving 700 persons a week; doomed planning for a new senior center to serve 9,000 citizens; hampered operation of services to 4,500 persons at the existing center and shut off areawide planning for the future. Senior centers in other areas are also affected.

The Education and Labor Committee has cut the authorization in H.R. 71 by one-third while trying to maintain an adequate level of services. This bill expands services to the elderly, such as nutritional, transportation, health, education, and preretirement training. In addition, it expands the opportunities to use the time and talents of senior citizens in community service, senior volunteer programs, foster grandparents, and in other capacities where their experience can benefit others.

People who have worked hard all their lives are entitled to a decent retirement. It would be thoughtless and wasteful to consider senior citizens throwaway people who have used up their usefulness. I urge approval of H.R. 71 to make retirement years more meaningful both to senior citizens and the rest of society.

Mr. QUIE. Mr. Chairman, I yield 5 minutes to the gentleman from Idaho (Mr. HANSEN).

Mr. HANSEN of Idaho. Mr. Chairman, I am happy to rise in support of H.R. 71 as amended by our committee. Last Oc-

tober, in urging support of the conference report on H.R. 15657—the Older Americans Act amendments—I made the following statement:

It is extremely important that this effort to improve the Older Americans Act succeed. The twenty million Americans who are aged 65 or older do not have problems which differ from those of the younger population; it is simply that their problems tend to be much more acute and older people need and deserve more help in solving them. Governmental effort alone will never meet the needs of our older citizens, but in many fields it is the major factor and it can be vitally important in galvanizing private action and in coordinating the work of public and private agencies. The heart of this bill is a strengthened and improved system for the delivery of services at the State and local level, as suggested by Secretary Richardson of Health, Education, and Welfare and the Commissioner on Aging, Mr. John Martin.

I think that statement is applicable with equal force to this renewed effort to strengthen the Older Americans Act through H.R. 71. This Congress, working cooperatively with President Nixon over the past several years, has greatly enhanced the income of older Americans through improvements in the social security system. This income strategy, as it is often called, is fundamental to any concerted attack on the problems of the elderly in our society. But it cannot succeed entirely without a complementary "services strategy" designed to reach this vulnerable segment of our population with the kinds of assistance which a basic level of income cannot assure.

Indeed the necessity for this other approach—the one represented by the bill today—has been recognized by President Nixon in the very substantial increases in his requests for funding for the Older Americans Act and related programs over the past 5 fiscal years—from a level of \$27.5 million in fiscal 1970 to \$257 million in the current fiscal year. It is also recognized in the administration proposal for improving State and local delivery systems for services under this act. That proposal is embodied in H.R. 71.

But the committee bill—which was worked out on a bipartisan basis and reported with overwhelming support on both sides of the aisle—goes further than the administration proposal. It incorporates administrative provisions and new program authorizations which represent the views of those of us who worked on this legislation. These views were not formed in a vacuum. They were shaped in extensive hearings held both here in Washington and in other areas of the Nation. They reflect many of the concerns and recommendations of the White House Conference on Aging. They represent many constructive suggestions of organizations of senior citizens. Finally, at least in my own case, this assessment of needs was based upon close and systematic consultation with older people in my own congressional district and elsewhere in the State of Idaho.

This bill, in short, represents a congressional determination of needs and priorities as they relate to older citizens. With all due respect for the views and

advice of the executive branch, I have helped shape this bill in the exercise of my own constitutional responsibilities as a Member of Congress. Our responsibility is to legislate as wisely as we know how on the basis of our independent assessment of national priorities.

One of the issues we dealt with was the position of the Administration on Aging and the Commissioner on Aging within the structure of the Department of Health, Education, and Welfare. This bill strengthens the position of both, making the Commissioner—who incidentally is a Presidential appointee—directly responsible to the Secretary. It makes it difficult to delegate program responsibility away from the Administration on Aging. For a variety of reasons, including that of assuring both a high level of attention for and a close supervision of programs affecting 20 million people, we made these decisions. The Department frankly does not like the decision. But we made it after very careful consideration of the view of the Department, which simply does not coincide with the majority view on both sides of our committee.

The Department has also argued with our addition of new authorizations under this bill. But these have been added to strengthen what our committee considered to be critical factors in the delivery of services to the elderly. For example, there would be funds for local multipurpose senior centers in title V of the act as amended by this bill. We feel that such authority is desirable to assure that there is a specific place people can go both for services and for information. All too often the elderly are shuffled from agency to agency at the local level in their quest for various kinds of help. The existence of such centers, properly staffed and utilized by other agencies, would do much to alleviate this problem. The bill restricts the use of funds for construction to situations in which there is no suitable facility which can be leased, altered, or renovated to serve this purpose. Moreover, 25 percent of the funds must come from non-Federal sources, so there will be a substantial local investment in these centers.

At the national level, we have sought to encourage research and demonstration projects in the social and economic problems associated with aging. This is an appropriate and effective activity for the Federal Government, and one which in most cases must be pursued on a national basis. Thus, the authorization in title IV for multidisciplinary centers of gerontology—focused upon the nonmedical aspects of aging—may in the years ahead prove to be an important tool in building a better understanding of problems we must learn to solve.

I do not think the authorization levels in this bill are too high. When we look at the size of the population to be served and at the special needs we are addressing, the authorizations appear reasonable. Moreover, on a purely practical level, the rapid increase in funding for these programs—increases in most cases requested by the President—would seem

to argue that we should set authorization levels high enough to permit such continued expansion as the President and the Congress may think desirable. I would rather have a ceiling higher than needed than one lower than required for comfort. The authorizations in this bill are not an invitation to reckless spending, but opportunities for well-planned investments.

We have eliminated the worst aspect of the bill vetoed last year—a manpower training provisions which had no place in this legislation. We have slashed authorizations from the levels contained in the vetoed bill. Having made these responses to the criticisms of the executive branch, we have proceeded to work our will on this legislation.

I urge enactment of H.R. 71 as reported by our committee.

Mrs. HECKLER of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. HANSEN of Idaho. I yield to the gentlewoman from Massachusetts.

Mrs. HECKLER of Massachusetts. Mr. Chairman, I would like to lend my support to H.R. 71, particularly to title IX of H.R. 71. This is the only measure on hand that addresses itself to the social problems of the elderly—as opposed to medical programs such as medicaid and medicare, and economic programs of long standing such as social security.

We do not live by medicine alone—no more than we live by bread alone. We rely on each other for so much more.

When we care about each other, then we deserve to be called a society. And a society without a shared and cherished vision of what might be—is a desolate society. One lacking in vitality and cohesiveness. H.R. 71 provides a viable method of keeping our senior citizens within the mainstream of life. This bill allows those we revere and respect to stand proudly in the communities they helped to build.

Our senior citizens often find that they must live alone and stand alone—because of the mobile nature of America today. Sons and daughters who might otherwise be providing the companionship of family life often live thousands of miles away. Lifelong friends pass on, move away, or reach that point when they need continuing professional care. Being old all too often means to be lonely.

H.R. 71 responds to the needs of the lonely; it helps answer the requirements of those who would like to live out their lives in a society—not just in a small room or apartment on a tea-and-toast diet.

H.R. 71, however, goes a step beyond the creation of diversions for those who have little or nothing to do. This bill enables senior citizens to provide real service to the community; the benefits are significant; it is a bill that deserves our full support.

Let me give one example of how successful such a program can be:

In Fall River, Mass., under the sponsorship of Citizens for Citizens, we have a Senior Aides program which employs a number of senior citizens in community service programs. These individuals

work in my district. They are active at our famed Marine Museum—an asset to the city, but one which is chronically plagued with insufficient funds. The Senior Aides also visit lonely and handicapped shutins among Fall River's 24,600 elderly. They are helping each other as they help themselves. They are a valuable asset.

The Senior Aides greatly help out in our day care programs so that each child can receive personal attention and guidance.

The work performance and reliability of these individuals should encourage us to support this legislation.

Mr. QUIE. Mr. Chairman, I yield 3 minutes to the gentleman from New York (Mr. PEYSER).

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

Mr. PEYSER. I am glad to yield to the gentleman from Connecticut.

Mr. SARASIN. Mr. Chairman, I would like to say a few words in support of title IX; the Older American Community Service Employment Act in reference to a project in my district.

Waterbury, Conn., is grateful to have a program called Senior Aides which is administered by the Waterbury Area Retired Workers Council. Individuals 55 and older and at poverty-level income serve Waterbury in community service agencies. Their rapport with children in day-care programs and with the elderly in senior drop-in centers has proven their worth for improving the conditions in the community.

This community has used the Senior Aides to reach out to the shut-in and handicapped elderly. The Aides give many of these people a spark to live and a concern for their health and welfare.

The need for title IX of the Older Americans Act has been demonstrated in Waterbury and I hope it will get a chance to be demonstrated in my colleagues' communities.

Mr. PEYSER. Mr. Chairman, I am glad to take over at this time as a pinch hitter temporarily for the gentleman from Illinois (Mr. MICHEL), even though my remarks may not coincide with those of the gentleman from Illinois.

I do rise in support of this legislation. I think that this bill for the elderly is more responsive to the needs of the elderly than any piece of legislation that has come before this Congress. We tend often to use the term "elderly." This makes it a very abstract type of word and we forget that we are talking about real people who have real needs. Hopefully, through this bill we can answer some of those needs.

Believe me, after being out in the field and talking with the elderly, meeting in hearings which we have held over the last several years, I understand that no matter what type of legislation we enact, we are not going to answer all of the needs of the elderly, but at least this will make a major contribution to answering some of the needs which we should have answered a long time ago.

One thing we cannot legislate, of course, is a cure for loneliness. But, there is a small part of this bill which in one way speaks to the problem. That is in title II of the bill where we speak of encouraging the action of young people of high school age and college age to get involved in volunteer programs with the elderly. Since this legislation was originally issued a year ago and was passed by this House, we have had the opportunity in New York City of putting to work this idea of getting volunteer people in the high schools and colleges to start working with the elderly. The results have been most gratifying, and it has proved to be a great education for young people and a great gift for the older people to have this kind of exposure.

I am most hopeful that when this bill is passed this small section of the bill, which involves no money, will be highlighted by the Director and will get the attention which it deserves in bringing young people in contact with our older people, because this can really answer a lot of the problems.

I trust this bill will be passed by a large majority.

Mr. BRADEMAS. Mr. Chairman, I yield 5 minutes to the gentlewoman from Hawaii (Mrs. MINK).

Mrs. MINK. Mr. Chairman, I should like to take this opportunity to commend the chairman of our Select Subcommittee for his conscientious efforts not only in this session, in bringing the legislation to the floor expeditiously, but also for his efforts in the last Congress, when we worked on this bill and unfortunately the bill did not become law.

Mr. Chairman, I rise in support of H.R. 71, the Comprehensive Older Americans Services Amendments of 1973.

Adoption of this legislation is essential if we are to fulfill our obligation to provide needed assistance to millions of elderly people in this country. The purpose of H.R. 71 is to extend and amend the Older Americans Act and amend other legislation which provides services and programs for the elderly.

Congress enacted the Older Americans Act in 1965, and revised it in 1967 and 1969. In 1972, Congress passed H.R. 15657 to achieve the same goals now sought by H.R. 71. The vote in the House was 351 to 3. Nevertheless, H.R. 15657 was pocket vetoed by President Nixon on October 30, 1972. The President stressed his opposition to the level of authorization, certain categorical programs, and the manpower training programs in the bill.

The House Committee on Education and Labor has sought to take account of the President's objectives, and I believe we have gone more than halfway in H.R. 71. The bill, as reported by a vote of 33 to 1, reduces the authorization level from \$2 billion, over a 3-year period, in the vetoed bill, to \$1.4 billion. In addition, the committee eliminated title X, Middle-Aged and Older Workers Training Act, and consolidated the Transportation study and demonstration project into the provision of the bill relating to the Fed-

eral Council on Aging and Model Projects.

Overall, the bill authorizes the expenditure of \$277.45 million in fiscal year 1973, as compared with an administration request of \$275 million. For fiscal year 1974, the administration proposed to reduce its assistance for the elderly to \$244 million, while H.R. 71 would authorize \$471.3 million. It would be tragic to follow the administration proposal and cut funding from \$257 to \$244 million at a time when the number of aged is increasing and their needs are escalating.

H.R. 71 strengthens the Administration on Aging within HEW, increases aid to the States, authorizes special programs in housing, transportation, and preretirement training, and establishes research centers on aging and community senior citizen centers. One worthy provision amends the Adult Education Act to aid in the education of elderly persons whose ability to speak and read the English language is limited and who live in an area with a culture different from their own.

Another major provision of the bill is the additional authorization of \$7 million for the current fiscal year, and a similar amount for fiscal year 1974, for the senior opportunities and services program. This program has had significant success in Hawaii as well as many other States. Unfortunately, the administration's proposed budget apparently contemplates phasing out this valuable program which functions under the Office of Economic Opportunity.

Senior opportunities and services has been one of the most successful OEO programs, generating 40 cents in local resources for every Federal dollar spent. This is the largest non-Federal share of any OEO program, and it seems to me that this reflects great acceptance of SOS by local officials. If our intent is to favor programs supported by the localities, certainly we must expand and strengthen SOS. H.R. 71 would provide strong reaffirmation of congressional intent that this program be continued as presently constituted. We would add sufficient additional authorization to make possible an increase in the number of SOS projects from 264 to 495 this fiscal year, and to 825 by fiscal year 1974.

It should be emphasized that in enacting this legislation we are building on programs that have convincingly proved their worth. Such activities as the foster grandparents program, retired senior volunteer program, and nutrition program for the elderly have fulfilled a vital role in expanding the opportunities and services for millions of those who are aged and needy.

The bill authorizes an increase over the budget proposal of only some \$20 million for the current fiscal year. At a time when the President asks an increase of \$5.6 billion for Pentagon spending, even with the Vietnam war supposedly ending, it seems to me we can provide this small advance for the older citizens of our country.

I urge the adoption of H.R. 71.

Mr. QUIE. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, I support H.R. 71, the legislation which has been worked out by our committee over the past 2 years. Yet I think there are controversial aspects in this bill which deserves a full discussion in Congress.

One indisputable fact is that President Nixon has dramatically increased budget proposals for service programs for older Americans which are included in this legislation. In 1970 we expended \$27.5 million on all of the programs—including nutrition projects—covered by H.R. 71. In each of the years 1973 and 1974, President Nixon budgeted over nine times this amount for the same programs. This is a performance which deserves high praise, and it must not be lost sight of in the course of this debate. The President has been highly supportive of the programs authorized under the Older Americans Act of 1965.

Nevertheless, he felt compelled to veto H.R. 15657, the Comprehensive Older Americans Service Amendments of 1972. The President in his veto message cited the very high level of authorizations for these programs over a 3-year period and the addition of two categorical manpower programs which were not in the House-passed bill. The most objectionable of these was title X of the vetoed bill, manpower training for middle-aged or older Americans. It was objectionable, because it duplicated existing authority and further complicated the administration of manpower programs with yet another narrow, categorical authority.

The bill before us eliminates title X and reduces the total 3-year authorizations more than \$600 million below that of the vetoed bill.

The bill, however, still has a total 1974 authorization far above the \$249 million level in the President's budget. The bill contains an authorization for 1974 of \$470.3 million, to which must be added the \$150 million authorized for the nutrition program—title VII of the Older Americans Act—which is not affected by this bill. That means that with the enactment of this bill the total 1974 authorization for programs included in the President's budget would exceed \$620 million.

Although I support this bill, this is a matter of concern to me and I know that the level of authorizations is a matter of concern to the House.

But I think this issue needs to be put in perspective. When the President initially presented his budget for fiscal 1973 he asked for \$157 million for these programs, more than double the expenditures in 1972. Subsequently, the Congress enacted Public Law 92-258 which authorized \$100 million in fiscal 1973 and \$150 million in 1974 for nutrition programs for the elderly—thus going far above the President's initial 1973 budget for programs under the Older Americans Act.

This could have been called a budget busting authorization. But after studying the recommendations of the White House Conference on Aging, and after reviewing such successful pilot programs as Meals on Wheels the President revised his 1973 budget and asked for the entire \$100 million for nutrition for the elderly, bringing his total revised request for these programs for 1973 to \$257 million.

In the absence of the \$100 million authorization for nutrition the President would have been unable to make this dramatic increase in his budget for these programs.

I am not saying that the same thing will happen this year or next, but only that the authorizations agreed upon in this bill provide flexibility for the budgetary and appropriations process to work within them. Choices will be made. Some appropriations may come close to certain authorization ceilings; other authorizations may not be funded at all.

This bill was worked out cooperatively on a bipartisan basis in both the subcommittee and full committee and represents the kind of compromise which always occurs in these situations. Those of us who support the bill feel that we have worked out an effective means of strengthening the Administration on Aging and more importantly, for getting more and better coordinated services to elderly citizens who need them. The bill incorporates the administration's recommendations for improving planning and the delivery of services at the State and local level. It also incorporates many recommendations of the 1971 White House Conference on Aging, and the findings of extensive and well-conducted hearings held last year by the Select Subcommittee on Education.

With the exception of title IX, which authorizes a community service employment program for older Americans—this bill is virtually identical to the bill which passed the House last July 17 under a suspension of the rules by a vote of 351 to 3. Actually, many of the authorizations in this bill are lower than in the bill we approved last year. Were it not for the authorizations for title IX in this bill the total would be lower than the total we approved last year.

Accordingly Mr. Chairman, I urge my colleagues to support H.R. 71 as reported by our committee and include the following statistics for the information of the Members:

BUDGET AND APPROPRIATIONS HISTORY OF OLDER AMERICANS ACT AND RELATED PROGRAMS 1970-74

Program	Actual, 1970	Actual, 1971	Actual, 1972	Revised budget estimate, 1973	Budget estimate, 1974
Title III: (State and area programs and planning)					
Title IV: Research	13.0	15.2	44.7	100.0	100.0
Title V: Training	3.1	2.8	9.0	9.0	9.0
Title VI:	2.6	3.0	8.0	8.0	0
RSVP	0	.5	15.0	15.0	15.0
Foster Grandparents	8.8	16.5	25.0	25.0	25.0
Title VII: Nutrition				100.0	100.0
Total	27.5	38.0	101.7	257.0	249.0

¹ Includes nutrition projects such as "Meals on Wheels".

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

Mr. QUIE. I yield to the gentleman from Ohio (Mr. WHALEN).

Mr. WHALEN. Mr. Chairman, the bill before us today is indeed important. It offers us another opportunity to help make the United States a better place to live and work for our older citizens. Mr. Chairman, I am particularly pleased that the committee has retained title IX which has provided assistance to many of my constituents. In my district, senior citizens are employed under an operation mainstream program locally sponsored by the Senior Citizens' Center of the

Greater Dayton Area. Under this program, some of the older workers are trained homemaker aides who go into private homes and help other older people who are unable to provide completely for themselves. These aides cook a nutritious hot meal, help wash hair, do grocery shopping, or pick up a prescription, and give companionship. If these aides were not there to lend this hand, many individuals would have to be placed in nursing homes which would be far more costly. Further, this arrangement enables a person to stay in his own home which is the environment medical professionals and senior citizens prefer the most.

Mr. Chairman, I believe that we must continue to provide this and other opportunities to older people so that they may share their talents and experiences with our local communities. Therefore, I urge approval of the committee's bill.

Mr. WYLIE. Will the gentleman yield for a question?

Mr. QUIE. I yield myself 1 additional minute, and I yield to the gentleman.

Mr. WYLIE. I thank the gentleman for yielding.

The title III funding formula bothers me a little. Does not title III funding formula or program rather restrict the States in how this money can be spent?

As I read it, it says that if the States are not following through on the program as outlined in title III, the Federal Government will assume the administration of a State's program? Am I correct about that? Or is that an unfair statement?

Mr. QUIE. If the chairman of the subcommittee wants to make a comment on it, I will yield to him.

Mr. BRADEMAS. No. I see no evidence for the allegation that the gentleman is making. It is true the purpose of the title II program is to support project to help older persons. It would not be appropriate, therefore, for States to expend the moneys allocated for title III for other purposes.

Mr. QUIE. I thank the gentleman.

Mr. BRADEMAS. Mr. Chairman, I yield 1 minute to the gentlewoman from Texas (Miss JORDAN).

Miss JORDAN. Mr. Chairman, the Education and Labor Committee has been responsive to some of the President's objections when he vetoed this bill last year:

The bill's authorizations for expenditures have been reduced by over \$600 million.

One of the bill's categorical programs has been eliminated in response to the administration's complaint about proliferation of categorical programs.

The rest of the administration's objections to this legislation have been considered and rejected by the committee, and I think rightly so. Further reducing the authorizations, or providing for declining matching shares from the Federal Government, or limiting the number of years in which Federal assistance can be provided to any project would diminish Federal support for social services programs for the elderly too much.

The committee is proposing a workable scheme for delivering vital supporting services in the fields of nutrition, transportation, employment, recreation, and health. It recognizes these kinds of services as a continuing responsibility of the Federal Government. These are vital services which flesh out the income support provided by social security and medicare programs. Without these supporting services, I shudder to think how many of our elderly citizens would survive.

There are 53,768 citizens over 62 in the 18th Congressional District which I represent. At least one-fifth of these live in abject poverty, scratching out an existence. The older they get, the poorer they are. At least one-third of those over 65 are below the low-income level.

The programs authorized by this bill give these forgotten Americans some hope that their Government will allow them to live out the remainder of their lives with minimal comfort and dignity.

Mr. BRADEMAS. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. LEHMAN), a member of the subcommittee.

Mr. LEHMAN. Mr. Chairman, I rise in support of the comprehensive older Americans services amendments, and

urge my colleagues to lend their full support to this bill.

My particular congressional district in Miami has an unusually high percentage of retired older Americans. Many of them are energetic and dedicated people, but they are in great need of special services. This bill deals with their needs such as housing and transportation, retirement planning and continuing education.

One portion of the bill, title IX, provides for the employment of older people in our schools as teacher aides in the vocational and industrial arts. This would serve a double purpose: first, it would give our elderly the opportunity to continue to use their long-earned skills. Second, from exposure to these older citizens, the students may well acquire an understanding and appreciation of the dignity of labor, a quality of life that is rapidly disappearing.

Our older Americans are an important untapped human resource. Only now are we beginning to realize that these people should not and do not want to be shelved. We must meet their special needs, and we should provide the means whereby their special skills and knowledge can be available especially to our young Americans.

Mr. BRADEMAS. Mr. Chairman, I yield such time as he may consume to the gentleman from Illinois (Mr. PRICE).

Mr. PRICE of Illinois. Mr. Chairman, I want to commend the Committee on Education and Labor, and also the gentleman from Indiana (Mr. BRADEMAS) for their sponsorship of this legislation, and I hope that the House will give this legislation a resounding victory this afternoon.

Mr. Chairman, as a sponsor of H.R. 71, amending the 1965 Older Americans Act, I am deeply committed to enacting legislation expanding the opportunities of our senior citizens.

This measure is such a commitment to our elderly. It is a commitment that this Congress should honor. As its predecessor in the last Congress, H.R. 15657, which President Nixon vetoed, this measure represents congressional intent that our elderly have the right to remain productive citizens throughout their lifetimes.

Today, there are 20 million Americans in this country who are 65 and older; that is one of every 10 Americans. They are the fastest growing group in our population; yet over 25 percent of them live in poverty. This is sad commentary for a nation that prides herself on human dignity.

We talk of quality of life. How can we justify neglecting over 10 percent of our population? Clearly, our elderly have a right to enjoying life in the dignity and security they have earned and deserved.

This \$625 million measure recognizes this right. It provides for community service employment opportunities for individuals 55 and over; the establishment of senior citizen centers and staffs; development of an information and clearinghouse system; expansion of the Na-

tional Older American Volunteer program including Foster Grandparents and Retired Senior Volunteer programs; comprehensive coordinated community-based services including nutrition, model low cost transportation, housing, education and employment programs, and expanded research programs into the problems of the agency.

Of particular interest is title IX of the bill establishing an older American community service employment program. It is designed to assist individuals 55 or older who have low income and who have, or would have, difficulty in securing employment.

The Department of Labor would cover at least 90 percent of the cost and 100 percent of the costs of projects located in emergency or disaster areas or in economically depressed areas. Eligible community service activities include social, health, welfare, educational, library, recreational, conservation, maintenance, restoration of natural resources, community beautification, environmental protection, economic development, and other community services deemed essential. Senior citizens would be employed at publicly owned and operated facilities and projects or projects sponsored by charitable organizations and would be paid at least prevailing or minimum wages whichever is higher.

There is clear need for this type of program. Only 4.9 percent of the available public employment opportunities went to people aged 45 and over in 1972, yet they represent: 20 percent of the total unemployed; 27 percent of the long-term—15 weeks—unemployed; 31 percent of the very long-term—27 weeks—unemployed; and 36 percent of the civilian labor force.

In sum, Mr. Chairman, we have an obligation to see that our senior citizens remain in the mainstream of American life. These venerable Americans should not be forced to live out their lives in fear and degradation.

Mr. BRADEMAS. Mr. Chairman, I yield 1 minute to a member of the committee, the gentleman from Pennsylvania (Mr. DENT).

Mr. DENT. Mr. Chairman, I just want to say that when I was the chairman of this committee in 1965 that this original act came out of that committee, and at that time I did not think I would be standing here confessing that I probably had a conflict of interest now, since I passed the age of 65 last Saturday.

Mr. QUIE. Mr. Chairman, I yield back the balance of my time.

Mr. VANIK. Mr. Chairman, I rise in support of the passage of this bill, the Older Americans Services Amendments of 1973.

In 1972 the President informed the Nation in his state of the Union address:

The best thing our country can give to its older citizens is the chance to be part of it, the chance to play a continuing role in the Great American Adventure.

Despite these lofty words, the administration has failed to take leadership in dealing with the grave problems that face

the 20 million elderly of this country. More than this, the President has frustrated congressional efforts to alleviate the misery of our older Americans.

Last fall, the Congress passed—over the President's opposition—a 20-percent increase in social security benefits. Once the increases became law, the administration did an apparent about-face. It not only approved of the increases, but also tried to take implicit credit for them. To quote from the President's most recent state of the Union message, the segment on human resources:

One measure of the Nation's devotion to our older citizens is the fact that the programs benefitting them—including Social Security and a wide range of other activities—now account for nearly one-fourth of the entire Federal budget. Social Security benefit-levels have been increased 51% in the past four years—the most rapid increase in history.

There is no mention here of the President's opposition last summer to the 20-percent increase in benefits voted by Congress. There is no mention here of the administration's persistent foot-dragging in aid to our elderly.

If this were not enough, the administration's latest proposals on medicare reveal just how feeble its commitment to our older Americans really is. These proposed changes would add up to nearly \$1 billion in the medical expenses of medicare beneficiaries and substantially wash out last year's social security increase. The rationale advanced by the Department of Health, Education, and Welfare in support of these changes would provide "a cost awareness on the part of the medical care consumer."

If there is any segment of our population which does not need an additional cost awareness it is our older citizens who must get by on a fixed income, while the cost of living accelerates out of sight.

Now the administration has another opportunity to show good faith in its dealings with older Americans. The Comprehensive Older Americans Services Amendments of 1973 represents an extensive effort to consolidate and strengthen Federal programs for the elderly.

The President had an opportunity to approve substantially the same piece of legislation last year. He did not. The bill before us attempts to come to grips with his objections. The general level of funding was cut from \$2 to \$1.4 billion—a reduction of 30 percent.

More specifically, H.R. 71 makes important improvements in the vital areas of organization and funding in order to provide Federal assistance directly to the most critical needs of our elderly.

First, the bill takes the Commissioner on Aging out of a closet at HEW and places him in a direct line of authority and responsibility to the Secretary. At the same time the lines of authority of the Administration on Aging are significantly broadened. Further, there is established under H.R. 71 a Council on Aging which will provide advice directly to the President.

Second, this bill authorizes the ex-

penditure of \$1.4 billion over a 3-year period to fund an entire range of research and direct AID programs. The essential thrust of this effort will be to promote the personal and economic independence of the elderly.

The President was correct in stating that our older citizens have a real contribution to make to the health and well-being of our Nation. But they must be given the opportunity to contribute. Years of governmental neglect have erected formidable barriers around the older citizens of this country. They have become—quite unnecessarily—the isolated and forgotten of our population.

The barriers which presently eliminate our elderly from the mainstream of American life can and must be ripped apart. There is no more time for hollow rhetoric. There is no more time for idle promises. There is only time to meet these problems directly, forcefully, and meaningfully through the enactment of the Comprehensive Older Americans Services Amendments of 1973.

Mr. Chairman, H.R. 71 is another in a string of bills which the Congress is in the process of repassing after a series of Presidential vetoes of important social programs last fall. Most of the controversy surrounding the passage of these bills deals with the cost of the programs involved. In repassing this bill, for example, the authorization level has been cut by some \$600 million or 30 percent.

I am deeply concerned about the way in which we are going about the process of providing appropriations for the Federal Government and our failure to coordinate authorization levels with future appropriation requirements.

I do not want to be misunderstood, Mr. Speaker. I am very much in favor of the bill before us, the Older Americans Services Amendments. I am also in favor of another important social program which we are considering today—the Vocational Rehabilitation Amendments.

But I can also understand the concern of the administration at the failure of the Congress to come up with some form of overall budget. In both its authorization bills and its appropriation bills, the Congress has no clear total goal, objective, or program in mind.

I fear that this Congress will be faced with the problem of dozens of vetoes, dozens of repassed bills, a great deal of partisanship and needless debate—unless we can develop some form of budget development, review, and control system of our own.

Because the bill we are dealing with today is before us basically because of the budget and expenditure controversy, I would like to speak at some length on how that budget problem can be dealt with so the type of controversy we face today can be avoided in the future—and so that the Congress can develop a budget which better serves the needs of the American people.

When the administration's budget for fiscal year 1974 was released to the public on January 29 of this year, I made a preliminary analysis of the general tone

and direction of this all-important Government document.

After an initial examination, I stated: I am sadly disappointed in the direction, the emphasis, and the priorities of this budget. With only limited funds available to meet so many problems, billions are being directed in unneeded, obsolete, and useless programs.

It was obvious that the administration's new budget was a "budget of subsidies for special interests;" it was a "bureaucrat's budget," insuring the employment of high-ranking Government officials, while cutting services to those who need them most. It was a budget which continued unprecedented military expenditures, despite the end to the war in Southeast Asia. It was a budget which failed to recognize new problems—such as the energy crisis. Finally, it was a budget that was extremely difficult to read: a flim-flam operation in which budget cuts and the elimination of programs were hidden, while the public was told that they were being included in "new" revenue sharing proposals.

After nearly a month of carefully examining the administration's 1,100-page budget appendix, I am more firmly convinced than ever that my comments of January 29 were accurate—and that this budget is a disaster for the American people.

It is imperative that the Congress carefully review the priorities established by this budget and that the Congress amend it to more accurately and fully reflect the needs and priorities of this Nation. In an effort to increase the public and congressional debate on the programs funded by the administration's budget as well as the direction in which we want our Nation to move, I would like to present my own budget for fiscal year 1974.

It is, of course, impossible to build a complete budget for the Federal Government in a few weeks. After all, this is a task which occupies several thousand bureaucrats for up to 2 years before the budget is formally announced to the public. Therefore, I am presenting a counterbudget: A budget built on the basic administration budget but with the elimination or cutback of certain programs and increases in other programs.

SUPPORT FOR \$269 BILLION EXPENDITURE CEILING—OR LESS

I firmly believe that it is important for the economy that the deficit be minimized and that Federal expenditures be held within or even below the \$269 billion advocated by the President. The deficit might be reduced even further by long-needed revenue-raising tax reform—a step which the administration seems to oppose. At the present time there is a raging battle between the Congress and the President over the question of expenditures and the impounding of funds which the Congress has appropriated. I disagree with many of the President's impoundment decisions—but it is my feeling that neither side is all right or all wrong in this debate. Frankly, I do not feel that we in the Congress can re-

quire the President to spend all of the money which we appropriate until such time as we in Congress establish a program of budget controls for ourselves. Before we make excessive criticisms of the President, we should put our own House in order—so that in the end the general welfare of all the American people can be better served.

CONGRESSIONAL BUDGET REFORM

The movement for reform of the Congressional budget process must involve three key elements: time, organization, and improved technology.

To grapple adequately with the vast complexity of the Federal budget, the Congress must first of all have time. The present 6 months of deliberation is woefully inadequate. By shifting the budgetary process from a fiscal to a calendar year, Congress would increase the "lead time" within which Congress can study, debate, and act upon each of the hundreds of segments of the budget.

A second essential factor of change is organization. There have been recent suggestions within the Congress to establish a type of "superbudget" committee.

This committee could be composed of members of the Tax and Appropriations Committees of each House, either meeting separately in each Chamber or in a joint session. This committee would offer the Congress a comprehensive analysis of the President's budget proposals and would be able to examine the state of the economy so that an overall budget ceiling would be set. Then within this expenditure ceiling general levels of spending—levels which could not be exceeded—could be set for the various areas of Government concern: health, defense, housing, and so forth. In this way, the constitutional duty of the Congress to make appropriations and establish priorities would be restored; no longer would the President alone declare a spending ceiling and then proceed to impound funds and eliminate whole programs. If the Congress will do its duty and establish its own budget for the year, then this issue of impoundments and expenditure ceilings—the issue which is creating so much of the present controversy and debate—would be removed.

In addition, an adequately staffed Budget Committee, equipped with necessary computers, would not only be able to take a closer look at the success or failure of various programs, but it would also have the ability to work with the administration in developing the direction and trend of future budgets. This would enable the Congress to return to its constitutional role of determining the Nation's long-term priorities.

The task before the Congress in this period of constitutional crisis and debate will not be an easy one. Reform of the Congress will take time. I, for one, do not believe that the fight should be carried on with rhetoric or strictly on party lines; in this debate neither the Executive nor the Congress should consider all its positions correct and the stands of the other branch of Government all wrong. During this period of debate, our fore-

most consideration must be the progress and welfare of the country.

In early February there was a vote in the House of Representatives instructing the President to spend nearly \$260 million in funds for a program called Rural Environmental Assistance—REAP. This was not an environmental program—it is estimated that at least half of the funds in the program are spent on such anti-environmental items as pesticides and stream channelization. Nevertheless, a majority of the House voted to require the President to spend these funds, feeling that the President was infringing on the constitutional prerogatives of the Congress in impounding these funds. My vote was cast against the majority and to permit the President to withhold these funds. I simply do not believe that until the Congress establishes an efficient budget system to guide itself in making appropriations, we should force the President to make inflationary expenditures on wasteful and low priority programs. I am against impoundment and executive discretion in these areas. But until the Congress provides reforms to make such action by the President unnecessary, then—for the sake of the American people—we cannot insist that these low priority programs be continued.

EXAMINING THE BUDGET

The Federal budget is an extremely difficult document to use. One rapidly gets the idea that it is made difficult to read on purpose—so that the reader cannot readily tell how much a program is cut or increased.

During 18 years of service in the Congress, I have seen a number of budgets, but I believe that this is the most deceptive and confusing one which has been presented to the Congress.

The several budget analyses, which are fairly short, 300-page-long, easily readable summaries, do not tell the reader how specific programs are affected by the proposed budget. The reader must turn to the 1,119-page appendix to the budget. There, each Government program is described and analyzed—but the process is still not easy. Part 1 of the appendix provides detailed explanations of direct expenditure programs. Part 2 lists changes in employment by agency. Part 3 provides the administration's supplemental requests and amendments for the remaining 5 months of the current fiscal year. Part 4 deals with a wide range of Federal agencies which are not included in the Federal budget for a variety of reasons, but which do have a tremendous effect on the economy—agencies such as the Export-Import Bank and the various home loan bank boards.

As I have pointed out at several points in the tables comprising the counter-budget, there is great potential for confusion and misrepresentation in the budget. For example, in comparing expenditures between fiscal year 1973 and 1974, the administration may say that there is an increase in the budget. But later one finds in the back of the budget, in part 3, that the administration has

requested an amendment to the fiscal year 1973 program—an amendment cutting the program in half. When one compares the original fiscal year 1973 budget request with the request for fiscal year 1974, one then realizes that the appropriation request is not increased at all—actually it has decreased from the original fiscal year 1973 request—the request probably already approved by the Congress.

There is another great opportunity in this budget for creating confusion and deception: Reorganization. A number of Federal agencies are being terminated, reorganized, or transferred. In reading about these agencies in the budget, one will find a notation that the function of the agency is being transferred to another agency—but when one turns to the detailed explanation of that other agency, one finds no mention of the transfer. In fact, one often finds that this agency too has had its budget slashed.

Finally, confusion and deception are created by the frequent reference to old and new revenue sharing programs. For example, the reader is told that the various categorical grant manpower training programs are being consolidated and the money will be distributed to the States under a new revenue sharing program. This sounds like an improvement—until the reader adds up the budget for the various grant programs. Then one realizes that the revenue sharing budget for manpower training and employment is actually being cut by over a billion dollars.

Not only may the promise of the new revenue sharing plans turn to dust in the hands of the Governors and mayors of the Nation, because of cutbacks in the total level of funding for each category—but the general revenue sharing program enacted last year to provide new money has already proven to be a crushing disappointment to those large-city mayors who needed its assistance the most. The depth of this disappointment can be seen by the testimony which a number of these mayors recently gave to a Senate committee. As Mayor Roman Gribbs of Detroit testified:

If the President terminates, and phases out many of the categorical federal programs which provide the cities with assistance in the vital areas of health and community Redevelopment, and says it is to be replaced with General Revenue Sharing, what will be the City's gain? All the *extra*, let me repeat, *extra*, financial support we expected from General Revenue Sharing, will be wiped out if these funds must be substituted for lost programs. The use of this substitution logic is completely contrary to the expressed intent of General Revenue Sharing . . . and a personal commitment the President made to us.

Truly, this is a budget of sham and mirages.

VANIK COUNTERBUDGET

These, then, are my basic assumptions in developing a counterbudget:

First, that the expenditure ceiling should be held to \$269 billion and can be even further reduced to cut the deficit and reduce inflation;

Second, that each program expenditure must be examined on its merits; that there are no "sacred cows" in the budget; and,

Third, that impoundment is not the real constitutional issue: The real constitutional issue is the ability of the Congress to reform itself so that it can develop an effective and rational control

over Federal spending as was intended by the Constitution.

In examining the President's budget, I made cuts of \$12.84 billion in programs which I consider to be low priority. In all too many areas, this is not a lean budget; it is a fat budget. I felt it absolutely necessary to add some \$5.51 billion to restore or initiate vitally needed pro-

grams. Thus, with little trouble at all, I was able to cut the budget by some \$7.3 billion, leaving this money to be used for reducing the deficit, for emergencies, or to provide additional support to those programs most in need.

Following is a list of the major cuts and major additions which I would make to the budget.

Major increases and new programs	Cost (in millions)	Request after "counter- budget" adjustment	Major cutbacks and elimination of programs		Request after "counter- budget" adjustment
			Amount saved (in millions)		
Foreign Aid, Military and Civilian	2,600	2,055			
Department of Agriculture (crop subsidy, sugar subsidy programs, etc.)	2,209	8,291			
Department of Commerce, ship subsidies, Maritime Administration	200	343			
Department of Defense, reduction of bases, troops overseas, elimination of certain unnecessary weapons systems	5,831	77,649			
Department of Interior, elimination of new irrigation projects, Bureau of Reclamation	203	135			
Department of Transportation, delay of new airport capital construction, FAA trust funds	350	533			
CAB subsidies to airlines	66	0			
Department of Agriculture, increased food programs for low-income children, Food and Nutrition Service			100		
Corps of Engineers, protection works on Great Lakes			100		
HEW, restoration of education, health, and medicare programs			1,524	75,001	
HUD, increase in block grants to cities for solving urban problems			1,000	4,712	
Labor, restoration of manpower training programs			502	9,453	
NASA, shift from outer space research to energy and pollution control research of \$1 billion, net change, zero					
Small Business Administration, disaster loans			200	451	
EPA, waste treatment construction and research			1,050	1,638	

With the additional \$7.3 billion left over from this counterbudget, a number of things could be done. The deficit, which the administration estimates will be \$12.7 billion in fiscal year 1974, could be considerably reduced. But it also appears that the administration plans to take new action against a wide range of social programs. Some of this surplus must be held ready to block these further cuts. Moneys should be available to insure that Vietnam era GI benefits are not cut—a move which the administration is apparently beginning to consider. This will demand the commitment of as much as \$100 million. Last year, the Congress set a ceiling on the amount of money which could be spent for social services—assistance in drug rehabilitation and for the retarded. Through new regulations issued in the last several weeks, the administration appears to be

trying to reduce these services from \$2.5 billion to \$1.8 billion. Certainly the counterbudget should provide for the continuation of these vital social services at the previous level, thus entailing an expenditure of \$700 million. Additional money should be available for education assistance, both for elementary and secondary schools and for assistance to college students. An additional billion dollars could be wisely committed to these programs. Further funds for water pollution construction grants, mass transit and for energy research should be available, dependent on the ability to use them wisely. Property tax relief for those on fixed, low incomes might be possible with some of these remaining funds.

It is obvious that no two Members of Congress would agree on every item in the budget. This is simply my view of how changes could and should be made in

this budget. Even these dollar levels of cuts and increases will vary throughout the year as the Nation's needs and the state of the economy become clearer. You may be sure that I will give my every effort in the 93d Congress to work for these goals—for a Federal budget which seeks to serve those who most need its service—for a Government of compassion, a Government for the people.

Mr. Chairman, so that other Members may have some idea of the type of adjustment which we should be considering if we are to bring some order out of the chaos of the present budget debate, I would like to include in the RECORD at this point my own "counterbudget" which seeks to support programs—such as H.R. 71—within the overall expenditure ceiling.

The "counterbudget" follows:

AGENCY TOTAL AND SELECTED LINE ITEMS: COUNTERBUDGET COMMENTS AND AMENDMENTS

[Amounts in thousands]

	1972 enacted	1973 estimate	1974 estimate	Proposed savings	Comments and amendments	Proposed additions
LEGISLATIVE BRANCH						
House of Representatives:						
Total Federal funds House of Representatives:						
Budget authority.....	136,769	142,268	145,294	.....	The Congress continues to provide itself with certain luxuries of office, yet has failed to develop an effective system of budget review and control.	
Outlays.....	128,830	135,148	138,123	.....	Budget review.....	
Furniture:						
Budget authority.....	587	1,040	733	.....	
Outlays.....	460	.....	733	.....	
Government Printing Office:						
Total Federal funds Government Printing Office:						
Budget authority.....	56,330	75,947	107,621	.....	In general, construction of new Federal buildings should be delayed in a year when housing for elderly, handicapped, and low-income persons has been suspended.	
Outlays.....	71,876	67,741	90,920	.....	
Acquisition of site and general plans and designs for buildings:						
Budget authority.....	.....	7,800	.....	.....
Outlays.....	.....	7,800	7,800	.....	
EXECUTIVE OFFICE OF THE PRESIDENT						
Office of Science and Technology:						
General and special funds: Salaries and expenses:						
Budget authority.....	2,300	2,100	.....	.....
Outlays.....	1,829	2,052	300	.....	
Disaster relief:						
General and special funds: Disaster relief:						
Budget authority.....	85,000	492,444	100,000	.....	This, combined with other science research reductions, indicates administration's failure to recognize and deal with environmental and energy problems. (See NASA budget.)	
Outlays.....	92,169	320,000	200,000	.....	
		5,000	50,000	.....	

	1972 enacted	1973 estimate	1974 estimate	Proposed savings	Comments and amendments	Proposed additions
Foreign Assistance:						
Federal funds:						
Budget authority	3,888,698	2,952,827	4,056,000			
Outlays	2,798,774	2,575,020	3,000,395			
Trust funds:						
Budget authority	2,096,763	1,063,695	599,292			
Outlays	86,874	-158,950	9,292			
Total foreign assistance:						
Budget authority	5,985,461	4,016,522	4,655,292			
Outlays	2,885,648	2,416,070	3,009,687	2,600,000		
DEPARTMENT OF AGRICULTURE						
Departmental Management:						
Rural development grants and technical assistance:						
Budget authority		20,000				
Outlays		9,000		20,000	In a year when urban programs have been cancelled, new rural industrial development should be delayed.	
International Programs:						
Foreign Assistance and Special Export Programs:						
Total Federal funds foreign assistance and special export programs:						
Budget authority	1,320,400	895,000	653,638			
Outlays	1,320,400	895,000	653,638	300,000	In a year of continuing high wheat prices and world demand, some of the remaining export subsidies in these programs could be struck. Our agricultural exports should be based on free market conditions unsupported by subsidy.	
Agricultural Stabilization and Conservation:						
Sugar Act program:						
Budget authority	86,000	84,500	89,500			
Outlays	86,133	87,700	92,500	89,500	This subsidy program, which raises the price of sugar to American consumers by as much as 3 cents per pound, must be eliminated.	
Corporations:						
Commodity Credit Corporation:						
Total Federal funds price support and related activities:						
Budget authority	4,530,640	3,267,575	3,457,409			
Outlays	3,983,371	3,404,153	2,710,386	1,500,000	Price support legislation must be amended this spring, limiting subsidies to \$10,000 per farm rather than \$55,000, and further tightening regulations of this program. Free agricultural marketing should reduce need for Government support.	
Farmers Home Administration:						
Total Federal Funds Farmers Home Administration:						
Budget authority	665,629	599,834	791,780			
Outlays	429,421	-431,437	312,895	300,000	At a time when the needs of urban housing are being denied, there can be little support for increases of this magnitude in rural housing development—Support which is also harmful to the urban sector.	
Price supports for agri-business are allowed to increase needlessly through expansion of the Commodity Credit Corporation. At the same time direct subsidies to the truly needed—our children and poor—are sacrificed. In particular, the budget fails to provide adequate pre-school and summer feeding for hungry children.						
Food and Nutrition Service:						
Total Federal funds Food and Nutrition Service:						
Budget authority	2,984,924	3,183,231	2,975,993			
Outlays	2,624,912	2,891,012	2,982,978		Low-income child feeding	100,000
DEPARTMENT OF COMMERCE						
Minority Business Enterprise:						
General and special funds:						
Minority business development:						
Budget authority	43,597	63,921	74,531			
Outlays	8,304	42,890	65,800		The Administration claims to have transferred the funds for community economic development from OEO to Commerce's OMBC. Yet the OEO budget of \$30,000,000 in fiscal year 1973 for economic development appears as a \$10,000,000 increase in OMBC's budget—a cut in commitment to small business of \$20,000,000.	
Maritime Administration:						
General and special funds:						
Ship construction:						
Budget authority	229,687	455,000	275,000			
Outlays	143,252	182,000	213,000	200,000	Most of this construction money will be for tankers—subsidies for existing energy producers. This subsidy money, which is intended to ease the energy crisis, is misdirected.	
DEPARTMENT OF DEFENSE—MILITARY						
Military Personnel:						
Total Federal funds military personnel:						
Budget authority	22,964,100	23,139,035	22,648,600			
Outlays	23,035,791	23,085,000	22,500,000	2,000,000	While military force levels are declining, command structures could still be simplified. Secretary Laird indicated last year that more efficient use of bases could save \$1,000,000,000 per year. With lessening of tensions in Korea, infantry divisions could be brought home. United States should take initiative in force reduction talks in Europe by reducing number of units in Europe. At least \$26,000 is saved for each soldier returned home.	
Operation and Maintenance:						
Total Federal funds operation and maintenance:						
Budget authority	20,792,244	21,382,396	22,405,423			
Outlays	21,674,910	21,540,000	21,662,000			
Procurement:						
Aircraft procurement, Navy:						
Budget authority		2,958,300				
Outlays		436,000				
Weapons procurement, Navy:						
Budget authority		942,000				
Outlays		132,000				
Shipbuilding and conversion, Navy:						
Budget authority	3,005,200	2,970,600	3,901,800			
Outlays	1,977,649	2,022,000	2,418,000			
Other procurement, Navy:						
Budget authority	1,641,603	2,310,900	1,393,800			
Outlays	1,839,309	1,585,000	1,787,000			
Total Federal funds procurement:						
Budget authority	17,776,892	17,799,870	18,806,400			
Outlays	17,131,395	15,600,000	16,490,000	2,000,000		

AGENCY TOTAL AND SELECTED LINE ITEMS: COUNTERBUDGET COMMENTS AND AMENDMENTS—Continued

[Amounts in thousands]

	1972 enacted	1973 estimate	1974 estimate	Proposed savings	Comments and amendments	Proposed additions
DEPARTMENT OF DEFENSE—military—Continued						
Research, Development, Test, and Evaluation:						
General and special funds:						
Research, development, test, and evaluation, Army:						
Budget authority	1,799,656	1,824,551	2,108,700			
Outlays	1,778,730	1,822,000	1,917,000			
Research, development, test, and evaluation, Navy:						
Budget authority	2,367,609	2,541,604	2,709,100			
Outlays	2,426,633	2,319,000	2,559,000			
Research, development, test, and evaluation, Air Force:						
Budget authority	2,903,444	3,120,040	3,212,500			
Outlays	3,205,071	3,005,000	3,097,000			
Research, development, test, and evaluation, Defense agencies:						
Budget authority	448,353	446,311	500,400			
Outlays	470,775	465,000	473,000			
Director of test and evaluation, Defense:						
Budget authority		27,000	24,600			
Outlays		11,000	23,000			
Total Federal funds research, development, test, and evaluation:						
Budget authority	7,519,062	7,959,506	8,555,300			
Outlays	7,881,209	7,622,000	8,069,000	1,000,000		
Military construction:						
Total Federal funds military construction:						
Budget Authority	1,286,887	1,355,841	1,787,500	431,000		
Outlays	1,108,005	1,068,000	1,220,000			
Total Department of Defense—Military:						
Budget Authority	75,084,472	77,804,277	83,480,866			
Outlays	75,150,654	74,200,000	78,200,000			
DEPARTMENT OF DEFENSE—CIVIL						
Of Engineers—Civil:						
Total Corps of Engineers—Civil:						
Budget Authority	1,580,841	1,840,121	1,470,000			
Outlays	1,485,481	1,698,000	1,579,000	400,000		
DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE						
Health Services and Mental Health Administration:						
Health services planning and development:						
Budget authority	474,165	330,187	103,081			
Outlays	405,819	412,000	352,240			
Preventive health services:						
Budget authority	88,762	157,372	125,080			
Outlays	78,229	129,171	131,031			
National Institutes of Health:						
Total Federal funds, National Institutes of Health:						
Budget authority	2,218,656	1,998,613	1,964,862			
Outlays	1,751,921	2,015,196	2,140,300			
Social and Rehabilitation Service:						
Social and rehabilitation services:						
Budget authority	830,664	1,029,113	964,128			
Outlays	726,404	940,296	992,101			
Office of Education:						
General and special funds:						
Education revenue sharing:						
Budget authority		2,527,366				
Outlays		1,692,699				
Social Security Administration:						
Social Security trust funds (proposed legislation):						
Federal old-age and survivors insurance trust fund:						
Budget authority		9,000				
Outlays		308,000				
Federal disability insurance trust fund:						
Outlays		—2,000				
Federal hospital insurance trust fund:						
Budget authority		10,000				
Outlays		—345,000				
Federal supplementary medical insurance trust fund:						
Budget authority		5,000				
Outlays		—171,000				
Total social security trust funds (proposed legislation):						
Budget authority		24,000				
Outlays		—826,000				

	1972 enacted	1973 estimate	1974 estimate	Proposed savings	Comments and amendments	Proposed additions
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT						
Total Federal funds community development:						
Budget authority.....	2,156,405	2,187,671	162,700			
Outlays.....	1,983,556	1,879,609	1,928,090		While these categorical grant programs may be replaced by a form of revenue sharing at an annual appropriation level of \$2,300,000—some \$120,000,000 above fiscal year 1973 levels—the level is still too low to provide the type of assistance as desperately needed by Cleveland and other major cities.	1,000,000
DEPARTMENT OF THE INTERIOR						
Bureau of Indian Affairs:						
General and special funds:						
Education and welfare services: Budget authority.....	273,094	303,285	295,572			
Contract authority: Permanent, indefinite:	1,500	1,500	1,500			
Budget Authority.....						
Liquidation of contract authority.....	(693)	(271)	(1,500)			
Outlays.....	267,435	296,499	285,000			
Mineral Resources:						
Geological Survey:						
General and special funds:						
Surveys, investigations and research:						
Budget authority.....	130,979	150,450	156,000			
Outlays.....			5,000			
Outlays.....	127,480	142,585	152,000			
Outlays.....			4,000			
850						
Rerouting of pipeline.....						
Office of Coal Research:						
General and special funds:						
Salaries and expenses:						
Budget authority.....	30,650	43,490	52,500			
Outlays.....	15,761	39,800	54,500			
Gasification of coal represents a major alternative for future production of clean, safe fuel. Yet, an inordinate amount of funds—74 percent of all research allocations—is being expended in the area of nuclear research.						
Office of Oil and Gas:						
General and special funds:						
Salaries and expenses:						
Budget authority.....	1,500	1,485	1,485			
Outlays.....	1,452	1,565	1,485			
We face a grave shortage of fossil fuels, but the budget reflects only a shallow Federal commitment to a real solution of these problems.						
Water and Power Resources:						
Bureau of Reclamation:						
General and special funds:						
General investigations:						
Budget authority.....	22,400	23,827	15,300			
Outlays.....	21,846	22,500	17,700			
The budget shows only a token commitment to geothermal investigations. Geothermal energy is one of the most promising future sources of regional clean energy, but the budget cuts geothermal research from \$1,500,000 to \$1,200,000.						
Increased geothermal research.....						
300						
Bureau of Outdoor Recreation:						
Total Federal funds, Bureau of Outdoor Recreation:						
Budget authority.....	394,413	334,130	89,659			
Outlay.....	193,412	239,416	249,709			
Expenditures for recreation, parks, and open spaces should be maintained.						
245						
Loan program:						
Budget authority.....	11,395	20,380	16,672			
Outlay.....	13,465	20,000	18,000			
The Bureau of Reclamation has outlived its utility. No new construction and/or loan programs can be justified, particularly when many large farmers using irrigated land apply for crop subsidies.						
Recreational and fish and wildlife facilities, Upper Colorado River storage project:						
Budget authority.....	605	950	600			
Outlay.....	1,478	2,000	800			
Emergency fund (special fund):						
Budget authority.....	1,000		1,000			
Outlay.....	178	1,000	1,000			
Construction and rehabilitation (special fund):						
Budget authority.....	217,161	271,329	177,268			
Outlay.....	187,235	255,320	216,533	177,268		
In a period of tight budgetary requirements, additional development of the Colorado River should be assumed by the private sector, and not through Government subsidy. The cost of these programs should be borne by those who benefit.						
Colorado River Basin project: Budget authority.....	1,175	11,200	2,000			
Contract authority: Permanent: Budget authority.....	29,100	17,900				
Liquidation of contract authority.....	(31,500)	(53,000)	(52,500)			
Outlay.....	33,915	63,687	57,385			
Upper Colorado River storage project:						
Budget authority.....	27,284	45,770	22,883			
Outlay.....	17,020	27,000	23,000	24,883		
Secretarial Offices:						
Central energy research and development fund:						
Budget authority.....			25,000			
Outlay.....			15,000			
Creation of an energy research and development fund is a good idea, but more funds are needed given the energy emergency. (See NASA budget.)						
DEPARTMENT OF JUSTICE						
Legal activities and general administration:						
General and special funds:						
Salaries and expenses, general administration:						
Budget authority.....	10,507	14,000	19,693			
Outlays.....	10,224	13,504	19,377			
Personnel increases in general administration have ballooned the upper levels of the Department. Employment has jumped from 648 in 1972 to 952 for this year. Manpower needs should be closely examined.						
500,000						
DEPARTMENT OF LABOR						
Manpower Administration:						
Emergency employment assistance:						
Budget authority.....	1,000,000	1,249,317				
Authority.....	567,030	1,100,000	580,317			
By law, the emergency employment program is in effect when unemployment will be below 4.5 percent by July 1, 1973. Provision should be made for the continuation of necessary employment programs, including a continuation of now cancelled summer youth employment programs.						
500,000						
Departmental management:						
General and special funds:						
Salaries and expenses:						
Budget authority.....	20,237	25,386	23,225			
Outlays.....	21,018	23,225	23,225			
General fund of departmental management includes a reduction in the Federal effort to promote employment for the handicapped. Maintenance of employment of handicapped.						
2,000						

AGENCY TOTAL AND SELECTED LINE ITEMS: COUNTERBUDGET COMMENTS AND AMENDMENTS—Continued

[Amounts in thousands]

	1972 enacted	1973 estimate	1974 estimate	Proposed savings	Comments and amendments	Proposed additions
DEPARTMENT OF TRANSPORTATION						
Federal Aviation Administration:						
Grants-in-aid for airports (Airport and airway trust fund):						
Budget authority	15,000	15,000	3,000			
Contract authority:						
Budget authority			560,000			
Liquidation of contract authority:						
Outlays	(92,000)	(100,000)	(200,000)			
Federal Railroad Administration:						
High-speed ground transportation research and development:						
Budget authority	25,000	52,500	27,100			
Outlays	20,097	25,000	28,300			
DEPARTMENT OF THE TREASURY						
Internal Revenue Service:						
Compliance:						
Budget authority	622,402	591,902	622,430			
Outlays	613,279	600,747	618,874			
Liquidation of contract authority:						
Outlays	2,071	556				
ATOMIC ENERGY COMMISSION						
Total Atomic Energy Commission:						
Budget authority	2,293,315	2,633,390	2,429,375			
Outlays	2,391,960	2,193,833	2,374,000			
ENVIRONMENTAL PROTECTION AGENCY						
Construction grants: Budget authority	2,000,000	1,900,000				
Contract authority: Budget authority		5,000,000				
Liquidation of contract authority:			(200,000)			
Outlays	413,408	727,000	1,600,000			
GENERAL SERVICES ADMINISTRATION						
Real property activities:						
Total Federal funds real property activities:						
Budget authority	780,369	802,382	407,794	300,000		
Outlays	645,788	765,025	789,841			
General activities:						
General and special funds:						
Expenses for economic opportunity (liquidating functions):						
Budget authority			33,000			
Outlays			27,130			
NATIONAL AERONAUTICS AND SPACE ADMINISTRATION						
General and special funds:						
Research and development (manned space flight):						
BA	1,279,075	1,182,400	1,032,000			
O	1,376,592	1,094,500	1,134,000			
Total research and development:						
BA	2,522,700	2,600,900	2,197,000			
O	2,623,160	2,296,000	2,359,000	1,000,000		
ACTION						
General and special funds:						
Peace Corps, Action international programs:						
Budget authority	72,500	80,842	77,001			
Outlays	76,790	82,279	76,696			
Operating expenses, domestic programs:						
Budget authority	79,092	83,758	92,399			
Outlays	51,985	87,721	86,004			
ADMINISTRATIVE CONFERENCE OF THE UNITED STATES						
Total Administrative Conference of the United States:						
Budget authority	408	450	700			
Outlays	418	487	674	250		
ADVISORY COMMITTEE ON FEDERAL PAY						
General and special funds:						
Salaries and expenses:						
Budget authority			130			
Outlays			120	100		

	1972 enacted	1973 estimate	1974 estimate	Proposed savings	Comments and amendments	Proposed additions
ARMS CONTROL AND DISARMAMENT AGENCY						
General and special funds:						
Arms control and disarmament activities:						
Budget authority	9,116	10,000	6,700	-----		
Outlays	9,006	10,000	7,800	-----	While defense expenditures on weaponry procurement expand, the effort for international arms control and disarmament suffers.	
CENTRAL INTELLIGENCE AGENCY						
General and special funds:						
Construction: Outlays	10	-----			Annually, the Congress is asked to appropriate funds blindly to the CIA. The taxpaying public has a right to know, at least in general terms, where its money is spent.	
CIVIL AERONAUTICS BOARD						
Payments to air carriers: Budget authority	53,600	42,509	66,431	-----		
Contract authority: Permanent, indefinite: Budget authority	11,491	26,800	-----	66,431	According to recent studies by independent economists, the policy of public subsidies to private carriers deserves closer scrutiny in a time of austerity. The budget provides for reliance on the private sector in the area of housing but has no difficulty justifying a subsidy of millions of dollars to airline companies.	
DISTRICT OF COLUMBIA						
Federal funds:						
Budget authority	318,658	365,725	473,830	-----		
Outlays	363,598	423,906	464,215	-----		
Deductions for offsetting receipts:						
Proprietary receipts from the public:						
Budget authority	48,640	51,662	52,943	-----		
Outlays	-----					
Total, District of Columbia:	270,018	314,063	420,887	-----		
Budget authority	270,018	314,063	420,887	-----		
Outlays	314,958	372,244	411,272	50,000		
FEDERAL POWER COMMISSION						
General and special funds:						
Salaries and expenses:						
Budget authority	22,200	23,500	27,163	-----		
Outlays	100	-----				
FEDERAL TRADE COMMISSION						
General and special funds:						
Salaries and expenses:						
Budget Authority	25,092	30,430	30,090	-----		
Outlays	24,556	29,445	30,040	-----		1,000
HISTORICAL AND MEMORIAL COMMISSIONS						
American Revolution Bicentennial Commission:						
Total American Revolution Bicentennial Commission:						
Budget Authority	3,845	6,274	7,225	951	American Revolution Bicentennial Commission represents a prime example of self-indulgent and wasteful spending. The number of permanent positions on the commission has swelled from 58 in 1972 to 144 for this coming year, with an average salary of \$16,000.	
Outlays	604	2,610	5,014			
INTERGOVERNMENTAL AGENCIES						
Advisory Commission on Intergovernmental Relations:						
Federal funds:						
Budget Authority	733	794	901	107	There is no justification for increasing the commission's budget in a period of austerity. It is of interest that the commission is conducting a study of the value added tax—a regressive national sales tax—but, like the budget itself, is not considering real national tax reform.	
Outlays	652	926	966			
INTERNATIONAL RADIO BROADCASTING						
General and special funds:						
International radio broadcasting activities:						
Budget authority	32,225	38,795	44,640	-----		
Outlays	32,000	38,520	44,640	5,845	Radio Free Europe and Radio Liberty should not be expanded when the domestic needs of our citizens are neglected and trade forces are reducing the need for such propaganda.	
PENNSYLVANIA AVENUE DEVELOPMENT CORPORATION						
General and special funds:						
Salaries and expenses:						
Budget authority	735	200	-----			
Outlays	-----	200	535	200	When community development programs are liquidated throughout the Nation, the face lifting of Pennsylvania Avenue should be delayed.	
SMALL BUSINESS ADMINISTRATION						
Disaster loan fund:						
Permanent, indefinite:						
Budget authority	170,000	1,380,000	-----			
Outlays	2,354	2,390	1,961	-----	The termination of SBA disaster loan fund is unrealistic in the face of pending flooding disasters on the Great Lakes. Provision should be made now for disaster relief.	
Budget authority	289,207	1,135,507	143,677	-----	Disaster loan fund	200,000
TEMPORARY STUDY COMMISSIONS						
Commission To Review National Policy Toward Gambling:						
Salaries and expenses:						
Budget authority	356	340	356	356	An expenditure of \$356,000 for a Commission study to review national policy toward gambling cannot be justified as a priority expenditure—particularly in light of the Government's record of ignoring such Commission reports.	
Outlay	-----					
UNITED STATES INFORMATION AGENCY						
Acquisition and construction radio facilities:						
Budget authority	1,100	1,000	17,000	16,000	In a time of shrinking commitment by the Government to the nation's social ills, further expansion of USIA's international activities are not justified.	
Outlay	3,218	3,258	3,315			

Mr. MCKINNEY. Mr. Chairman, I rise in support of title IX of the Older Americans Act Amendments. It is one thing to read this particular section of the legislation—Community Service Employment for Older Americans—and learn that its intent is to provide community service jobs for low income older Americans in the fields of education, social services, recreation services, conservation, environmental restoration, and so forth. This reads well and sounds commendable, particularly when one realizes the problem of unemployment among our elderly.

But the full impact does not register unless a person is familiar with a project funded under this section and in this regard I would like to discuss one such project in my district—the senior aides program in Bridgeport, Conn.

The Bridgeport Commission on Senior Citizens entered into a contract with the National Council of Senior Citizens for this project and the results have far surpassed expectations. Now in its fourth year of funding, Bridgeport's senior aides have become an integral part of the community's agencies. Presently there are 60 aides to 18 host agencies and their services have enabled these organizations to expand and implement new programs. In fact, there is a waiting list of host agencies, hoping that this program will be expanded so that additional senior aides can be hired and assigned to them. The Bridgeport program is presently limited to 60 participants but if further funding were available, I have been advised that there would be no problem in placing 200 additional aides.

Some of the aides help the American Cancer Society by delivering dressings and equipment to homebound patients and counseling patients and families. At the Bridgeport Regional Center for Mental Retardation, the aides act as therapists to mentally retarded children on a one-to-one ratio. The Bridgeport Commission on Senior Citizens has expanded its information and referral operations for the area elderly by utilizing senior aides to assist older citizens in matters of medicare, social security, health, transportation, and so forth.

The reliability and performance of the senior aides has brought community plaudit and acclaim. To quote from some of the host agencies' letters:

We heavily rely on the services they cheerfully perform;

We wouldn't know what we'd do without them and don't know how we managed without them;

Of all of our volunteers, Senior Aides rank highest in their contribution of services.

And what of the senior aides themselves? While it is true they receive remuneration for their services, the money has become secondary to them. The prime motivating force is the feeling of being needed, of being useful, of having person-to-person contact. Those participating in the program now have a reason to get up, dress and face the day. As one senior aide put it, "If not for this program, we would have died." Here let me mention that the average age of Bridgeport's senior aides is 70 and, according to Department of Labor statistics, their work performance is unbelievable.

The director of the Bridgeport senior aides program, Mrs. Gertrude Kutno, is a dynamic individual, affectionately dubbed the "Senior Delinquent" because of her adamant support of the program. She sees the project as invaluable to the participants, to the host agencies, to the community. Everyone reaps the benefits of the senior aid program. And, as Mrs. Kutno states:

One of the beauties of this program is that the money spent by the federal government goes where it's supposed to go, to the Senior Aides.

The funds we appropriate do not pay for the administrative work of the program nor for upkeep; local government pays those costs. No, this is one of those unique Federal programs where the money actually is received by those whom we intended to help.

I urge support of title IX so that programs similar to senior aides can be available to more of our cities, to more of our older Americans.

Mr. ALEXANDER. Mr. Chairman, I rise in support of H.R. 71, which is designed to carry forth the commitment of Congress to help our Nation's older Americans cope with the problems which face them.

These senior citizens have made valuable contributions of their time, energy and talents to our national society. Their efforts have earned them the respect of younger generations. As their needs in the areas of health, housing, recreation, transportation, and employment change it is the responsibility of our Nation to aid them in fulfilling their requirements.

While time may have slowed their pace and reduced their stamina, it has not necessarily robbed them of the ability to continue contributing to society. Evidence of this can readily be found in what older Americans have done in such programs as Foster Grandparents, projects dealing with the environment or providing counsel to new and developing business ventures.

The proposal which we consider today is intended to assist our senior citizens, continue to render services to society and to assist them in dealing with the special problems associated with growing older.

While the bill is intended to immediately benefit our older Americans, the whole Nation will gain when our senior citizens are assured of being able to live out their lives in dignity.

I urge that the Congress vote for our older Americans and pass this proposal before us today.

Mr. RODINO. Mr. Chairman, I welcome this opportunity to vouch for the mutual benefits of a senior employment program and service to my community. A Senior Aides program in Newark is sponsored by the North Jersey Community Union in the heart of the Central Ward of Newark. Among other services, the North Jersey Community Union Center operates a neighborhood health clinic and two child development classes for children from 2 to 5 years in a remodeled brewery which was abandoned many years ago.

Senior Aides work 4 hours a day to assist in the operation of the center. Most of the surrounding area is now bulldozed wasteland except for a complex

of highrise public housing units across from the North Jersey Community Union facility. President Nixon may believe the "hour of crisis has passed" for our Nation's cities. I invite him to visit Newark and see for himself the folly of such a remark.

The work of the North Jersey Community Union facility grows more invaluable with each passing day. Not only are patients served by a medical staff of excellent skill and knowledge, but individuals are visited in their homes by staff of equal training, with the warmth, efficiency and understanding so vital to our citizens in need of medical attention and special care. The efforts of this program in reaching out to better the lives of the men and women so much in need of assistance, so much in need of someone to answer their many questions, of someone to take the time to explain to them in Spanish, Portuguese, Italian, Polish or whatever language they understand, exactly what is happening, someone to bring them hope and confidence, simply must be continued. I, therefore, join with my many colleagues at this time in giving my deepest support for H.R. 71.

Mr. STUDDS. Mr. Chairman, I urge swift passage of the Comprehensive Older Americans Services Amendments of 1973 as reported by the Education and Labor Committee. This legislation deals directly and effectively with many of the problems that face our older citizens.

I would particularly like to give my full support to the Older Americans Community Service Employment Act—title IX. The senior aides employment program funded by this act has proven to be highly successful. Full funding must be continued.

I have met with senior aides in my district. One of them asked me, "Why does President Nixon talk about the value of hard work and the benefits of meaningful employment and then eliminate the one program that has given me a job and a sense of purpose?" This woman is 73 years old and is a house keeping aide in an institution for mentally retarded children. Her significant contribution to her community and her sense of pride and well-being are threatened by the proposed elimination of the senior aide program.

There is a great need for this program. The elderly must be given the opportunity to put their experience and wisdom to good use helping others. The program provides employment for those over 55 who have no income or whose income is below the poverty level, and it provides local communities with a huge reservoir of untapped talent and expertise. We must allow the elderly to lead productive and meaningful lives.

I strongly urge inclusion of the Older Americans Community Service Act in H.R. 71, and I ask my colleagues to vote favorably on this entire legislation. It is time for us to realize that the millions of older Americans are one of this country's most valuable natural resources.

Mr. ROSTENKOWSKI. Mr. Chairman, I rise in support of H.R. 71, the Comprehensive Older Americans Services Act. This bill would amend and extend the Older Americans Act and amend other legislation which provides services

and programs for the elderly. This legislation strengthens the Administration on Aging—AOA—within the Department of Health, Education, and Welfare; increases aid to the States; authorizes special programs in housing, transportation, and preretirement training; and establishes research centers on aging and community senior citizens centers. Authorizations in this bill total \$277.5 million for fiscal year 1973, \$471.3 million for fiscal year 1974 and \$628.2 million for fiscal year 1975.

Title IX of this bill, which establishes a community service employment for older Americans program, is of particular interest to me. In Chicago, we currently have in operation a very beneficial and successful program similar to that which title IX would provide. The Chicago senior aides project has been funded since July 1, 1968. The Chicago Committee on Urban Opportunities, as the sponsoring agency, has assumed local control for the administration of this program.

The Chicago senior aides project provides 60 jobs for persons 55 years or older who are at or below the poverty threshold, as defined by the OEO guidelines, to perform community services to the communities in which they live.

In Chicago, four agencies including the sponsor are assigned senior aides to deliver these services to the communities.

Chicago Committee on Urban Opportunities assign senior aides to Urban Progress Centers. They deliver services to the elderly citizens in the community.

The Illinois State Employment Service are assigned senior aides who assist the older worker specialist in providing employment for the middle and older workers of Chicago. The Chicago Jewish Vocational Service are assigned senior aides who help supervise a 2- to 12-week workshop program leading toward employment of physically, mentally, and emotionally handicapped persons of all ages. Hull House senior aides provide homemaker home health assistants to shut-ins in Chicago.

A nationwide senior citizens employment program would provide similar programs for localities all over America. Can we afford to do less than to utilize the talents and resources of our elderly citizens?

Mr. Chairman, on October 30, 1972, the President vetoed H.R. 15657, the Comprehensive Older Americans Act of 1972, which had passed the House by a vote of 351 to 3. In his veto message, the President objected to the manpower training programs in the bill, certain categorical programs, and the level of authorization.

H.R. 71 is an effort to meet the administration's major objections, while at the same time, enacting a program that will meet the needs of the elderly. I therefore strongly support this legislation and urge my colleagues in the House to do the same.

Mrs. GRASSO. Mr. Chairman, as a cosponsor of H.R. 71, the Older Americans Comprehensive Services Amendments of 1973, I strongly support the bill as reported by the House Education and Labor Committee.

In the 92d Congress the House passed H.R. 15657, the original version of this legislation, by the lop-sided vote of 351 to 3. Yet, despite overwhelming congressional support, the bill fell victim to a pocket veto on October 30.

Today the House has the opportunity to renew its commitment to the elderly of America by approving H.R. 71, as reported.

As reported by the committee, H.R. 71 addressed itself to the pressing needs of the older American. For example, Title III concentrates funds in those State and community services geared to providing greater economic and social independence for our elderly. The State of Connecticut could receive \$6.2 million between fiscal 1973 and fiscal 1975 for services. The moneys would help improve community planning and coordination of services, fund promising demonstration projects, train needed personnel, and initiate or expand programs under the act.

The enactment of the nutrition program for the elderly reemphasized the importance of multipurpose senior citizens' centers for the overall well-being of the elderly. Title V of the Older Americans Comprehensive Services Amendments of 1973 would provide \$86 million over 3 years in grants and contracts to establish and staff these centers.

In speaking about H.R. 15657 in the last Congress, I stated:

(This bill) is designed to tear down the barriers which tend to confine older Americans—barriers which long have restricted older Americans who could and should lead constructive lives. Most important, this legislation would make it possible to build comprehensive programs that encourage older citizens to participate actively in the mainstream of community life.

That statement was accurate last year, and it is just as accurate at the present time.

Mr. Chairman, millions of elderly citizens across the Nation have given their energies to the growth of this great Nation. Now that they are retired, they deserve much more than just our respect and gratitude. They deserve an opportunity to live the remainder of their lives with dignity and security within and not apart from the rest of society.

For the good of older Americans, I hope that the reduction in the authorization level by 30 percent and the removal of title X will satisfy the administration's objections to this legislation. In any event, one thing is clear. We must not turn our backs on our older citizens. In the past, the Congress has shown foresight and compassion toward this important segment of our population. I am therefore certain that Congress will continue its leadership role by passing H.R. 71.

Mr. RINALDO. Mr. Chairman, rarely has Congress been called upon to enact such vital legislation as the Comprehensive Older Americans Services Amendments of 1973. I strongly support this proposal because helping to care for our senior citizens who are unable to care for themselves should be top priority for the 93d Congress.

In 1965, the Congress of the United States, realizing the growing problems that many States and local communities were having in meeting the needs of the elderly, passed the Older Americans Act. Since that time, the Older Americans Act has aided many of the Nation's 20 million senior citizens. During 1972 alone, more than 1½ million older Americans were provided with needed social services and opportunities for volunteer service activities. Yet, this number represents only a small fraction of the many older individuals in need of services and activities which draw them out of social isolation and enable them to realize their skills and talents and feel needed again.

The provisions contained in H.R. 71, which I have cosponsored, would greatly strengthen and significantly expand the programs authorized under the Older Americans Act as well as provide authority for new services and programs for older people who are in need. They would provide for sorely needed supportive social services and opportunities for older people to take part in volunteer service activities, recreation, or adult education programs.

I would like to discuss briefly some of the major provisions of this bill. First, the amendments would place the Administration on Aging within the Office of the Secretary of Health, Education, and Welfare. This is particularly significant because the Commissioner on Aging would be directly responsible to the Secretary and would not be able to delegate any of his functions to other officers who are not directly responsible to him. In essence, we would know where the power lies and just how that power is exercised. In addition, the amendments offered in H.R. 71 would require other Federal agencies carrying out programs relating to the purposes of the Older Americans Act to cooperate with the Administration on Aging. I am sure I need not detail how important it is to have coordinated Federal programs which deal with the important needs of such a large segment of our population. I believe that the benefits of Federal coordination of projects and programs in this area are self-evident.

This bill would also revise and extend the provisions in title III, State, and community grant programs, so that State and local agencies on aging could effectively develop a network of comprehensive and coordinated service systems for older people. The amended title III would provide a framework for planning for the delivery of social services as well as a wide range of social services which include health services; information, referral, and counseling services; home repair services; meal services, and recreational and educational activities.

In addition, the proposed amendments would provide authority for model demonstration projects. These projects would be designed to improve and expand social services in the areas of transportation, housing, continued education, preretirement counseling, and other services for handicapped individuals.

The bill also adds a new title to the Older Americans Act under which funds would be provided for the construction or leasing of multipurpose senior citizens

centers and the initial staffing of these centers. Multipurpose centers have proven to be an effective source for providing a wide range of varied services required and desired by older people.

Title IX is important because it would provide a program of community service employment for older people which is to be modeled after the successful Operation Mainstream program and administered by the Department of Labor. This new program would greatly improve the employment opportunities for low-income persons age 55 and over. With approximately 25 percent of our 20 million older Americans living on incomes below the poverty level, the importance of this program is apparent. Though this bill legislates a 1-year delay in its operation, I strongly support this measure.

The other provisions contained in these amendments are also worthy of swift congressional action, but time does not allow me to discuss them today. I do want to add, however, that I cannot overemphasize the importance of this legislation and the impact it would have on the lives of our senior citizens. It is now up to this Congress to support this measure and see that this bill is enacted into law.

America's older citizens need the supportive measures which this bill makes possible so that in their advanced years they may live self-sufficient, independent, and dignified lives, rather than lives of deprivation and loneliness.

Mr. BURKE of Florida. Mr. Chairman, I am pleased to support H.R. 71, the Comprehensive Older Americans Services Amendments of 1972. As a sponsor and supporter of this legislation in both the 92d, and now the 93d Congress, I sincerely hope that there will be speedy passage, and that it will meet with the approval of the White House.

I have from time to time stated that I am a fiscal conservative in favor of ending deficit spending by the Federal Government. Certainly few will quarrel with the fact that deficit spending leads to two of the most insidious harms to our citizens— inflation and higher taxes. However, we as elected Members of the Congress have the responsibility to identify and to solve problems that plague the people of our society. In my opinion, one of the most pressing is the problem faced by elderly Americans. We have strived to improve living conditions in order that many of our citizens will live longer and be healthier. Yet, I believe we have failed to accommodate them with many things they need. This is a tragedy, and one which we cannot permit to continue.

Perhaps there are parts of H.R. 71, which is before you today, that can be improved. All of us are aware that it has been criticized for having excessive authorization levels and an unnecessary amount of categorical programs. It is my hope that most of these criticisms will be taken care of during these debates and by amendments. All of us hope for good legislation and, I firmly believe, in the need for this legislation.

Since 1965 when the Older Americans Act was first enacted programs designed to maintain independent living arrangements for the elderly and to reach shut-ins, have helped elderly Americans

maintain a sense of dignity and independence in their own familiar community environment. The programs contained in H.R. 71 would serve to strengthen and improve the Older Americans Act of 1965 by:

First, strengthening the role of the Administration on Aging as a focal point of Federal concern for older persons and upgrading its organizational status;

Second, creating a national advisory council;

Third, strengthening State agencies on aging as the focal points in planning and developing service systems and area agencies for providing comprehensive coordinated, community based services for the elderly;

Fourth, establishing a national information and resource center for the aging and developing a network of information and referral sources in the States and communities;

Fifth, providing authority to lease, renovate and construct multipurpose senior centers through grants, contracts or mortgage insurance and supporting staffing grants for the initial operation of such centers and the delivery of social services;

Sixth, expanding the research, demonstration, and training programs of the act;

Seventh, expanding the national older Americans volunteer program;

Eighth, encouraging that the nutritional program for the elderly be operated, wherever possible, in conjunction with comprehensive, coordinated service systems, and,

Ninth, providing for special impact demonstrations in the area of transportation, housing, employment, preretirement and continuing education as a part of comprehensive, coordinated services systems for the elderly.

Mr. Chairman, all of us are, I am sure, aware from the many letters that we have received that the worst enemy of our elderly Americans is inflation, and perhaps, if we are going to be truthful, in many ways H.R. 71 will contribute to further inflation. Yet I, nevertheless, feel that the ultimate good that will come from this legislation will far outweigh any inflationary harm. If Congress cuts down on Government spending, and I feel we must, let us cut spending in areas where reductions will do the least harm and affect those who have the time and vitality to surmount the setback, rather than our elderly whose years are short and whose strength is waning. Let us give them back a part of what they truly deserve by making their remaining years brighter.

Mr. TAYLOR of North Carolina. Mr. Chairman, I, too, rise in support of the Older Americans Act and its senior's employment provisions, title IX. The benefits of the concepts embodied in title IX have been amply demonstrated by a senior aides project encompassing seven counties of my district in North Carolina which is sponsored by the Governor's Coordinating Council on Aging and administered by the County of Franklin Health Council. In the seven counties, senior aides are assigned to mental health centers, sheltered workshops, child development centers, and

other local service agencies. Supervisors of the various centers continually testify that without the assistance of the senior aides, needed community services would have to be cut back or curtailed.

Let me share examples of the mutual benefits of the senior aides program as it operates in my district. A senior aide was assigned to a home nursing service as a home health aide. She received on-the-job training under the supervision of a registered nurse. Although the aide had only a fifth-grade education, her supervisor anticipates she soon will reach a level of competence to be employed as a full-time staff member. Before the program, the senior aide was in a desperate financial situation and was receiving surplus commodities. Another senior aide arranged with a local shoe company, the Wellco Shoe Co., to donate new shoes for some 55 children enrolled in the county's child development centers in which the aide worked. This was through her own initiative over and above her assigned duties. We cannot afford to let this type of employment program for older workers lapse. I urge support for title IX.

Mr. JOHNSON of California. Mr. Chairman, I rise today in support of H.R. 71, the Comprehensive Older Americans Services Amendments of 1973. I am a cosponsor of this legislation, as I was of a similar bill that was passed by the Congress last year and vetoed by the President.

The purpose of H.R. 71 is to extend, strengthen and modify the grant programs authorized under the Older Americans Act of 1965. The bill has been amended to reflect the concerns of the President, and I am hopeful that we can see it signed into law at an early date. Specifically, H.R. 71 does the following:

First, strengthens the role of the Administration on Aging as a focal point of Federal concern for older persons and upgrades its organizational status;

Second, creates a Federal Council on Aging;

Third, strengthens State agencies on aging as the focal points in planning and developing service systems and area agencies for providing comprehensive coordinated, community-based services for the elderly;

Fourth, establishes a National Information and Resource Clearinghouse for the Aging, and develops a network of information and referral sources in the States and communities;

Fifth, provides authority to lease, renovate and construct multipurpose senior centers and supports staffing grants for the initial operation of such centers and the delivery of social services;

Sixth, expands the research, demonstration, and training programs of the act and authorizes the establishment and support of multidisciplinary centers of gerontology;

Seventh, expands the National Older Americans Volunteer program;

Eighth, encourages that the nutrition program for the elderly is operated, wherever possible, in conjunction with comprehensive, coordinated service systems developed under title III;

Ninth, provides for special impact

demonstrations and model projects in the areas of transportation, housing, education, employment, preretirement, and continuing education as a part of comprehensive, coordinated service systems for the elderly; and

Tenth, creates a new program to provide for the employment of individuals 55 and over in community service activities.

This legislation builds on our experience with the programs authorized by the Older Americans Act of 1965. This approach, which proved successful in providing services to over 1 million older persons last year, is embodied in H.R. 71. I strongly urge all my colleagues to support the Comprehensive Older Americans Act Amendments of 1973.

Mr. DIGGS. Mr. Chairman, "welfare." Is there a dirtier word in today's vocabulary? Everybody hates welfare. Unemployed people hate to receive it and working people hate to have to pay for it.

Today we have an opportunity to take thousands of elderly Americans off the welfare rolls by voting for H.R. 71 as reported out of the Education and Labor Committee. Title IX will provide elderly Americans with something that has eluded them for decades—jobs.

Not make-work or giveaway jobs, but jobs which will serve the community. Jobs which will make communities better areas in which we live.

The poor and elderly elected me as their representative. It is my duty, as well as everyone else's in this legislative forum, to meet the needs of my electorate.

I urge every Member of this body to stand with me and vote "yes" on H.R. 71 as reported out of committee.

I include the following:

(Statement submitted for Committee Record)

NATIONAL COUNCIL OF SENIOR CITI-
ZENS, INC.

Washington, D.C., February 8, 1973.

Hon. JOHN BRADEMAS,
Chairman, Select Committee on Education,
U.S. House of Representatives, Wash-
ington, D.C.

DEAR CONGRESSMAN BRADEMAS: You are aware that the National Council of Senior Citizens is completely supportive of H.R. 71. We supported the bill last year when it was favorably passed by Congress and our clubs were bitterly disappointed when this legislation became the subject of a pocket veto at the end of the 92nd Congress.

While you should understand we completely support all sections of H.R. 71 we believe your committee will be most interested in these specific comments on the subject of the importance of including Titles IX and X in the final legislation.

Frankly, the validity of national benefits in Community Service Employment for Older Americans, Title IX, has been demonstrated since 1968 by the Senior Aides employment program sponsored by the National Council of Senior Citizens.

Those eligible for employment in part-time, community service jobs must be 55 years of age and over with annual incomes below the poverty level. Some of the para-professional jobs the Senior Aides hold in the 33 communities of the National Council of Senior Citizens' program include clinic aides with mental health centers, teacher aides with child day care centers, information, referral, and followup aides with senior service centers, and home visitor aides with social service agencies.

Early in its history the National Council of Senior Citizens became aware that among

some 40 million Americans 55 years and over there were several million capable of full-time or part-time employment if only opportunities were available to them.

The Senior Aides program currently holds its Congressional authorization from "Operation Mainstream" legislation. Congress enacted such legislation because of the conviction that certain "categorical" groups in American society needed special attention. Congress designated that programs should be designed "to deal with the incidence of long-term unemployment among persons fifty-five and older."

The first priority of the National Council of Senior Citizens was to concern itself with those who either had no income at all, whose income was so small as to place them in the poverty index category, or who were on welfare.

Although there were some skeptical persons who doubted that the elderly could be attracted to participate in such an employment program, we found that for every position available there was an average of 12 applicants.

The National Council of Senior Citizen's senior citizens community service demonstration program does not use federal funds for local administrative costs. The community must raise its own administrative funds, further assuring local control. The federal contribution goes directly into the pockets of the elderly poor participating as Senior Aides.

Currently we have 146 of what we call Homemaker-Home Health Aides on the program. They earn an average hourly wage of \$2.10. On an annual basis, including fringe benefits, transportation and national and local administration costs, the total amount for this Senior Aides Homemaker Service totals \$506,211 annually.

These Homemakers serve 584 older persons per year in their homes—aged people whose only alternative would normally be costly nursing home care. (This service can only be provided through a program such as Senior Aides since community non-profit agencies do not usually have the funds to pay workers for such services). Given an average of \$15 per day nursing home care cost, it would run \$3,197,400 in nursing home costs each year.

If you deduct the \$506,211 which represents the cost for the Senior Aides from the alternative—nursing home fees under Medicaid, for example, you can appreciate the enormous savings which a figure of \$2,691,189 represents.

An excerpt from one of the many testimonials we receive will give an idea of the multiple benefits of community service employment programs for older Americans.

A Senior Aide from Baltimore writes:

"I have been employed in a Senior Aide program for the past six months. It is a means of partial support and gives me the feeling of being alive. I think it is a very worthy and important program and should be continued.

"My duties as a Senior Aide have included home visits, counseling the aged, the poor and disabled, assisting them to obtain medical assistance and food stamps, clerical work dealing with Project Serve. This service is most necessary for those who are unable to get the help they so urgently need through their own effort. This program has also given me the freedom and independence that paying one's own way allows, and also allows me to contribute toward taxes.

"People should have the freedom of working to whatever age they want to. Age discrimination is unjust, therefore it should be ruled out."

Mr. Paul J. Passer, Jr., Deputy Assistant Secretary for Manpower and Manpower Administration, U.S. Department of Labor, in testifying before the Senate Subcommittee on Aging admitted that the administration

of the Senior Aides type programs by national organizations such as ours was good. He also admitted that reaction of senior citizens groups to our program was good. Yet the Administration has taken the position that they do not want categorical aid programs—whether they work or not.

The Administration has earmarked funds in its new F.Y. 1974 budget for programs aiding veterans, criminal offenders, Spanish-speaking people, Indians, migrant workers, etc. (p. 633 Appendix to the Budget for F.Y. 1974). The National Council of Senior Citizens in no way wishes to oppose this type of categorical aid to these special groups. But statistics have shown that the special group, the older workers, needs the protection of categorical aid. The Administration seeks to place older workers' programs in a general Manpower Revenue Sharing Fund.

The Emergency Employment Act of 1971 was the major Federal effort to provide public employment opportunities to all ages out of one pot. Yet the older worker, despite representing 25% of the poor, received only 6% of the available public employment job opportunities, according to the Department of Labor. What hope is there then that older workers would be able to obtain their chance to utilize these Manpower Revenue Sharing funds? Through the demonstration program that the National Council has administered, in only 33 cities and towns across the nation, we have seen a new attitude formed about the older worker. People really do not stop functioning at a set chronological age.

A vicious cycle begins to consume many older workers—they are laid off, told to retire, many without any pensions, and a new employer will not take them on because they are old. Their funds are very limited; they become dejected, as anyone would; they cannot afford to socialize or take part in other functions; they stay at home; their bodies and minds are not activated by normal outside stimuli; and society says, "they're senile, put them in an institution." Yet, for many, all that is needed so that our nation won't lose this experience, talent, skills and manpower, is to provide a purpose for living. The National Council was greeted with a qualified testimony to this fact when one of our Project Directors received the following unsolicited letter:

"MEDICAL DIAGNOSTIC CLINIC, P.A.

"Birmingham, Ala., October 26, 1972.

"Mr. ELLIOTT CONWAY,

"Project Director, Senior Aides Program,
Muscle Shoals Council of Local Govern-
ments, Muscle Shoals, Ala.

"DEAR MR. CONWAY: On October the 10th of 1972, we had the occasion to examine twenty-two Senior Aides from the Muscle Shoals Council of Local Governments Senior Aides program. We would like to take this opportunity to thank you for allowing us to be of assistance in this new and fine program.

"Our impression of the attitude and outlook of these senior citizens involved in your Senior Aides program was so strong following the day we spent with them in physical examination that we felt obligated to write and express our extreme pleasure in the knowledge that a program such as yours is being carried out. Due to the logistics of examining all twenty-two Senior Aides on the 10th of October, the majority of your program members were required to wait several hours between chest x-ray, EKG, urinalysis and actual physical examination. Throughout the day we were continuously astounded at the fact that a group of older senior citizens seemed to exhibit such enthusiasm and such patience combined with a real sense of cheerfulness and optimistic outlook usually not seen in a group such as this. Since that time we have had occasion to comment frequently about the fact that your entire group of Senior Aides were uniformly of good spirit and a pleasant, alert nature.

"In the medical profession, we frequently encounter the geriatric patient who has become depressed and frequently physically debilitated often secondary to a real feeling of being out of touch with the mainstream of life and activities in his environment. Our encounter with your Senior Aides represented to us an example of senior citizens involved in current and appropriate activities which make them real, meaningful members of the local community and of society in general.

"Please accept our congratulations on a task too infrequently undertaken and obviously so important. The success of your program, I am sure, becomes immediately apparent to all who encounter and come in contact with your Senior Aides. Please let us offer to them and to you any help or assistance which we might be able to provide in the future.

"With sincerest regards,

"CHARLES B. CROW, M.D.

"JAMES L. TAYLOR, P.A."

The President, speaking at the 1971 White House Conference on Aging, said that programs such as Senior Aides "have proven remarkably successful at the demonstration level."

He ordered the doubling of funds because he stated "projects such as Green Thumb and Senior Aides have demonstrated that older Americans can make valuable contributions in health, education and community service projects even as they earn additional income."

We agreed with the President then—and we hope that this concept is continued. Inclusion of Titles IX and X will guarantee it.

Sincerely,

WILLIAM R. HUTTON,
Executive Director.

MR. BLACKBURN. Mr. Chairman, today I rise in support of the substitute bill, H.R. 4813, offered by the gentleman from Indiana, Mr. EARL LANDGREBE. I feel that this approach is far superior to the bill reported by the Education and Labor Committee, H.R. 71, the Older Americans Amendments of 1973.

The Nixon administration has shown its concern for the elderly by increasing the funding under the Older Americans Act from \$27 million in 1970 to a budget request of \$244.6 million for 1974. This is a tenfold increase.

The legislation which has been reported by the committee, while in many aspects very beneficial to the elderly, has some very grave problems associated with it. They fall into three basic categories: First, excessively high authorization levels; second, unnecessary and unsound proliferation of categorical programs; and third, program reorganization which impedes the efficient delivery of services.

The bill as reported by the committee contains an authorization level of \$516 million, even though the budget request was \$244 million. This is a classic example of one-upsmanship: no matter what the President recommends for the elderly, the Congress is determined to do more, regardless of the cost of implementation. If the committee is serious about this matter, I would suggest that they consider changing the authorizations to state: "such sums which may be necessary."

The bill also calls for the proliferation of categorical grant programs. It is universally agreed by all persons that this is a very unsound approach to meet the needs of the elderly. For example,

the bill calls for an authorization for community service employment. This is adding another manpower program and duplicating a program which is already being administered by the Department of Labor. Furthermore, the President has requested that a special manpower revenue-sharing program be adopted. The bill calls for the establishment of multidisciplinary centers of gerontology. All this would do is provide funds to a few universities for research in the field of gerontology. I do not believe this is the proper approach to this problem.

Finally, the bill authorizes mortgage insurance and subsidies for multipurpose senior centers. I am opposed to this provision for several reasons. In the 1972 Housing and Urban Development Act, authority was granted under the special revenue-sharing section for these funds to be used for the construction of senior centers. Second, I do not see why this Congress should grant the authority for providing mortgage insurance to the Department of Health, Education, and Welfare. This function has always been carried out by the Federal Housing Administration and has been handled quite successfully. I see absolutely no reason to establish a bureaucracy for mortgage insurance programs in HEW.

One of the most onerous provisions reported by the committee is stating that the Congress will decide the organizational structure and the internal management of the department. To date, the Congress has never attempted to organize the internal workings of a Federal agency. If we begin this service, the Congress will become hopelessly mired down in deciding which agency or bureau of the department should administer the program.

Specifically, the bill calls for the Administrator of Aging to be removed from the Social and Rehabilitation Research Center where all socially oriented programs are administered, and placed in the office of the Secretary. All statutory authority would be given to the Administrator instead of the Secretary, which would prevent the Secretary from having any control over the workings of this agency. Also, the Administrator could not delegate any of his authority to any official not directly responsible to him. It is a well known fact that a department or agency would never adequately function under this type of system if it were applied.

For these reasons, I urge my colleagues to support H.R. 4813, the substitute offered by Mr. LANDGREBE. We must help remove the inequities found in the committee bill.

MR. JONES of Tennessee. Mr. Chairman, several speakers today in support of H.R. 71 and title IX represent our larger cities. I should like to describe how a demonstration senior aides program benefits my district.

Some 253,614 people in my district are, according to the 1970 census, living in rural areas. Since this is over one-half of the Seventh District's population, I represent what some people call a rural district. Since last summer the Northwest Tennessee Development District, representing nine rural counties in my district, has sponsored a senior aides pro-

gram. The development district, under the able leadership of my good friend Mr. Bob Brandon, began as a regional planning agency to determine what is needed to improve the multicounty area.

Studies made by the development district show that older citizens need additional income and want to work. In fact, there are 53,469 persons 65 years of age and over in the Seventh District and many of these people need the continued benefits offered to them by the senior aides program.

Our senior aides program offers an opportunity for those older persons who need to work and who want to work to help in providing basic community services. For instance, several of our senior aides assist the hard-pressed professional staffs of the good, but relatively few, hospitals in the area. A formerly very poor senior aid is now able to buy materials to make needed repairs on his very modest home. I urge support of H.R. 71 and title IX, so that older Americans and communities throughout our Nation may "do for themselves" as President Nixon exhorted in his inaugural address.

Mrs. SCHROEDER. Mr. Chairman, the bill before us today is indeed important. It has been more than a year now since the delegates to the White House Conference on Aging brought to the fore the many hurdles our older Americans have to cross each day. These hurdles would seem small to some people—food on the table, a place to live, usable transportation, a meeting place, a job to earn very needed funds.

I have heard from many older people who have expressed their desire to stay in the mainstream of American life. Yet for the poor elderly, the only type of life they can really afford is to become shut-ins. Most everything else costs money, and to many people 40 cents for a bus ride is more than they can afford.

The Older Americans Act Amendments, H.R. 71, title IX, especially interests me. Title IX was modeled after an older workers program we have in Denver. The sponsor, Senior Services, Inc., has reported that this program is a 100-percent success. The only problem is the limited number of enrollee slots provided under this demonstration program. We have a long waiting list of older people wanting to work for their livelihood. The older workers have provided Denver and the surrounding areas with good community service. They work with elderly shut-ins, with mentally retarded children from poor families. They are the added human resource that really cares and they are living examples of the stamina our elderly people have.

Unfortunately, this older workers program funded with Operation Mainstream funds may be discontinued shortly. Most of these older workers had incomes below the poverty line before they were hired. Now their only available alternative is to go on welfare. But these older people wish to earn their own way and provide for others.

I feel strongly that we, as responsible legislators, must at least provide an opportunity for older people to continue sharing their years of skill and talents with us. Older people really do not have the time to patiently wait for us to debate

this issue on political grounds. We must carry their recommendations into action now.

Mr. KARTH. Mr. Chairman, in the last year the great city of St. Paul, in co-operation with the Wilder Foundation and the St. Paul Ramsay County Mental Health Center, has had the opportunity to sponsor an Operation Mainstream program to place older people in community service employment. I have heard how an older widow was placed at one of our halfway houses for chemically dependent women. Within a few months this woman was able to show such great promise in helping to rehabilitate the house's residents that she is being hired as a permanent employee. Without this older worker program, she would never had had the chance to show her talents in this area.

Other older persons are helping mentally retarded people learn to live outside an institution. They help these retardates learn how to tell time, read a calendar, understand the bus routes so they can get around by themselves.

I understand that these demonstration programs are going to be phased out. Therefore the provisions in this act for employment of older workers need to be funded so both the older people and our own communities will profit. I do not think America can afford to waste these valuable resources.

Mr. DONOHUE. Mr. Chairman, I most earnestly urge and hope that the House will promptly and overwhelmingly approve the legislative proposal now before us, H.R. 71, the Comprehensive Older Americans Services Amendments of 1973.

America's older citizens have a wide variety of needs which are properly and reasonably addressed by this comprehensive legislative measure. Under the several titles and provisions of this proposal, the Administration on Aging would be upgraded, strengthened, and expanded to cover more of the programs which affect the elderly in America. State and community grant programs would be revised to concentrate funds in those services aimed at providing more economic and personal independence for older persons. The measure further calls for the establishment of special impact programs to overcome the increasing problems of older Americans in such diversified fields as housing, transportation, employment, continuing education, and preretirement.

As you know, Mr. Chairman, the various titles and provisions of this measure are very similar indeed, in purpose and intent, to the legislation passed by both the House and the Senate during the second session of the 92d Congress. The record will show that the House passed that measure by a vote of 351 to 3; the Senate passed the measure by a vote of 89 to 0.

Mr. Chairman, it is my considered opinion that this new bill, H.R. 71, reasonably responds to the major reservations expressed by the President when he pocket vetoed it. And at the same time, it continues to provide the crucial services necessary for returning our impoverished and despairing elderly to a fuller, more meaningful existence in our

American society. It would be a tragedy if we fail to timely and effectively respond to the clearly defined problems facing the elderly. Therefore, as we attempt to achieve a reasonable compromise with the administration by reducing authorization levels, we must also achieve a workable and responsive program which will demonstrate to the aged who suffer from too little attention and too little concern, that their country will not forsake them when their need is greatest. I very earnestly believe that this revised measure prudently and effectively meets these two basic objectives and I therefore think it merits the resounding approval of the House.

Mr. CLEVELAND. Mr. Chairman, I rise in support of H.R. 71, the Comprehensive Older Americans Services Amendments of 1973, a much-needed measure to strengthen our system of providing services to the senior citizens of our Nation.

My personal observations of needs in my own Second District of New Hampshire and the many communications I have received from constituents reflecting similar concerns strengthen my conviction that we should enact this legislation.

Indeed, this is strikingly similar to the bill whose overwhelming passage I supported last year, and to H.R. 2302 which I cosponsored early in this session.

Briefly summarized, this legislation would strengthen representation on behalf of the particular needs of the elderly by reestablishing the Administration on Aging, headed by a Commissioner reporting directly to the Secretary of Health, Education, and Welfare, and expanding its role.

Establishment of a national information clearinghouse for the aging and the Federal Council on the Aging also should serve to heighten concern for the problems of the aging and improve the information base on which policy decisions are made.

In my judgment, one of the most important of the bill's titles is the one calling for statewide plans for coordinated and comprehensive delivery of services to the aged, carried out through planning and service areas. There is the realistic hope here that a comprehensive focus bringing to bear all available public and private resources on the total needs of the individual should yield maximum benefits from existing programs as well.

Particularly relevant to the needs of the elderly in New Hampshire is the provision for model projects involving housing, transportation, continuing education, preretirement information, special services for the handicapped, and employment opportunities.

There also has been a demonstrated need for programs to recruit and train personnel to work in this field, as provided in the bill, and for the multidisciplinary research centers of gerontology as part of the process.

Another vital need in New Hampshire met by this bill is support for senior citizens service centers. Their proven popularity with those whom they serve demonstrates their potential for an upgraded and expanded role as a commu-

nity focal point for development and delivery of social and nutritional services.

Expansion, extension, and amendments of other programs, including the foster grandparents, retired senior volunteers, nutrition, and a number of educational programs represent another strength of this bill.

I wish to take note, Mr. Chairman, of criticism directed at a final title, supporting community service employment for the elderly, to the effect that the unemployment rate for that category is low. In this regard I would point out that the unemployment rate does not measure those who have dropped out of the labor force, that is, have given up all hope of finding useful employment. Nevertheless, there is talent here that can be used, and in the process enable our senior citizens to help themselves.

In conclusion, I want to express the hope that programs which we enact here will prove of sufficient benefit as to warrant expansion with State and local support. Also, existing resources under general revenue sharing and under any special revenue sharing measures to be enacted should be regarded as a long-term alternative to these categorical grants. Part of the need for this bill has been the burgeoning of fragmented programs and the inability of intended beneficiaries to avail themselves of their due share in the benefits.

I also am concerned about the level of spending, and wish to commend my colleagues on the Committee on Education and Labor for producing a bill \$600 million lower than the one vetoed on economy grounds last year after the Senate raised the spending authorization above the House level.

Mr. MINISH. Mr. Chairman, I rise in strong support of the Comprehensive Older Americans Services Act.

This legislation, which I have cosponsored, will give renewed hope to those often forgotten and neglected members of our society—our 20 million senior citizens—by assisting them to reach their full potential for meaningful service to their communities.

H.R. 71 would strengthen the role of the Administration on Aging as a focal point of Federal concern for older Americans. The Administration would be upgraded within the Department of Health, Education, and Welfare by making it directly responsible to the Secretary. It would also consolidate existing research and training programs and expand the training functions of the Commissioner on Aging.

Senior citizens are encouraged to participate more fully in programs of benefit to all persons through an expansion of the foster grandparents program, which provides part-time volunteer opportunities for older persons to serve children with special needs, and the retired senior volunteer program, which permits senior citizens to become involved in a variety of significant volunteer services in local communities.

In addition, the bill would create a new community service employment for older Americans program to provide community service jobs for low-income older Americans over the age of 55 in the fields of education, social services, recreational

services, restoration of the environment, and economic development.

Of particular concern to me are the transportation research programs which hopefully will be expanded under title IV of the bill. Lack of mobility is one of the most serious problems facing senior citizens today and I am pleased that the Administration on Aging, in cooperating with the Urban Mass Transportation Administration, has given priority to the search for solutions to the transportation problems of older Americans.

In this connection, I have sponsored legislation which would require half fares for the elderly during nonpeak hours on mass transit systems receiving Federal operating assistance. My bill would also earmark funds for transportation services designed to meet the needs of the elderly.

The lack of adequate transportation facilities hits especially hard at older Americans who often live a life of solitary confinement, segregated from their friends and family, community activities, and employment opportunities.

Mr. Chairman, I urge overwhelming approval of this legislation by the House.

Mr. MOLLOHAN. Mr. Chairman, there is a tremendous human waste in denying employment to people merely on the basis of old age. Not only is there a loss in productivity, but in the deprivation of a fully satisfying life for those older citizens left jobless. America has been allowing some of its most productive citizens to senselessly waste their remaining years simply because they are aged.

Today we can cease this human waste by voting for H.R. 71 as it was reported out of the Education and Labor Committee. This bill is very similar to one I cosponsored earlier in this Congress. This sponsorship was premised on a sincere conviction that the provision of programs which continue the contribution of the senior citizen to society is worthwhile both for the individuals involved and for the Nation as a whole. My district has a senior service community project which has demonstrated how the entire population has benefited from the expertise senior citizens have. These people work with the school system, retarded children, bedridden seniors and semiinvalids. I am particularly concerned that title IX of this measure be retained and fully funded. It is this title which has the most beneficial impact on the local programs.

I pledge my full support to H.R. 71 as reported out of committee.

Mr. DOMINICK V. DANIELS. Mr. Chairman, I rise today to support the Older Americans Comprehensive Services Amendments of 1973. As former chairman of the Select Education Subcommittee, I have long been concerned about the plight of our older citizens. The amendments which we are considering today will, I believe, play a significant part in increasing the opportunities available to older people. These amendments will provide needed community services so that older people can remain independent in their own communities. They will provide service opportunities so that older people can gain a feeling of participation and a much needed sense of being of importance and of carrying out a useful role.

In particular, I would like to stress my strong support for the community service employment program which would greatly increase the opportunities for employment for older workers. As chairman of the Select Subcommittee on Labor, I have been very concerned about the problem of unemployment among older workers. Unemployment for middle-aged and older workers—persons 45 and older—is 73 percent higher than it was 3 years ago. There are more than 1 million persons in this age category who are jobless. Unfortunately, when older workers have a break in employment they have more serious problems in finding another job than younger workers.

Despite the Age Discrimination in Employment Act, older workers still face discrimination in hiring. In addition, their lower average level of education attainment, and in some cases, obsolescence of skills, make it more difficult for them to compete with younger workers. Yet, low earnings, underemployment, or frequent unemployment in the later working years cut down on the amount which can be saved or credited toward a retirement income. Thus a lack of employment opportunity can mean an individual will be forced to live at the poverty level for the rest of his years since his retirement benefits will, in most cases, be low either as a result of periods of unemployment or as a result of having had to opt for reduced early benefits. The community service employment program will help to alleviate these problems.

In addition, title VII, providing for nutrition for the elderly, deals with an extremely critical part of the lives of elderly Americans. The incidence of diseases attributed to nutritional deficiencies, as well as malnutrition, is disproportionately higher among the elderly than among any other age or demographic group. They are more vulnerable, not only because of age itself, but because as a group they have been pushed aside by a society which has grown more extended as it glorifies the cult of youth, a process not wholly disconnected from the fact that youth as a group spend more money and receive more attention from industrial markets and advertising.

The elderly of today lived and worked in an era of financial deprivation. They spent their working lives in the depression and the Eisenhower recessions. The small savings they were able to put away for this time in their lives as well as their social security insurance benefits and pensions have been eaten up by skyrocketing inflation over which they have had no control. Only 10 years ago, the elderly comprised 15 percent of the Nation's poor. Today they comprise 20 percent of Americans who must subsist on incomes below the poverty limits.

I urge that my colleagues support this bill reported out by the committee and reject the administration's substitute which would gut the Federal Government's responsibility toward older Americans.

Mr. YOUNG of Georgia. Mr. Chairman, I speak today in support of the House of Representatives bill 71 which

would extend benefits to millions of senior citizens in this Nation of ours suffering unnecessary harm from the lack of sufficient comprehensive programs in the areas of health, education, social services, and recreation.

These are the collective lot of valuable citizens who have served the United States of America well, and now, after retirement find themselves left out of the benefits of their daily toil. These Americans, like our youth, are an indispensable part of the true hope of a profitable future for us all.

Just because they have retired does not mean that they have nothing to contribute by the way of wisdom to our aspiring youth in the classroom as teacher aides. To the contrary, I would think that because of all that they have experienced, they might add to the return to the extended family.

This legislation before us will provide delivery of a full range of essential services to our older citizens, a host of volunteer community roles, and meaningful, gainful employment opportunities.

In the 92d Congress, a similar measure passed the House 351 to 3, but went down to defeat at the hands of President Nixon's veto. Though today's bill has been trimmed down in hope of bypassing similar action at the White House, I see positive action today as a commitment on the part of the Government to invest in life, rather than death. I ask: Are we not to include those who have lived through a generation of war in the President's generation of peace?

Mr. BINGHAM. Mr. Chairman, I rise in strong support of the Comprehensive Older Americans Services Amendments of 1973—H.R. 71—and in opposition to the Landgrebe substitute.

There is no need for me to repeat the compelling arguments put forward by the distinguished chairman of the committee (Mr. PERKINS) and the able chairman of this subcommittee (Mr. BRADEMAS).

I should, however, like to say just a word in support of title IX of the bill which would permanently establish a community service employment for older Americans program. For this title to be eliminated from the bill, as proposed in the Landgrebe substitute, would be a tragedy.

I have been interested in this type of program for a number of years, having introduced the Older Americans Community Service Employment Act on August 12, 1970, in the 91st Congress and reintroduced it in the 92d Congress. In the 92d Congress, this legislation was sponsored and very ably promoted in the Senate by the distinguished Senator from Massachusetts, EDWARD KENNEDY, and by that longtime champion of assistance to older Americans, Senator HARRISON A. WILLIAMS of New Jersey. The bill was passed by the Senate as part of its version of H.R. 15657 and was retained by the conference committee. The entire bill, however, was vetoed by the President.

In recent years, a senior citizens community service program has been in operation in my congressional district, receiving its funds from the Department of Labor, but it has had no assurance of survival. Like other senior aide pro-

grams around the country, this has been an enormously successful activity. At limited cost, it has provided a number of senior citizens with useful and constructive employment, thus providing them not only with badly needed supplemental income but also with a feeling of being needed in the community. At the same time, the community has benefited from their efforts. I know of no program which has received more high praise, including compliments from President Nixon, and which meets so many needs at minimum cost. I cannot believe that the Congress will not want to continue this program.

Accordingly, I urge my colleagues to vote against the Landgrebe substitute and for the committee bill.

Mr. MOAKLEY. Mr. Chairman, the importance of the inclusion of title IX in the Older Americans Act is unfathomable.

Although it provides only a small group of the aged with employment, it has a direct bearing on all the elderly of Boston. The elderly become involved in recreation, community organization, planning for services, information and referral, telephone reassurance, and nutrition.

The persons who are employed under title IX would enable Boston's Commission on the Affairs of the Elderly and its director, Edward Dwyer, to sink its roots into the city and neighborhoods. This would enable Boston to develop quick and effective reactions to the needs of its senior citizens.

The passage of H.R. 71 with title IX included, will enable the elderly themselves and the Commission to meet the needs of the senior citizens of the great city of Boston.

Mr. CLAY. Mr. Chairman, title IX, employment and manpower training programs for our elderly should be supported in our bill today.

St. Louis, Mo., has a senior aides program which employs 62 of our elderly in community service programs. It is sponsored by the Cardinal Ritter Institute. The majority of these individuals serve St. Louis' elderly which comprise 15 percent of the city's population.

The aides save taxpayers thousands of dollars by making home care visits to indigent St. Louisans and thus keeping them out of expensive nursing homes and hospitals.

Our local and State mental health hospitals utilize the services of the aides to followup on patients who leave the hospital. Some of the senior aides assist in geriatric wards by giving personal guidance to patients and directing them in their rehabilitative process.

Many of the senior aides have been put onto payrolls of their local agencies because of the invaluable, skilled, and reliable service.

These are excellent programs, Mr. Chairman, and worthy of our support.

Mr. BADILLO. Mr. Chairman, I rise in support of H.R. 71, the Comprehensive Older Americans Services Act of 1973. This is, of course, the second time that Congress is attempting to pass this very important piece of legislation. Its predecessor, H.R. 15657 was pocket vetoed

by the President who deemed that it contained "a range of narrow, categorical service programs which would seriously interfere with our effort to develop coordinated services for older persons. The bill we have before us today attempts to avert another Presidential veto through overall cuts in authorizations and the sacrifice of some of the programs, such as the badly needed middle-aged and older workers training provisions previously embodied in the legislation.

Despite the 20-percent increase in social security benefits, enacted by Congress in the face of Presidential opposition, and the widely publicized federalization of welfare for the elderly and the disabled, our senior citizens have not been faring well under the present administration. More than half of our elderly population, 5.9 million single individuals and 4.6 million couples, still have incomes below the Labor Department's intermediate level budget. Also, despite the increases, social security income now can purchase significantly less goods and services than it did a decade ago. Social security benefits in 1950 sufficed for at least half of the budget requirements necessary for the moderate standard of living established by the Bureau of Labor Statistics—today's greatly increased income will secure only two-fifths of those requirements.

Besides the general increase in the cost of living which has in effect reduced the 52-percent cumulative increases achieved by Congress to a 30-percent actual gain, one of the major problems faced by the elderly has been the extremely high cost of medical care. And, instead of improving the provisions of medicare and extending its benefits, the administration has attempted to balance its budget by increasing part B deductible by 20 percent and increasing the deductible for hospital insurance from \$44 to \$68, or 55 percent during the first 4 years of its term in office. Soon Congress will have to entertain yet another proposal for an increase which purportedly would increase the part B deductible by another \$15, and force the elderly to pay the full costs of room and board for the first day of their hospital stay as well as 10 percent of all hospital costs incurred thereafter. Medicare premiums alone have risen 45 percent during the past 4 years, from \$48 to \$70, and they are expected to go yet higher.

Housing for senior citizens is suffering from the moratorium and the administration's decision to do away with the successful section 202 program. In addition, the newly promulgated guidelines for public housing will force authorities to take fewer of the most needy because their increased operating costs will in part have to be offset through a higher level of rents.

The bill before us can, of course, not take care of all these problems. But it can greatly help to create the environment for meeting some of the most urgent needs. The establishment, under title II, of an Administration on Aging will serve as an important focus of concern for our senior citizens. Primary responsibility for carrying out the programs au-

thorized under this act will rest with this Administration, thus enhancing the programs' effectiveness, and assuring the cooperation of Federal agencies. The National Information and Resource Clearinghouse authorized under section 204 should be an invaluable tool for coping with the special problems encountered by the aging. Title III's new emphasis on encouraging collaboration among States and local agencies to concentrate resources for the development of comprehensive service systems will, I am sure, assist in assuring a more satisfactory level of social services. This in turn will mitigate some of the chaotic conditions created by the imposition of the ceiling on social service moneys contributed by the Federal Government.

Since both the quality and quantity of services we can provide for this segment of our population depend on the availability of highly trained personnel, the training and research authorization under title IV should prove invaluable. Title V, multipurpose senior centers, capable of providing health, social, educational, and recreational facilities, should help to marshal and focus concern and services throughout our communities.

Unfortunately, our Nation has to a large extent been leaving untapped the great reservoir of talent and experience that our senior citizens collectively possess. Title IV, the national older Americans volunteer program, should go a long way toward rectifying this situation. The programs enumerated in it have proved to be successful and popular in the past and will, I am sure, continue to do so in the future. Coupled with the provisions of the Older Americans Community Services Employment Act, title IX, it should make it possible for our Nation to draw upon the contributions that our senior citizens are anxious and able to make.

All in all, the bill before us is an excellent piece of legislation, representing detailed and painstaking study and work. I urge its speedy and overwhelming passage.

Mr. WOLFF. Mr. Chairman, as a co-sponsor of the Comprehensive Older Americans Services Act and an active supporter of this legislation last session, it deeply disturbs me that we should even have this bill before us again. Last session, both the House and Senate unanimously approved the Older Americans Act; the intent of the Congress was clear in its overwhelming endorsement of this comprehensive measure that will significantly strengthen our efforts to meet the special problems and needs of the elderly. The President's veto of this measure, at a time when inflation and a high cost of living has increased burdens for the elderly, seems to me an unthinking act totally out of keeping with the role of a responsible, humane government. As the President's pocket veto made it impossible for Congress to reassert its will in this matter last session, it is imperative that we act now to reaffirm our commitment to developing and coordinating services for older Americans by enacting the bill before us today.

Although the President seems to feel that this bill is fiscally unsound, the fact is that the committee has done an ad-

mirable job of amending the vetoed bill to meet the administration's major objections, without sacrificing the overall effectiveness and comprehensive nature of this legislation, and that no other legislation addresses itself to the aims of the Older Americans Act of 1973. This bill recognizes that the problems of our elderly extend beyond those of health and income into areas like transportation, nutrition, housing, and employment. I am particularly pleased that the bill will aid the States in helping our elderly overcome transportation barriers and that it will assure that our nutrition program for the elderly will operate with coordinated service systems. These are both areas in which I have been actively involved, having coauthored the bill which set up the low-cost meals for the aged program and proposed through several channels that we increase transportation opportunities for our senior citizens. In addition, it is vitally important that we strengthen, as this bill does, the role of the Administration on Aging as the Federal center for dealing with the concerns of the aged.

The administration seems particularly opposed in this legislation to the community services employment program, which would provide jobs in the areas of education, recreation, conservation, and social services for low-income older Americans. I cannot understand this objection as this seems to me the kind of program which in the long run will more than pay for itself, not only by keeping our elderly off the welfare rolls, but by filling gaps in our community service programs. This is essentially the type of program which will contribute toward helping older Americans to become self-reliant, active members of the community, an objective which the President himself has advanced.

Mr. Chairman, for the sake of the millions of senior citizens to whom we have expressed a commitment to insure their living in dignity and comfort, I urge the House to reassert its intent and will that the Comprehensive Older Americans Services Act become law.

Mr. EDWARDS of California. Mr. Chairman, I want to urge my colleagues to support H.R. 71, the Older Americans Comprehensive Service Amendments. Long awaited by senior citizens of this country, this bill will implement the recommendations of the 1971 White House Conference on the Aging and provide the elderly with services and programs they desperately need. As reported by the Education and Labor Committee, with an approval of 31 to 1, it is a strong, forward-looking and constructive measure that should not be weakened by amendment.

In the last Congress another version of this measure, overwhelmingly passed by the House, was vetoed by the President. H.R. 71 attempts to meet the major objections voiced by the President in his veto message, while retaining the strengths of a program adequate to meet the needs of the elderly. In addition to the endorsement of government officials, delegates to the Aging Conference and leading organizations of senior citizens, this bill has the enthusiastic support of the elderly themselves.

In the past, the Older Americans Act has set a fine example of Federal-State cooperation, setting up offices on aging in every State and offering a wide range of programs for development. The amendments of H.R. 71 would enhance the existing opportunities, strengthening the Administration on Aging—HEW, increasing State aid, authorizing special housing, transportation and training programs, establishing research and senior citizens centers. For 21 million elderly Americans, this measure will mean a life that continues to be meaningful, fulfilling, and part of the mainstream of society. For the 6 million Americans over the age of 55 who live in poverty and isolation, it will mean another chance to work and to be an independent and self-sufficient individual. But, together with other efforts to provide jobs and better health care for the senior citizens of the country, it will mean increased benefits for the Nation as a whole in providing us with a wealth of experience, skill, and knowledge which would otherwise go untapped.

Mr. CONYERS. Mr. Chairman, I rise today in support of H.R. 71, the bill designed to strengthen and improve the Older Americans Act of 1965.

For 4 years in my own city of Detroit, the program administered under title IX, the senior aids community project, has been a resounding and unequivocal success. Since the inception of this project, Detroit's welfare dollars have decreased, and the senior citizens enrolled in the program have begun to contribute tax dollars to the city, State, and Federal Governments. Persons employed on this project now have dollars which they earned themselves to spend on food, clothing, public transportation, and other necessities of life. No longer do they depend on welfare allotments to meet their needs and the needs of their families.

There are currently 60 senior citizens participating in the Detroit senior aids community project. Under the terms of title IX, in order to foster and promote useful part-time work opportunities in community service activities for unemployed low-income persons who are 55 years old or older and who have poor employment prospects, the Secretary of Labor is authorized to establish an older American community service employment program. In order to carry out the provisions of title IX, the Secretary is further authorized to enter into agreements with public or private nonprofit agencies to guarantee financial banking for participants in the program.

At present in Detroit, 17 public and private nonprofit agencies are using the senior citizens in the program to meet Detroit's community needs in a variety of settings; from schools and hospitals to clinics, senior citizen centers, and agencies for the handicapped. These people have become outstanding and informal "civil servants" of our great city of Detroit.

The story of a 62-year-old Detroit gentleman who I shall call Mr. Cooper is completely representative of the case histories in the files of the administrators of the Detroit Senior Aids Community project. Mr. Cooper was found one day

a little over 2 years ago living in a flop house in Detroit. Everything he owned, he carried on his person; a small comb, a couple of handkerchiefs, and his only set of clothes, which he had not been able to afford to replace in years. Mr. Cooper had been on welfare for 8 years. He had a totally negative self-image, was sullen, talked to no one, and appeared at times to be suicidal.

Two years ago, Mr. Cooper was enrolled in the Detroit Senior Aids Community project, after having made application at the local community action center. He was employed at Mother Waddle's Perpetual Mission as a handyman, issuing food and clothing to the residents of the mission. Soon, his health returned. Now that he was making \$2.30 per hour, he could afford to move out of the flop house and into a comfortable but modest one-bedroom apartment. He was able to buy new clothes for the first time in years. After a few months, he started, slowly at first, to freely converse with those he met at the mission. Soon, he had made several lasting friendships. He began feeling better about himself. In the 2 years of his employment, Mr. Cooper has never been absent or tardy once.

There are 60 "Mr. Coopers" now enrolled in the Detroit program. Each is a living testimonial to what senior citizens can do for themselves if the Government will only treat them with a measure of respect, and out of a common recognition of their human needs. Finances for the Detroit program are funnelled through the Department of Labor's mainstream program authorized under title IX to the National Council of Senior Citizens, which in turn funds the Senior Aids project. The people of the city of Detroit and the people of cities all over this Nation need projects like the Older American Community Service Employment program. For the sake of elderly Americans all across America, I shall cast my vote in favor of H.R. 71 as reported by the House Education and Labor Committee. I respectfully urge my colleagues to do likewise.

Mr. HEINZ. Mr. Chairman, I rise to endorse H.R. 71, the Older Americans Act Amendments, as reported to the House by the Committee on Education and Labor. Special praise is in order for the committee and the leadership of both Mr. QUIE and Mr. BRADEMAS, who have labored diligently to design a strong bill that deals directly with the problems burdening elderly Americans.

Last year I strongly supported H.R. 15657, the Older Americans Comprehensive Services Amendments. Unfortunately President Nixon felt compelled to veto this legislation because he believed it too costly and, therefore, likely to contribute to inflation. But with the basic authorizing legislation having expired at the end of 1972, the time has come for Congress and the President to act quickly to adopt reauthorizing legislation which improves and expands programs serving senior citizens.

On February 22, 1973, I offered H.R. 4635, as a compromise between last year's congressionally passed position and the administration position. Such compromise is imperative since no purpose will

be served by the further delay of this legislation, delay resulting from the growing feud between Congress and the President.

Mr. Chairman, the House Committee on Education and Labor has reported a bill, H.R. 71, which is a wise and reasonable compromise between the earlier congressional and Presidential differences. The committee has cut the total authorization level in the bill by more than \$600 million, a cut of more than 30 percent, and a cut made without damaging the integrity of the Older Americans programs. Moreover, the committee completely deleted title X of last year's bill, a title, which would have established a manpower program which the President found particularly objectionable.

I believe H.R. 71 is now a workable compromise acceptable to Congress, to the President, and most importantly, to elderly Americans. Therefore, I intend to vote against Mr. LANDGREBE's amendment in the nature of a substitute, and I intend to vote in favor of the committee version of H.R. 71, the Comprehensive Older Americans Services Amendments of 1973.

However, Mr. Chairman, at the present time it appears that because of a previous commitment I may inadvertently miss the vote on final passage of H.R. 71. But if I am present I do intend to vote as I have indicated, against the Landgrebe substitute and in favor of the committee's excellent version of H.R. 71.

Mr. BURKE of Massachusetts. Mr. Chairman, I wish to express my firm support for H.R. 71. This bill represents a comprehensive effort to alleviate a broad range of problems facing the elderly of this country today. H.R. 71 seeks to reinforce and elaborate upon the programs of the Older Americans Act of 1965; programs which have an established record of success and effectiveness. I do not know of a single person who can find fault with the accomplishments of such worthy programs as the retired senior volunteer program, the foster grandparent program, and others. Last year, under title III of the Older Americans Act of 1965, 1,721 projects provided assistance for 800,313 elderly citizens of this country. These projects serve to comfort and ease the loneliness of the much neglected shut-ins, provide essential transportation that enables the elderly to visit their physicians and attend religious services, they help provide nutritional meals, decent housing, training and guidance, plus a host of other services which are urgently needed by our senior citizens.

When the Older Americans Act of 1965 was passed and signed into law, all of us here in Congress had high hopes for it. Some of these hopes were realized, as I have indicated, but it has become increasingly more difficult for many of the goals of this act to be accomplished. The act established the Administration on Aging within the Department of Health, Education, and Welfare. The Administration was to be a highly visible body within HEW and was to be headed by a Commissioner appointed by the President. This organization was to function as a national clearinghouse for dealing with the

problems of the elderly. Instead, in 1967 the AOA was placed within the Social and Rehabilitation Service and programs initiated by the AOA became diffuse. Since that time, the responsibilities of the Commissioner have continued to decline, and so has his effectiveness.

This bill seeks to restore the Commissioner of AOA to an effective and respected position. H.R. 71 provides the Commissioner with the authority to issue grants in order to initiate programs in gap areas where demonstrable need is evident. Financial resources to share in the cost of development and operation of programs are essential if the Commissioner is to achieve effective coordination with other agencies. H.R. 71 aims at achieving maximum effectiveness in all programs for the aging by requiring that all Federal agencies desiring to create programs related to the purposes of the Older Americans Act shall consult with the AOA in executing these policies. Such reforms represent a significant innovation in the present law and in my opinion will go a long way toward increasing the effectiveness with which the AOA can deal with the problems facing our senior citizens.

This bill also establishes a National Advisory Council on the Aging to keep the President informed on matters relating to the special needs of the elderly. This council is required under H.R. 71 to undertake two major studies. The first study is to be for the purpose of examining the interrelationships of all Federal, State, and local agencies operating to benefit the elderly. Many of these agencies overlap one another under existing structures. The resultant inequity becomes manifest when older people receiving benefits under the jurisdiction of more than one agency are granted an increase in one program, they often face a proportionate decrease in the other. In effect there is no increase at all for the individual. The tragedy here is that the reason for the initial increase is often a very pressing one, and yet, the net result is self-defeating. I feel very strongly, as you know, that every effort should be made to help free our senior citizens from the unreasonable burdens brought on by a fixed income.

The second study the council will undertake is a review of the combined impact of all taxes on the elderly. Taxes on income, property, sales, and social security among others will be examined. Hopefully this study will find a solution to the tax burden under which our elderly suffer. Consider the implications of an elderly homeowner who is retired and living on a fixed income. How is he to cope with a sudden rise in property taxes? Is he to be expected to abandon the home which in many cases he has worked for all his life? Certainly there exists a better solution.

This bill represents a realistic approach toward solving the problems of the elderly. It will establish a single, clearly identifiable Federal agency to handle all matters relating to our senior citizens. It also establishes a single State Agency on Aging in each of our States so that the elderly citizens will have better access to information on obtaining

much needed benefits and services. The bill will provide funds for the study of all problems encountered by the elderly. It will fund organizations to assist the elderly in education, transportation, medical needs, nutritional needs, and most importantly, it does so with the aim in mind of enabling our senior citizens to live independent lives in the dignity of their own homes.

Our Nation owes a great debt to our senior citizens. It was they who built this country, who carried us through depressions, fought for our national liberties in time of war, worked to erase hunger and disease, and overcome the countless other problems of a growing Nation. We realized our obligation in the last Congress only to see our efforts laid to waste by the pocket veto. It is our duty to see that our obligations are fulfilled.

I have seen the effects of what a senior service community project can do for the elderly. Boston was fortunate enough to receive a senior service community project. Its impact has been such that I now see the elderly of Boston continue as a viable resource to the entire city of Boston.

Not only has employment in the senior service community project made life better for them, it has made it better for all the elderly of Boston. Now shut-ins know they will get a friendly visitor or telephone call several times a week, when they go to the hospital there will be a sympathetic friend to comfort them if they are ill and must wait for a doctor, or if they do not speak English there will be an interpreter.

Mr. Chairman, we owe our senior citizens too much to deprive them of such programs, and I respectfully urge all of my colleagues to join me in voting for the passage of H.R. 71.

Mr. O'NEILL. Mr. Chairman, I rise in strong support of H.R. 71, the Comprehensive Older Americans Service Amendments of 1973. For today, we are considering the most benevolent and innovative program of social service ever developed for our senior citizens.

This program is creative, progressive and comprehensive. And it will meet the vital needs of the elderly in this country. The services provided for in this bill are designed to help support and enable the 20 million aged in our population to maintain an independent existence, enrich their golden aged years, and avoid institutionalization.

No longer will senior citizens feel isolated, lonely, helpless and neglected.

No longer will indigent senior citizens suffer from nutritional deficiencies.

No longer will the elderly find it difficult to maintain a sense of dignity in their own familiar community environment.

No longer will low-income senior citizens who are able to work find it difficult to seek community service jobs.

Last year alone, more than 1 million senior citizens took advantage of the opportunities offered by this act. Next year, more than twice that number will be gratuitously affected.

Older persons will be able to see their doctor when necessary, do their own grocery shopping, go on a sightseeing trip,

or pay a visit to their loved ones because of the more than 428 transportation services provided for the elderly in this bill.

An impoverished and rurally isolated senior citizen knows what it is like not to have a hot meal each day. Some senior citizens suffer from nutritional deficiencies because they are too ill to get out or to cook for themselves. If this bill is enacted, many senior citizens will be served at least two nutritional meals 5 days a week.

Multipurpose centers for senior citizens, established by this bill, will enable older Americans, particularly those whose incomes are below the poverty line, to come together to eat a low-cost nutritionally sound meal. Meeting at these centers to eat meals will not only promote better health through improved nutrition; but in addition, congregating at community parties provided by these centers will help to reduce the isolation and loneliness of older citizens.

Through popular volunteer programs for the elderly, like the Foster Grandfather program, a senior citizen can help other golden agers by providing transportation or delivering meals to those who cannot cook for themselves, or perhaps even teaching adult education courses to other senior citizens. Some of the volunteer programs set up in this bill enable senior citizens to offer their services to young children with special needs on a one-to-one basis. In this way, the elderly not only make valuable contributions to their own community, but in turn, receive personal gratification from a sense of accomplishment and a willingness to help others help themselves.

This bill provides in-home health aides for the senior citizen who is unable to leave the confines of his domicile, and provides visiting nurses for those who need daily medical attention in an outpatient basis.

I firmly believe that the most significant innovation in this bill is the provision establishing a community service employment for older Americans program to develop community service jobs for low income older Americans over the age of 55 in fields of educational services, recreational services, restoration of the environment, and economic development.

Mr. Chairman, I believe that we have a commitment to aid the elderly under the aegis of this program and through other programs which help our senior citizens.

The President, in vetoing the Older Americans Act last year and in his budget proposal for this year, has presented a program of benign neglect for the elderly.

Where the President has failed to provide leadership in assisting the needs of the elderly, the Congress will assume the mantle of leadership in authorizing adequate programs to meet the nutritional, health, social, and economic demands of older Americans.

Mr. Chairman, immediate adoption of H.R. 71, the comprehensive older Americans service amendments, marks the beginning of a congressional commitment to aid our senior citizens.

Mr. CULVER. Mr. Chairman, this Nation for over a decade has been facing what many regard as a national crisis resulting from an unconscionable neglect of our older Americans. During this time, the Nation's elderly have looked to Congress for relief. Congress has responded by enacting several major pieces of legislation to aid the elderly. Once again this body has the opportunity to improve the quality of life for our 20 million senior citizens.

The bill before us today is substantially the same legislation which passed this body last year with only three dissenting votes. Despite this overwhelming bipartisan support, the bill was vetoed by President Nixon. This veto by the President and the low priority of programs for the elderly in his budget requests create an urgent need for action on this bill by the House.

The problem of the elderly is a particularly important concern in the State of Iowa, which has the largest percentage—12 percent—of population over 65 of any State, other than Florida. This bill is designed to help these Iowa citizens and all senior citizens.

H.R. 71 amends and extends the Older Americans Act in an effort to strengthen our national program for elderly and retired Americans. In May 1972, I introduced a package of bills in an attempt to lay the groundwork for a comprehensive national program for senior citizens. I am pleased to note that the major proposals in my legislation are included in H.R. 71.

Mr. Chairman, if this bill becomes law, our senior citizens' lives will be improved in many respects. To cite a few examples:

The first steps are taken toward restoring the elderly's freedom of mobility by studying the ways in which they can be granted access to low-cost transportation;

The community service employment program will allow the elderly to contribute to society in meaningful and responsible employment;

Elderly will be able to gather at senior citizen community centers to share meals, conversation, and participate in retraining, employment, and other programs.

Senior citizens will be able to make more productive use of their free time by serving as foster grandparents to children in need or as senior health aides and companions to elderly in need;

Better educational opportunities will be provided to those senior citizens wishing to advance their education.

In short, Mr. Chairman, this bill will permit senior citizens to live their lives with greater dignity and peace of mind.

Among the many worthy provisions of this bill, I have a special interest in several areas. For example, the community service employment and community multipurpose center provisions are substantially the same as my 1972 proposals. Any comprehensive program for the elderly should include these programs.

I also recognize the particular burden our deteriorating transportation systems have placed on the elderly. Few communities in Iowa, for example, have any public transportation. Most elderly are

not licensed to drive and cannot afford a taxi.

The critical need for transportation is often the subject of letters to me from senior citizens in my district. Last week, for example, the president and members of a senior citizens club in Cedar Rapids wrote me of their needs for bus transportation to take their 86 members to their club meetings and other functions. These elderly persons were saving coupons to raise the \$1,000 needed for the cost of such transportation.

H.R. 71 also strengthens the Administration on Aging—AOA—within the Department of Health, Education, and Welfare; increases aid to the States; authorizes special programs in housing, transportation, and preretirement training; and establishes research centers on aging.

According to the committee report on this bill, most of the Administration's stated objections to last year's bill have been met in H.R. 71. I hope, therefore, this legislation will not be killed by a Presidential veto.

I am greatly concerned, however, by the low priority accorded programs for the elderly by this administration. Two critical problems of the elderly, not covered by this bill, are the high cost of medical care and adequate housing. Recent policies of the administration have compounded the hardships being experienced by the elderly in these areas.

The administration's proposals for amending the medicare law may cost the elderly millions in increased medical bills. The recent moratorium on housing programs will delay the completion of many housing projects for the elderly.

With this situation existing, I was dismayed to learn that a HUD official reportedly told a group of elderly residents of Davenport, Iowa, that the only thing they could do about the administration's policies was to pray. Such a callous comment not only demonstrates a lack of understanding of the sense of hopelessness existing among our elderly, but also fails to account for the effort in Congress to redirect the President's priorities so as to be consistent with the pressing human need in our society.

I have written to the Secretary of Housing and Urban Development asking for an investigation of this purported statement and I am including a copy of that letter and article for the RECORD.

That letter and article said:

Hon. JAMES T. LYNN,
Secretary, Department of Housing and Urban Development, Washington, D.C.

DEAR MR. SECRETARY: I was very dismayed to learn of a comment reportedly made by an official of your department in Davenport, Iowa on February 21, 1973. As I am aware of no action taken by your department to mitigate the effect of this remark since it was allegedly made, I am taking this occasion to bring it to your attention.

According to a newspaper account, Guy Birch, area director of the Housing and Urban Development office in Omaha, Nebraska, was asked by a group of elderly residents in Davenport what they could do about the current HUD housing policies. According to the report, his reply was, "You've got your beads. It sometimes helps to turn to a power greater than our own for support." The headline of the news report was "HUD Aid Tells Aging To

Pray." (Times-Democrat, Thursday, February 22, 1973, page 28).

Knowing as I do of the severe hardships being experienced by the elderly in Iowa, and elsewhere, because of the current cutbacks and moratoriums in federal housing programs by the Administration, I am able to understand the sense of hopelessness which a remark like this can produce. I can well understand, for example, the feelings expressed in a letter to me from one senior citizen who attended this meeting. Mrs. Lloyd Nelson of Davenport wrote: "This has been an awful blow for these elderly to take, after they have tried and prayed for years their living conditions are (still) terrible downtown."

Such a remark by Mr. Birch to these senior citizens is not only ill-considered and in poor taste, but displays a callous attitude towards the anxiety and frustration being experienced by the elderly in our society today.

The plight of our aging citizens is a national disgrace. Perhaps one-quarter of our senior citizens live their lives below the poverty level. In most cases, their housing meets only minimal standards of decency or is entirely inadequate. At a time when we urgently need a national commitment to decent housing for the poor and the aged, officials of this Administration are reportedly telling people that all they can do about it is to pray.

If this remark was made, it not only was insensitive, but inaccurate. The nation's poor and elderly are entitled to and can expect assistance from other than divine origins. The Democratic leadership in the 93rd Congress has made a commitment to bring decent housing to our elderly, and this commitment can be fulfilled within the confines of a sound fiscal policy. As long as this commitment exists in Congress, our senior citizens can retain hope for a better life.

Mr. Secretary, I request that you investigate the circumstances surrounding this alleged remark by an official of your department. If this remark was in fact made, the senior citizens of Iowa and the nation deserve an apology.

Sincerely,

JOHN C. CULVER,
Member of Congress.

[From the Times-Democrat, Feb. 22, 1973]

HUD AIDE TELLS AGING TO PRAY

(By Bruce Johnson)

About 100 gray-haired residents of Davenport had a chance Wednesday to ask a federal official where they can turn in the face of government cutbacks on housing programs.

Guy Birch, area director of the Housing and Urban Development office in Omaha, Neb., told them they could always pray.

"You've got your beads," Birch said. "It sometimes helps to turn to a power greater than our own for support."

Birch and his staff assistants were in Davenport Wednesday for the ceremonial signing of a formal agreement between HUD and the city regarding ongoing services. But what he had to tell the elderly audience in the city council chamber left them with little to celebrate.

"Many of our programs have been suspended or terminated by the secretary's directive, to give us a chance to look at them and see if the money is really being spent as it was intended to be used," Birch said. "We in government are frustrated because we know that your problems don't change even if the programs do."

Among the Davenport projects that were indefinitely delayed by a freeze announced in January by former HUD Secretary George Romney were 100 units of low-cost conventional housing for the elderly and another 175 units of housing for poor families and the elderly.

Steve Goebel, a young staff worker for Senior Iowans, Inc., was the first to respond to Birch's suggestion to "turn to a power greater than our own."

"Just when some of these programs are far enough along to be funded, the government comes along and wipes them all out," Goebel said. "Frankly, I'm embarrassed that the best answer you can give these people is to pray."

Ray Wilcox, the 67-year-old vice president of the Scott County chapter of the American Association of Retired Persons, rose slowly from his seat to say that he reads his Bible every night.

"It says in there that faith without works is dead," Wilcox noted. "You can do all the praying you want to, but if you don't start doing something you won't get any housing."

A succession of speakers made their way to a microphone to plead for adequate housing for the city's elderly, especially those living in the decaying apartments above the stores and businesses in the downtown core.

Charlie Williams, 78, president of a senior citizens group, said: "Since Mr. Romney visited Davenport last year, our plight has worsened. Some of the homes of our aged have no kitchen, no running water; there is faulty wiring, poor heating, too many steps to climb and toilets that you have to share with three or four other families—and when you get to the toilet it is not uncommon to find a vagabond sleeping in there."

"Several of our elderly have already passed away since signing up for the waiting list for new housing. How many more will die before something is done?" he asked. The crowd applauded loudly.

Birch more than once pressed the theme that President Nixon is trying to divert the decision-making away from Washington and back to the local level.

"I throw it back to you," Birch told John Hand, another Senior Iowans case worker whose voice had trembled as he described fire hazards in some of the places where old people are forced to live.

"The police in Washington can't know all of your problems," Birch said. "How many fires will it take before the people locally become concerned enough to do something for their own elderly?"

Thelma Kass, a former member of the Iowa Commission on Aging, took issue with the HUD director on his statement that federal officials aren't fully informed of the needs at the local level.

"I was a delegate to the White House Conference on Aging a year-and-a-half-ago, and it seems we made a lot of noise at that time," Mrs. Kass said. "Is that all the farther it goes? What good does it do to write your congressman when the letter just goes in the wastebasket?"

Paul Ryan, a member of the Davenport Levee Improvement Commission, described himself as "probably a senior citizen too" and told of his efforts with other businessmen to get an elderly housing program started several years ago.

"We were told to wait, and we're still waiting," Ryan said. "We owe these people," he added, waving an arm toward the audience. "They gave us the society we have today, and they shouldn't have to wait any longer for a decent home."

Where do you suggest we go from here," asked Agnes Neumann, director of the volunteer Meals on Wheels program. "The need is now, but you say the money isn't available now. Where do we turn?"

Elsie Nelson, a Senior Iowans member and familiar face at governmental sessions where problems of the aged are being discussed, vowed to "be around a long time and to keep fighting for the cause."

"We're starting to think we are the forgotten people," Mrs. Nelson said.

The administration's new regulations for the funding and administration of

social services programs also will result in cutbacks in aid to the elderly and others. For example, these regulations may deny food assistance to the 3.1 million elderly and disabled persons who are below the poverty line. In addition, many services will be curtailed, including employment services, health and legal services, and educational services, and I have indicated to the Department of Health, Education, and Welfare my indignation and objections to these proposed regulations.

The passage of this bill serves to reaffirm the commitment by this Congress to our Nation's senior citizens at a time when many of our programs for the elderly are faltering under the misdirected priorities of the President. Legitimate limitations on Federal spending are a concern which I share. However, demands for budgetary control should not be an excuse for further neglect of our elderly. The Nation's resources are great enough to permit a decent standard of living for all senior citizens, indeed, for all Americans regardless of age.

Mr. Chairman, while accusing Congress of fiscal irresponsibility, this administration at the same time has been dispensing special favors to its wealthy and influential friends. It complains about the amount of the congressional authorization for the elderly and poor, but urges financial assistance and continued tax breaks for large corporations and other business interests. It asks for self-reliance from the elderly and the poor while it offers subsidies to special interests. When large businesses could not make ends meet, they received help. When the elderly cannot make ends meet, they are told to pray.

In my judgment, the quality of a society is properly measured by the circumstances which characterize the lives of its elderly people. It is time to end the neglect of our elderly, and this bill takes a major step in that direction. Just as this administration has extended a helping hand to the privileged, so must Congress now extend a helping hand to the poor and elderly.

Mr. KEMP. Mr. Chairman, this vote today on the Older Americans Act is one of the most difficult that I have ever had to cast as a Member of Congress.

I have consistently supported efforts to enrich the lives of the Nation's older citizens. However, the greatest threat to the goals which seek to assist this worthy group of Americans is the financial bankruptcy of our country. I consider solving the fiscal crisis of America to be the highest priority of the 93d Congress. To this end, I have introduced legislation which would establish the machinery to enable Congress to get a hold of the budget and arrive at its own spending priorities within a prescribed spending ceiling.

I hoped that the Democratic leadership in this Congress would have accepted the responsibility of helping provide Congress a budget reform bill with a spending ceiling before bringing up all of these pieces of legislation. I consider it the height of irresponsibility to be bringing up this early in the session, a number of bills which very likely, when added up, would increase the deficit of this country by another \$3 to \$4 billion.

I have not seen one bill introduced, by any Member, that would increase taxes in order to pay for these deficits. If these deficits are not paid for in higher taxes, they will be financed by borrowing, which is, as anyone knows, highly inflationary. Mr. Chairman, I find those alternatives reprehensible.

Inflation is totally inconsistent with our desire to help senior citizens who are on fixed incomes and who are hurt the most by the deterioration of purchasing power and higher prices.

I am voting no on H.R. 71 after great deliberation, Mr. Chairman. I very much wanted to support a fiscally sound and humanitarian piece of legislation that would not only serve the ends of senior citizens but would be consistent with our goals of budget reform and fiscal sanity. And I will support the amendment of my colleague, Mr. LANDGREBE, which would put existing community resources to work to serve the elderly but will not create the kind of funding pressures that would carry spending on this program so far beyond the present budget request.

There can be no doubt about the high priority placed on the well-being of older Americans, both by recent Congresses and by the administration. Recent funding trends are clear:

Programs of the administration on aging will have risen from \$28 million in 1970 to \$196 million in 1974, a seven-fold increase in only 4 years.

Social security benefits rates have been increased by 51 percent in the last 4 years, and cash benefits paid to the elderly will have increased from \$22.5 billion in 1974.

Medicare and medicaid benefits for the elderly will have increased from \$7.8 billion in 1970 to \$11.5 billion in 1974.

Total Federal benefits for the elderly will have increased 71 percent from 1970 to 1974, rising from \$37.2 billion to \$63.8 billion. For anyone to read this vote on H.R. 71 as a retrograde step in my devotion to or support of the well-being of our older Americans would be guilty of a gross misinterpretation. Only after a ceiling on spending has been established by this Congress will the necessary and proper step have been taken that will allow us, with clear conscience, to weigh the reasonableness of conflicting budget demands. When that happens, I expect the advantages of new federalism will quickly come into focus for many Members of this body.

In my committee I supported H.R. 71 hoping that between that time and the time this legislation would come to the floor, the Congress would undertake the reforms as outlined in principle in the interim report of the Select Committee on Budget Control or at least a ceiling on spending. But it is obvious that the Democratic leadership is bringing up these measures precipitously and with great rapidity for no other reason than to frustrate the attempts by those of us on both sides of the aisle and in the administration who believe that Congress should not be considering these legislative authorization bills without first giving consideration to an overall spending ceiling with a debate over priorities between the administration and Congress.

I have my own ideas as to priorities, Mr. Chairman, and I have strongly disagreed with the administration on several aspects of its budget. Congress need not lose control or power to the President. By our action, or our lack of action, we have totally forfeited our responsibility to develop alternative priorities within an overall budget.

Just last week I voted on another piece of legislation which, on the surface, sounded very good. No one wanted to vote against the handicapped any more than they wanted to vote against the older Americans. If I had to do it over again, Mr. Chairman, I would vote against that act from the standpoint that I am increasingly convinced that I cannot vote for these measures. Since this is the only way to demonstrate a protest over the irresponsible approach to legislation being pushed through the 93d Congress.

In conclusion, Mr. Chairman, as one who, along with most if not every Member of this House, shares a deep concern for the elderly, the disadvantaged, the ill, and the handicapped, I firmly believe that the most cruel act we could perform is to permit this Nation to spend itself into bankruptcy. In a bankrupt society the strong, the young, and the healthy might fend for themselves, but the weak, the old, and the handicapped will, indeed, have lost the battle. We cannot permit that to happen. I will not in good conscience vote to let it happen.

Mr. RANDALL. Mr. Chairman, I enthusiastically support H.R. 71, the Older Americans Comprehensive Services Amendment of 1973. I oppose the so-called Landgrebe substitute being H.R. 4813 for reasons I shall recite in a few moments.

As most of our colleagues know, Congress first passed the Older Americans Act in 1965. That act has been amended or revised in 1967 and 1969. Since its enactment, nearly all of our States and territories have created State offices of the aging. Most importantly, there have been a total of nearly 400 local agencies on the aging funded under title III which is the title providing for grants for State and area programs. When it is pointed out there are 400 local agencies being funded under title III, such a number should not be confused with the number of projects funded under title III. Many agencies have more than one project. The facts are that last year more than 1,000,000 persons were served by over 1,500 projects funded under title III.

Now, Mr. Chairman, I am sure that notwithstanding the tempo of the closing days of the campaign nearly all of us were shocked and dismayed by President Nixon's veto of the 1972 Older Americans Act on October 28, 1972. He announced that he vetoed the bill because it contained title IX and title X.

Title IX in the 1972 bill created a public service employment program designed to produce jobs for senior citizens age 55 and older. Title X, on the other hand, would have established a program to provide training for those workers of 45 years and older. President Nixon reasoned that these two sections of the

bill would add two "categorical manpower programs."

As we debate H.R. 71 today, we will find it is almost identical to the 1972 legislation which was vetoed, with the exception that title X, which could be described as the "Middle Age Training Act," has been deleted. Also, the authorization has been decreased \$601,500,000 under the vetoed 1972 bill. Surely these changes should satisfy the objections raised by the veto. Most Members will hope that the Chief Executive will see fit to sign H.R. 71 into law.

I oppose the Landgrebe substitute, or H.R. 4813, because while it does set certain dollar authorizations for fiscal year 1972 and fiscal year 1974, there is no dollar authorization for fiscal year 1975. It simply provides that after fiscal year 1974 there shall be authorized only such sums as may be appropriated.

But there are so many other differences between the committee bill and the substitute that it is my conclusion that the substitute just does not measure up to the merits of the committee version. For example, the substitute does not extend the very worthwhile foster grandparents program. Nor does it extend RSVP—retired senior volunteer program. The committee version establishes a public service employment program for persons 55 years of age and over. The substitute does not.

One of the more important differences is that the committee bill now elevates the Office of the Administration on Aging—OAA—and makes it stronger and better than it was before. In recent years, there has been a kind of spinoff, or a sort of erosion, or fragmentation of the activities of the Administration on Aging. The committee bill will put the Office of Aging directly under the Secretary of Health, Education, and Welfare.

The committee bill would prevent the Commissioner on Aging from delegating any of his functions to any other office which is not directly responsible to him. The substitute, on the other hand, would continue the present unsatisfactory arrangement which provides that the commissioner on Aging reports only to the Commissioner on Rehabilitation, who is not presidentially appointed. It is quite a substantial improvement to require the Commissioner on Aging be responsive to and report directly to the Secretary of Health, Education, and Welfare, a presidentially appointed official subject to confirmation by the other body.

Mr. Chairman, my interest in the passage of H.R. 71 and in the improvements of the Older Americans Act stems from the fact that it was my honor and privilege to serve as chairman of the Special Studies Subcommittee of the House Committee on Government Operations. Our subcommittee during 1971 and 1972 devoted nearly all of its time to hearings on the efficiency and effectiveness of the Federal Government's expenditures for programs affecting the aging.

It should be remembered that on the House side an effort was made to create a select committee but because of lack of space and facilities for a staff the then chairman of the Rules Committee, the gentleman from Mississippi (Mr.

COLMER) and the House leadership, in conference with the gentleman from California (Mr. HOLFIELD) the chairman of the full Committee on Government Operations, there was assigned to our subcommittee the task of holding hearings nationwide on the problems of the aging.

During the summer and fall of 1971, as well as during the winter, spring, and summer of 1972, hearings were held in nearly every section of the United States with the exception of the west coast. While no final report was adopted by the full Committee on Government Operations. Because of the October adjournment of Congress, our subcommittee has recently concluded a report on the special problems of the rural aging. It is because of my knowledge and familiarity with these special problems of our rural elderly that I so enthusiastically support H.R. 71 today.

There are good and sufficient reasons to support this extension of the Older Americans Act without knowing the problems of the aging in rural America. What would be routine support of the pending bill without this special knowledge of the rural elderly becomes a sort of zealous or devoted support when possessed of the detailed knowledge that we have acquired as chairman of this subcommittee.

President Johnson's Commission on Rural Poverty called the elderly poor in the rural areas "the people left behind." That Commission cited the fact that most of these rural poor are the 20 million Americans over 65 years of age who suffer all the effects experienced by the aging in the rural areas, but also onerous additional burdens attributable to their rural situation.

Mr. Chairman, if there is one conclusion that is firm and fixed in my mind as a result of these days and days of hearings, it is the fact that while it is always bad enough to be poor, when you put old age and poverty together you have a doubly bad situation, but the worst of all is to be old and poor and living an isolated life in a rural area. That is why H.R. 71 is so important to carry on title III which provides grants for State and area programs.

Oh, there are so many good projects provided by this bill that I shall take the time to enumerate them all. There is, the foster grandparents program and the retired seniors volunteer program. There is green thumb and green light, just to name a few. Each of these emphasizes the special needs of rural aging for income maintenance, often a part-time employment such as day care for those too old or otherwise unable to work and for badly needed transportation facilities to enable the rural aging to make use of the services meant to assist them.

Let us not forget that those who presently constitute the rural aging are those same persons who refused or were unable to join the vast migration to the urban areas that has taken place over the past four decades. Today these rural aging live either on small farms or in rural communities with a population of less than 2,500. They have inadequate

social security benefit levels because of their low earnings or limited coverage during their working lifetimes. Only recently have these self-employed rural people become eligible for social security and thus they have fewer years of covered earnings and their benefits are lower.

Surely, there is a need for the continuation of title III and its variety of programs. The know-how, skills, experience and wisdom of these elderly living in rural communities should be available to the community in which they grew and prospered. They do not want a handout as if they were dependents of the community.

Mr. Chairman, I support H.R. 71 because I have high hopes that it will provide some help for the rural aging whose average annual income is lower than that of their urban counterparts, by at least \$1,000 per year.

These older Americans have fewer defenses against rising costs than any other segment of our society. Across the Nation the older homeowner pays about 8 percent of his income in property taxes. The tax burden falls much more heavily on the rural elderly. These rural elderly have not shared equitably in the Federal manpower programs. In the rural areas there are fewer doctors, nurses, pharmacists and dentists although these rural elderly suffer from the same health problems arising from improper nutritional habits as do the city counterparts.

It is my hope as I support H.R. 71 that the green thumb and the green light programs may be expanded so as to bring the older men and women in all rural areas the benefits already demonstrated in limited areas in 18 States. It is my hope that the newly strengthened administration on the aging would consider provision for low cost transportation in rural areas to ease the problems of the rural areas.

Finally, I support H.R. 71 because it emphasizes the concern more of us should have about our older Americans. The Office of the Aging will provide a public advocate for these older citizens. This bill when enacted into law will serve as a beginning for newer and better programs. Most of all, the support of this bill today is a vote of confidence in a program begun in 1965 to do more than mere lip service for those senior citizens who helped build this Nation.

Mr. BRADEMAS. Mr. Chairman, I hope very much that the Members on both sides of the aisle will support H.R. 71, and reject any substitute to it.

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

Mr. ALEXANDER. Mr. Chairman, I rise in support of H.R. 71, a bill to strengthen the Older Americans Act and our national commitment to assist our senior citizens achieve solutions to the problems facing them.

While this bill is intended to immediately help our older Americans, it will benefit the whole Nation.

These citizens have given years of time and talent to our Nation. Their efforts have earned them the appreciation and respect of our younger generations. As

their needs for health care, work, and recreation change, the Nation must move to aid them in meeting these requirements.

Advancing age may have slowed their pace and reduced their stamina, but it has not necessarily robbed them of their ability to participate in worthwhile activities. Their hands and minds can be useful in many projects. Proof of this is easily found in successful foster grandparents programs and in the efforts of retired persons who provide advice, counsel, and labor in community development and environmental projects.

This legislation intends that the contributions which our older citizens can continue, and want to continue, to make to our national life will be put to good use. It is designed to address the health care and social service needs of our senior citizens. All of its provisions have as their intent making it possible for our older Americans to live out their lives in dignity.

I urge my colleagues to act favorably on this proposal.

Mr. DELLUMS. Mr. Chairman, the Oakland area receives the services of a senior aides program which we will get the opportunity to continue if we support title IX of today's bill.

The Social Service Bureau of Oakland is operating a senior aides project which is serving all of Oakland's more needy residents. These older Americans are assisting Oakland's indigent elderly in such areas as shopping, letter writing, reading, and meal planning.

Charitable nursing homes and our parks and recreation department are receiving invaluable assistance in improving the quality of their services.

Aides assist hundreds of persons seeking jobs at our human resources Development department. Their age and rapport with elderly applicants are a notable asset in this service.

Oakland cannot afford to let down a group of individuals who have worked so hard for their community. They should be supported and given the opportunity to continue in their endeavor.

I urge my colleagues to stand with me and vote for the Older Americans Act as reported out by the Education and Labor Committee.

Mr. DINGELL. Mr. Chairman, I rise in support of H.R. 71, a bill to strengthen the Older Americans Act and to provide opportunities of service and activity for senior citizens of this Nation.

It is my firm conviction that the Older Americans Act and the comprehensive older Americans services amendments are properly designed to aid the elderly.

I support this measure and am happy to have been a cosponsor of the legislation.

This legislation helps all our senior citizens and for those who face poverty, the bill is designed to give older Americans the opportunity to do for themselves and remain in the mainstream of life with self respect.

The bill extends the authorization for several programs to help relieve poverty in the ranks of the elderly and would promote the increased use of their skills.

One of the most popular programs of this act in the Michigan area which I serve in Congress is the foster grandparents program which provides part-time volunteer opportunities for low-income persons age 60 and over who serve our children with special needs in the various institutions.

This is on a person-to-person basis and I believe its results are most rewarding for both the child and these senior volunteers.

Other provisions of the older Americans services bill provide for training program; retired senior volunteer programs within other organizations, agencies and institutions; a nutrition program for those persons below the Bureau of Census poverty level; and a research and demonstration program regarding improved living conditions for the elderly and transportation needs.

I urge support of this bill.

THE CHAIRMAN. All time has expired.

Under the rule, the committee amendment in the nature of a substitute now printed in the reported bill will be read by title as an original bill for the purpose of amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Comprehensive Older Americans Services Amendments of 1973".

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. LANDGREBE

MR. LANDGREBE. Mr. Chairman, I offer an amendment in the nature of a substitute.

The Clerk read as follows:

Amendment in the nature of a substitute offered by Mr. LANDGREBE: Strike out all after the enacting clause and insert in lieu thereof the following:

That this Act may be cited as the "Older Americans Amendments of 1973".

REVISION OF TITLE III

SEC. 2. Title III of the Older Americans Act of 1965 is amended to read as follows:

"TITLE III—GRANTS FOR STATE AND AREA PROGRAMS

"**SEC. 301.** It is the purpose of this title to encourage and assist State or local agencies to develop greater capacity and foster the development of coordinated service systems to serve older persons by entering into new cooperative arrangements with each other and with providers of social services for planning for the provision of, and providing, social services and, where necessary, to reorganize or reassigned functions, in order to—

"(1) secure and maintain maximum independence and dignity in a home environment for older persons capable of self-care with appropriate supportive services and for whom economic independence is not feasible; and

"(2) remove individual and social barriers to economic and personal independence for older persons capable of self-support.

DEFINITIONS

"**SEC. 302.** For purposes of this title—

"(1) The term 'social services' means any of the following services which meet such standards as the Secretary may prescribe:

"(A) health, continuing education, welfare, nutritional, informational, recreational, homemaker, counseling, or referral services;

"(B) transportation services where necessary to facilitate access to social services;

"(C) services designed to encourage and assist older persons to use the facilities and services available to them;

"(D) services designed to assist older persons to obtain adequate housing; or
(E) any other services; if such services are necessary for the general welfare of older persons.

"(2) The term 'unit of general purpose local government' means (A) a political subdivision of the State whose authority is broad and general and is not limited to only one function or a combination of related functions, or (B) an Indian tribal organization.

"(3) The term 'coordinated system' means a system for providing social services in a manner designed to—

"(A) facilitate accessibility to and utilization of all social services provided within the geographic area served by such system any public or private agency or organization;

"(B) make the most efficient use of social services in meeting the needs of older persons; and

"(C) use available resources efficiently and with a minimum of duplication.

"(4) The term 'Governor' means the Governor of the State, in the case of any of the fifty States, and, in the case of the other States the chief executive officer thereof.

"(d) There are authorized to be appropriated for allotment under this section \$80,000,000 for the fiscal year ending June 30, 1973, \$80,000,000 for the fiscal year ending June 30, 1974, and such sums as may be necessary for each fiscal year thereafter.

"ALLOTMENTS

"**SEC. 303.** (a) (1) From the sum appropriated for a fiscal year for allotments under this section, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands each shall be allotted an amount equal to one-half of 1 per centum of such sum and each other State shall be allotted an amount equal to 1 per centum of such sum.

"(2) From the remainder of the sum appropriated for a fiscal year for allotments under this section, each State shall be allotted an additional amount which bears the same ratio to such remainder as the number of individuals in such State who have attained age sixty-five bears to the total number of individuals in all the States who have attained such age, as determined by the Secretary on the basis of the most recent satisfactory data available to him.

"(b) Whenever the Secretary determines that any amount allotted to a State for a fiscal year under this section will not be used by such State for carrying out the purpose for which the allotment was made during the period such allotment is available therefore, he may make such amount available for carrying out such purpose to one or more other States to the extent he determines such other States will be able to use such additional amount for carrying out such purpose within such period. Any amount made available to a State from an appropriation for a fiscal year pursuant to the preceding sentence shall, for purposes of this title, be regarded as part of such State's allotment (as determined under the preceding provisions of this section) for such year.

"(c) The allotment of a State under this section for a fiscal year shall remain available until the close of the following fiscal year for grants to pay part of the cost (pursuant to section 306) of (1) administration of the State plan by the State agency designated pursuant to section 304(a)(1), including the preparation of State plans submitted to the Secretary under section 305, the evaluation of activities carried out under such plan, the collection of data and the carrying out of research related to the need for social services within the State, the dissemination of information so obtained, the provision of technical assistance to public or nonprofit private agencies and organizations engaged in activities related to the problems of older persons, and the carrying

out of demonstration projects of statewide significance relating to the initiation, expansion, or improvement of social services; (2) administration of area plans by area agencies on aging designated pursuant to section 304(a)(3), including the preparation of area plans on aging consistent with section 304(c) and the evaluation of activities carried out under such plans; and (3) social services provided under the State plan.

"ORGANIZATION

"State Organization

"**Sec. 304.** (a) In order for a State to be eligible to participate in the program of grants to States from allotments under section 303, the Governor of the State shall, in accordance with regulations of the Secretary—

"(1) designate a State agency (hereinafter in this title referred to as 'the State agency') to (A) develop the State plan to be submitted to the Secretary for approval under section 305, (B) administer the State plan within such State, (C) be primarily responsible for the coordination of all State activities related to the purposes of this Act, and (D) review and comment on, at the request of any Federal department or agency, any application from any agency or organization within such State to such Federal department or agency for assistance related to meeting the needs of older persons;

"(2) divide the entire State into distinct areas (hereinafter in this title referred to as 'planning and service areas'), after considering the incidence of the need for social services, the distribution of resources available to provide such services, the boundaries of existing areas within the State which have been delineated or established by the State for the purposes of planning and development, the location of units of general purpose local government within the State, and any other relevant factors;

"(3) determine for which planning and service areas an area plan will be developed, in accordance with subsection (c) of this section, and for each such area designate, after consideration of the views offered by the unit or units of general purpose local government in such area, a public or nonprofit private agency or organization as the area agency on aging for such area; and

"(4) provide assurances satisfactory to the Secretary that the State agency will take into account, in connection with matters of general policy arising in the development and administration of the State plan for any fiscal year, the views of recipients of social services provided under such plan.

"Area Organization

"(b) In order to be eligible for designation under subsection (a), an area agency on aging—

"(1) must be—

"(A) an office or agency designated by the chief elected official or officials of a combination of units of general purpose local government to act on behalf of such combination for this purpose;

"(B) an office or agency of a unit of general purpose local government which is designated for this purpose by the chief elected official or officials of such unit, or

"(C) a public or nonprofit private agency which is under the supervision or direction for this purpose of the designated State agency and which can engage in the planning or provision of a broad range of social services within a planning and service area, and

"(2) must provide assurance, found adequate by the Governor, that it will have the ability to develop an area plan and to carry out, directly or through contractual or other arrangements, a program pursuant to that plan within the planning and service area.

The Governor may designate an agency de-

scribed in clause (1)(C) of this subsection for a planning and service area only if he finds that no office or agency described in clause (1)(A) or (B) for the planning and service area will have the capacity to carry out the area plan.

"Area Plans

"(c) In order to be approved by the State agency, an area plan for a planning and service area shall be developed by the area agency on aging designated with respect to such area under subsection (a) and shall—

"(1) to provide for the establishment of a coordinated system for the delivery of social services within the planning and service area covered by the plan, including determining the need for social services in such area, evaluating the effectiveness of the use of resources in meeting such need, and entering into agreements with providers of social services in such area, for the provision of such services to meet such need;

"(2) in accordance with criteria, established by the Secretary by regulation, relating to priorities, provide for the initiation, expansion, or improvement of social services in the planning and service area covered by the area plan, including planning on a continuing basis with providers of social services in such area to insure the provision, when financial assistance therefor under this title is no longer available, of such services without such assistance;

"(3) provide that the area agency on aging will—

"(A) conduct periodic evaluations of activities carried out pursuant to the area plan;

"(B) render appropriate technical assistance to providers of social services in the planning and service area covered by the area plan; and

"(C) take into account, in connection with matters of general policy arising in the development and administration of the area plan, the views of recipients of services under such plan; and

"(4) specify the activities in the planning and service area covered by the area plan which were assisted with funds made available under title III of this Act prior to enactment of the Older Americans Comprehensive Services Amendments of 1973 and specify each of such activities (A) which will not continue to receive assistance under the area plan, and (B) which will continue to receive assistance under the area plan.

"STATE PLANS

"Sec. 305. (a) In order for a State to be eligible for grants for a fiscal year from its allotment under section 303, except as provided in section 306(b), it shall submit to the Secretary a State plan for such year which meets such criteria as the Secretary may prescribe by regulation and which—

"(1) provides that the State agency will evaluate the need for social services within the State and determine the extent to which existing public or private grants meet such need;

"(2) provides for the use of such methods of administration (including methods relating to the establishment and maintenance of personnel standards on a merit basis, except that the Secretary shall exercise no authority with respect to the selection, tenure of office, or compensation of an individual employed in accordance with such methods) as are necessary for the proper and efficient administration of the plan;

"(3) provides that the State agency will make such reports, in such form, and containing such information, as the Secretary may from time to time require, and comply with such requirements as the Secretary may impose to assure the correctness of such reports;

"(4) provides that the State agency will conduct periodic evaluations of activities and projects carried out under the State plan;

"(5) establishes objectives, consistent with the purposes of this title, toward which activities under the plan will be directed, identifies obstacles to the attainment of those objectives, and indicates how it proposes to overcome those obstacles;

"(6) provides, in any case in which an individual is able to participate in the cost of social services provided to him under the State plan, for such participation (in accordance with regulations prescribed by the Secretary in the light of such ability);

"(7) provides that no social service will be provided by the State agency or an area agency on aging, except where, in the judgment of the State agency, (A) provision of such service by the State agency or an area agency on aging is necessary to assure an adequate supply of such service and (B) payment for such service is not available from other sources;

"(8) provides that each area agency on aging designated pursuant to section 304(a) (3) will develop and submit to the State agency for approval an area plan which complies with section 304(c); and

"(9) specifies the activities in the State which were assisted with sums made available under title III of this Act prior to enactment of the Older Americans Comprehensive Services Amendments of 1973 and specifies each of such activities (A) which will not continue to receive assistance under the State plan submitted pursuant to this section, and (B) which will continue to receive assistance under the State plan submitted pursuant to this section.

"(b) The Secretary shall approve any State plan which he finds fulfills the requirements of subsection (a) of this section.

"(c) The Secretary shall not finally disapprove any State plan, or any modification thereof, or make a final determination that a State is ineligible under section 304, without first affording the State reasonable notice and opportunity for a hearing.

"(d) Whenever the Secretary, after reasonable notice and opportunity for hearing to the State agency, finds that—

"(1) the State is no longer eligible under section 304,

"(2) the State plan has been so changed that it no longer complies with the provisions of subsection (a), or

"(3) in the administration of the plan there is a failure to comply substantially with any such provision,

the Secretary shall notify such State agency that no further payments from its allotment under section 303 will be made to the State (or, in his discretion, that further payments to the State will be limited to projects under or portions of the State plan not affected by such failure), until he is satisfied that there will no longer be any failure to comply. Until he is so satisfied, no further payments shall be made to such State from its allotment under this title (or payments shall be limited to projects under or portions of the State plan not affected by such failure).

"(e) A State which is dissatisfied with a final action of the Secretary under subsection (b), (c), or (d) may appeal to the United States court of appeals for the circuit in which the State is located, by filing a petition with such court within sixty days after such final action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Secretary, or any officer designated by him for that purpose. 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. Upon the filing of such petition, the court shall have jurisdiction to affirm the action of the Secretary or to set it aside, in whole or in part, temporarily or permanently, but until the filing of the record, the Secretary may modify or set aside his order. The findings of the Secretary as to the facts, 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, and the Secretary may thereupon make new or modified findings of fact and may modify his previous action, and shall file in the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence. The judgment of the court affirming or setting aside, in whole or in part, any action of the Secretary shall be final, 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. The commencement of proceedings under this subsection shall not, unless so specifically ordered by the court, operate as a stay of the Secretary's action.

"PAYMENTS

SEC. 306. (a) From a State's allotment under section 303 for fiscal year—

"(1) an amount equal to 15 per centum thereof (but not less than \$50,000 in the case of the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands, or \$100,000 in the case of any other State) shall be available only for paying such percentage as the State agency determines, but not more than 75 per centum, of the cost of administration of the State plan; and

"(2) such amount as the State agency determines, but not more than 15 per centum thereof, shall be available for paying such percentage as such agency determines, but not more than 75 per centum, of the cost of administration of area plans.

The remainder of such allotment shall be available to such State only for paying—

"(3) such percentage as the Secretary determines, but not more than 90 per centum, of the cost of social services provided under a program or project approved by the area agency on aging in a planning and service area for which there is an area plan approved by the State agency, and

"(4) in the case of social services provided under a program or project approved by the State agency under the State plan in a planning and service area for which there is no area plan approved by the State agency, such percentage as such agency determines, but not more than 75 per centum of the cost of such services for the first year they are so provided, not more than 60 per centum of such cost for the second year they are so provided, and not more than 50 per centum of the cost of such services for the third year they are so provided, except that not more than 20 per centum of an allotment to State under section 303 for a fiscal year shall be available for payments for social services provided in a planning and service area for which there is no area plan approved by the State agency.

"(b) Payments of grants or contracts under this title may be made (after necessary adjustments on account of previously made overpayments or underpayments) in advance or by way of reimbursement, and in such installments, as the Secretary may determine. From the portion of a State's allotment for a fiscal year which is available pursuant to subsection (a)(1), the Secretary may pay to a State which does not have a State plan approved under section 303 such amounts as he deems appropriate for the purpose of assisting such State in developing a State plan. From a State's allotment for a fiscal year which is available pursuant to section 303, the Secretary may, during the period ending one year after the date of enactment of the Older Americans Comprehensive Services Amendments of 1973, pay, in accordance with such regulations as he may prescribe, to a State which does not have a State plan approved under section 305, such amounts as he deems appropriate for the purpose of continuing Federal financial assistance for activities assisted under the plan of such State approved under section 303 of this Act prior to enactment of the Older Americans

Comprehensive Services Amendments of 1973.

"(c) No allotment to a State under this title shall be available for making payments with respect to any program or project for providing social services under a State plan approved under section 305 after payments have been made from such allotments with respect to such program or project for a period of time equal to three calendar years. No allotment to a State under this title shall be available for making payments with respect to the administration of an area plan approved under section 305(a)(8) after payments have been made from such allotments with respect to the administration of such plan for a period of time equal to three calendar years.

"(d) Not less than 25 per centum of the non-Federal share (pursuant to subsection (a) of this section) of the total expenditures under a State plan approved under this Act for any fiscal year shall be met from funds from State or local public sources. For the purposes of the preceding sentence, fees charged by a State or local public agency for services provided under a State plan approved under this Act shall not be considered funds from State or local public sources.

"(e) A State's allotment under section 303 for a fiscal year shall be reduced by the percentage (if any) by which its expenditures for such year from State sources under its State plan approved under section 305 are less than its expenditures from such sources for the preceding fiscal year.

"MODEL PROJECTS

"SEC. 307. (a) The Secretary may, after consultation with the State agency, or the Governor of the State where there is no State agency, make grants to or contracts with any public or nonprofit private agency or organization within such State for paying part or all of the cost of developing of operating statewide, regional metropolitan area, county, city, or community model projects which will expand or improve social services or otherwise promote the well-being of older persons.

"(b) There are authorized to be appropriated for grants and contracts under this section \$16,000,000 for the fiscal year ending June 30, 1973, \$16,000,000 for the fiscal year ending June 30, 1974, and such sums as may be necessary for each fiscal year thereafter.

"AVAILABILITY OF SURPLUS COMMODITIES

"SEC. 308. Agricultural commodities and products purchased by the Secretary of Agriculture under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c) may be donated to public or nonprofit private agencies or organizations to be used for providing nutritional services in accordance with the provisions of this title."

"AVAILABILITY OF SURPLUS COMMODITIES UNDER TITLE VII

SEC. 3. Section 707 of the Older Americans Act of 1965 is amended to read as follows:

"AVAILABILITY OF SURPLUS COMMODITIES

"SEC. 707. Agricultural commodities and products purchased by the Secretary of Agriculture under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c) may be donated to a recipient of a grant or contract to be used for providing nutritional services in accordance with the provisions of this title."

"COORDINATION OF TITLE III AND TITLE VII

SEC. 4. Section 705(a) of the Older Americans Act of 1965 is amended by adding at the end thereof the following new paragraph:

"(5) provide that, wherever possible, nutrition projects assisted under this title shall be made a part of the coordinated systems established under title III of this Act."

"STATE PLANNING UNDER TITLE VII

"SEC. 5. Section 705(a)(2)(B) of the Older Americans Act of 1965 is amended by inserting "for the fiscal year ending June 30, 1973,"

following "administrative cost"; by striking out "any fiscal year" and inserting in lieu thereof "such fiscal year"; and by adding at the end of the first sentence thereof the following sentence: "For the fiscal years ending after June 30, 1973, funds allotted to a State for State planning and administration pursuant to section 306 of this Act may be used for the administration of the State plan submitted pursuant to this section, except that wherever the Governor of the State designates an agency other than the agency designated under section 304(a)(1) of this Act, then the Secretary shall determine that portion of a State's allotment under section 306 which shall be available to the agency designated under section 705(a)(1) for planning and administration."

EXTENSION OF APPROPRIATIONS AUTHORIZATIONS

SEC. 6. Section 803 of the Older Americans Act of 1965 is amended by striking out "during the fiscal year ending June 30, 1966, and each of the six succeeding fiscal years", in the first sentence thereof, by striking out "and" before "\$20,000,000" in the second sentence thereof, and by inserting before the period at the end thereof ", \$7,000,000 for the fiscal year ending June 30, 1973, \$7,000,000 for the fiscal year ending June 30, 1974, and such sums as may be necessary for each fiscal year thereafter".

EVALUATION

SEC. 7. Section 804 of the Older Americans Act of 1965 is amended by striking out "or VI".

REPEAL OF STUDY AUTHORIZATION

SEC. 8. Title V of the Older Americans Act of 1965 is amended by striking out section 503 thereof.

CONFORMING AMENDMENTS

SEC. 9. The Older Americans Act of 1965 is further amended by striking out—

(1) "303" in section 402(c) and inserting in lieu thereof "304";

(2) "303" in section 502(c) and inserting in lieu thereof "304";

(3) "303" in the first sentence of section 601(a) and inserting in lieu thereof "304";

(4) "303" in section 601(c) and inserting in lieu thereof "304";

(5) "303" in section 612(a)(2)(A) and inserting in lieu thereof "304";

(6) "303" in section 612(a)(3)(C) and inserting in lieu thereof "304";

(7) "303" the first time it appears in the first sentence of section 705(a) and inserting in lieu thereof "304" and "303" the second time it appears in such sentence and inserting in lieu thereof "305"; and

(8) "303" in section 705(a)(1) and inserting in lieu thereof "304".

EFFECTIVE DATE OF AMENDMENTS TO SECTION 305

SEC. 10. The amendments made by this Act shall become effective upon enactment, except that the provisions of section 305 of the Older Americans Act of 1965, as effective prior to such enactment, shall remain effective with respect to appropriations made prior to July 1, 1973, which are available for projects assisted under such section.

Mr. LANDGREBE (during the reading). Mr. Chairman, I ask unanimous consent that further reading of the amendment in the nature of a substitute be dispensed with, and that it may be printed in the RECORD.

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

There was no objection.

Mr. LANDGREBE. Mr. Chairman, I took about 10 minutes or 12 minutes during general debate to express my deep sentiments and views in opposition to H.R. 71, and I will now consume these

5 minutes that I have in trying as best I can to convince the Members of this body that they ought to vote for the substitute amendment that I am offering to this bill.

Mr. Chairman, the amendment I have offered contains the same basic reworking of title III that was recommended by the Department of Health, Education, and Welfare, and that has been incorporated into H.R. 71. In addition, however, it contains the following title III changes also recommended by HEW, but not incorporated into H.R. 71.

They are as follows:

First, to provide a 3-year limitation on funding of social service projects and area plan administration;

Second, to provide for a 3-year declining Federal matching rate on funding for social service projects not funded pursuant to an area plan;

Third, to provide authority for regulating fees charged by providers of services; and,

Fourth, to change the authorization levels to the figures in the President's budget.

The declining Federal matching rate, 75 percent, 60 percent, and down to 50 percent, and the 3-year limitation on funding of social service projects and area plan administration are an essential part of the administration's title III strategy. H.R. 71, on the other hand, would provide permanent Federal funding, rather than having States and localities assume financial responsibility for aging programs after an initial period of Federal financial assistance.

The time limitation contained in my amendment would, in contrast, allow new funds to be channeled to new programs and new agencies at the end of 3 years. The declining Federal share would mean that the community would have to match at the 3-year period, thus preparing each project and area to become self-sustaining.

The change regarding fee regulation would provide authority to charge fees for services based upon ability to pay, and is in keeping with the administration's policy of focusing free services on the poorest recipients.

The authorizations of "such sums as may be necessary"—I have placed into the substitute bill as introduced the President's budget figures of \$257 million for 1973, \$244 million for 1974, and "such sums as may be necessary" after that date—provided for in my amendment in my opinion is a sounder managerial approach, and avoids the "expectation gap" that is created by excessive authorizations.

Thus my amendment extends, improves and strengthens the Older Americans Act. It does not, however, contain any of the objectionable provisions which resulted in a veto of last year's amendments to this act. Gone are the excessive authorizations levels; gone are the unnecessary, cost-inflating, tacked-on categorical and duplicative programs; gone are the restrictive and unworkable reorganization changes of HEW. Gone is title IX, opposed very strongly by the Department of Labor.

Mr. Chairman, my amendment improves the Older Americans Act in ac-

cordance with the Nixon administration's generous support of the elderly, but avoids the provisions of H.R. 71 which increases costs enormously while doing little to actually provide better services to the elderly—perhaps not merely doing little, but maybe doing harm to that program.

I urge all Members to join me in support of my amendment to H.R. 71.

The CHAIRMAN. The time of the gentleman has expired.

Mr. PERKINS. Mr. Chairman, I rise in opposition to the substitute. We have been talking about responsibility. In my judgment, the substitute is a most irresponsible way to legislate in that it makes the basic program and other programs permanent programs. The basic program, the model projects program and the training and research programs are made permanent programs under the substitute, whereas under the committee bill, they are extended for only 3 years.

Moreover, under the substitute beginning in fiscal year 1975 and every year thereafter, these programs will have an openended authorization. The substitute provides an authorization beginning in fiscal year 1975 of such sums as are necessary for fiscal year 1975 and every year thereafter. The committee bill I repeat is only a 3-year bill with ceilings on the amounts which may be appropriated.

In connection with this matter of authorizations, may I remind my colleagues that the authorizations in the committee bill are \$605,000,000 less than the total authorization in the vetoed bill. This is approximately a 32-percent reduction. The authorization for the basic program over the 3-year period is reduced by a total of \$165,000,000. The authorizations for fiscal year 1973 in the committee bill reflect our serious consideration of the budget request; \$85,000,000 is authorized for the basic program. Pursuant to that authority, the President has requested \$68,000,000, a difference of only \$17,000,000. In contrast, the substitute places the authorization levels at the budget request. The effect would be to tie the hands of the Appropriations Committee. It would also lessen the flexibility of the President. There would be no room in either the executive or the congressional process to increase funds for the title III program in the event this might be necessary or desirable.

May I remind my colleagues that the President revised his original budget for the title III program in 1972, and in a supplemental request asked for additional funds beyond his original request. Such a request would not be possible if we place the authorizations precisely at the budget figures as is suggested by the substitute for fiscal year 1973 and fiscal year 1974.

The substitute does not extend the foster grandparents nor the RSVP program. I know that my colleagues are aware of the great contribution these programs have made over the last few years, and I suggest that the Members wish to see these programs extended. They are extended through fiscal year 1975 by the committee bill. They are not extended in the substitute.

There is probably no one aspect of H.R. 71 which is more necessary than those provisions dealing with the organization of the Administration on Aging. In recent years the Administration on Aging has been downgraded because of spinoffs and delegations. The responsibilities of the Commissioner have been progressively lessened. The substitute would simply continue existing practices which might very easily result in pushing the Administration on Aging further down into the HEW bureaucracy.

The sponsor of the substitute complains about what he calls the unnecessary proliferation of categorical programs in the committee bill. In many respects older Americans are the forgotten citizens of this Nation, and it was because of this that we enacted the original act in 1965. In order to make sure that the elderly are not forgotten, it is not only desirable but in many instances necessary that there be a categorical approach.

As an example, only 6 percent of the emergency employment program consists of persons over 55 years of age. They comprise, however, more than double the percentage of the unemployed. This is justification in and of itself for the title IX categorical program to provide employment for older Americans.

The administration itself recognizes the importance of categorical approaches. The title VII nutrition program is a categorical program and it has enjoyed the enthusiastic support of the administration. In fiscal year 1973, \$100,000—the full authorization—was requested for this program.

Other categorical programs in H.R. 71 are proposed because the committee has found that in certain existing programs, the plight and need of elderly citizens are not recognized or that there are particular programs which might very appropriately be utilized to better assist the aging.

Mr. Chairman, the substitute should be voted down. The committee bill is a sound program which realistically addressed the needs of older Americans. The committee bill is a stronger and more efficient measure for meeting the documented need. Do not be fooled by the camouflage of lower authorizations for fiscal year 1973 and fiscal year 1974. Remember that in fiscal year 1975 under the substitute, there is an open-ended authorization and such is authorized for every year thereafter.

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

Mr. Chairman, I am supporting the Landgrebe substitute for several reasons, but first and foremost because of the dollar level of the authorization. As I understand it, the committee bill would authorize expenditures here of \$371 million in excess of the President's budget. Here we are, early in the session, on one of the very first bills, authorizing a piece of legislation which is \$371 million over what the President has proposed to spend in this year. As we move through the months ahead there are going to be all kinds of proposals coming before us in education, training, health, welfare, and what have you. If we add \$300 or \$400 million here and \$300 or \$400 million

there—and we have seen some health, education, and welfare bills come before us with even bigger increases in the past few years—we will have a situation where we will be adding \$2, \$3, \$4, or \$5 billion more than the President's budget. How can we go back to our people with these kinds of increases in expenditures and not be for a tax increase?

We just cannot be that irresponsible. Mrs. GRIFFITHS, the gentlewoman from Michigan, earlier in the general debate made a good point. She said that there is a proliferation of programs for the aged, particularly in view of the most recent social security amendments. I would have to agree with that.

Admittedly, this program expires June 30 of this year and must be extended. The Landgrebe substitute does extend the act in a number of areas. We are, of course, currently funding ongoing programs in many of these same areas to be further authorized by the legislation.

State agency activities, planning and social service programs, are already underway with special emphasis on housing, transportation, continuing education, and special needs of the mentally and physically handicapped.

These are in the budget currently and are going to be ongoing, continuing programs; nutrition, is another at \$100 million.

The chairman, Mr. PERKINS, said earlier in the debate that we are not doing enough for the elderly. I would have to disagree, and let me tell you why. The cornerstone of HEW's efforts to strengthen individual security and initiative are programs which supply cash assistance to people in need.

The 1974 budget would provide nearly \$61.5 billion in various kinds of cash payments, or an increase of \$6 billion over 1973. Over 65 percent of the budget is for this purpose.

By far the largest single component of these programs, is cash assistance for the aged such as the social security system and the supplemental security income the new name for the federalized program of public assistance for the aged, the blind, and disabled.

Forty-three and four-tenths billion dollars will be spent in the form of monthly benefit checks to the aged in 1974, an increase of \$4.9 billion over 1973.

It seems to me that this in itself is argument enough for those to us who might be on the fence here as to what is the proper route to take. Admittedly, everybody wants to be for programs to assist the aged, but we are talking here about authorizing a dollar level of expenditure, and in so doing we have to keep in mind our overall budget constraints. If we exceed the budget by hundreds of millions on this one piece of legislation we have to be willing to ask for the taxes needed for the higher level. Unless you are willing to do that, you should be supporting the Landgrebe substitute.

Finally, if I might make the point, the group in the American economy which suffers the most by inflation are those on fixed incomes, our elderly people. By supporting the substitute you can still be on the side of our elderly, but at a more

reasonable dollar level. That is why this Member is supporting the Landgrebe substitute.

I hope a considerable number of other Members will do likewise.

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

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

Mr. ASHBROOK. Mr. Chairman, I thank the gentleman for his statement. In just a few moments, I think he has delivered one of the most succinct and understandable statements we have heard.

I think the vast majority of people would agree, and be in favor of checking inflation. I think it is an irony that those who profess concern for the elderly are the very ones who want more inflation, more erosion of our dollar, and counter the efforts of the administration to cut down on these forces.

I think the gentleman made a very excellent statement. I know the vast majority of Americans will agree. I hope the Members of the House will also agree.

Mr. MICHEL. That opportunity will soon be here and I do thank the gentleman for his kind remarks.

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

Mr. Chairman, I want to associate myself with the remarks of the distinguished gentleman from Illinois (Mr. MICHEL).

He has the task of serving on the appropriations subcommittee which has to make the decisions on the dollars which are going to be spent.

It is very easy to authorize. Here we are in this legislation authorizing, and as I read it, for 1973 the sum of \$277 million, increasing in 1974 to \$470 million, and in 1975 to \$627 million.

One of my good colleagues in jest said that this gives the Committee on Appropriations a great deal of flexibility. Yes; it certainly does, but we have the task, as I see it, of bringing some fiscal reform and fiscal responsibility to the Government.

Senior citizens, in my opinion, are just as concerned about that as any of the rest of us.

I know it is not going to be popular, and it is not popular, to stand up and express opposition to legislation of this kind, because that is easily misunderstood. Some will say, "Well, you do not care about the older Americans." Of course, that is not the case at all.

Let us look at what the situation is fiscally and financially in this country. This year we are going to close the books with a \$25 billion deficit, and that is at the President's requested expenditure of \$250 billion. If the Congress had had its way, the expenditure this year would have been \$261 billion, with a deficit of \$36 billion for this year.

So we have some reform to do. I thought we were going to do it. Last year, when we increased the debt limit, we set up a joint committee between the House and the Senate, on which I serve, and it is the responsibility of the committee to gather to the Congress its authority over expenditures and to assert some responsibility ourselves. Yet, before our hearings

are even concluded or any decisions are made we are getting from the legislative committees bills every week in excess of what the President is requesting in the way of authorizations. I think we are being completely irresponsible.

Now, the President has suggested a spending ceiling in 1974 of \$268.7 billion. The joint committee is supposed to come in with its own spending ceiling.

I should like to ask the chairman of the committee what he is going to do, after this committee meets and decides that the ceiling is going to be thus and so, and tells the committee what the authorization will be. Will he be abiding by it?

Mr. PERKINS. Mr. Chairman, let me say to my distinguished colleague that the bill has been cut back \$605 million, as contrasted with the vetoed bill. When we consider the needs of the elderly as well documented in our hearings the authorizations in this bill are reasonable. There is nothing unreasonable about them. They are in fact conservative when compared with the expressed need.

In the substitute there are open-ended authorizations for permanent programs. In my judgment the committee bill is the responsible approach.

Mr. CEDERBERG. No; I do not agree with the gentleman at all. When we increase this authorization to the extent that it is being increased from fiscal year to fiscal year we have built-in pressures for increased expenditures. Nobody knows that more than the gentleman from Kentucky, the chairman of the committee, because he has been a part of the full-funding program in education. We went down that road in education, and we will go down it here because of these requested increases in expenditures.

So far as I am concerned, I have just as much concern for the elderly citizens as anyone else. I have concern for the taxpayers. They are taxpayers.

We can do the job under the Landgrebe substitute in a more orderly, reasonable and sensible manner, and still preserve some fiscal integrity, which I thought the Congress said it wanted.

I am not convinced yet that we are going to have the will to hold things in line, because of the legislation coming out from every committee. We are going to have another bill tomorrow, and no one seems to care one bit about what happens to the financial affairs of the country or what the deficits are going to be or what the tax increases are that are going to be necessary.

I find that when the tax increases become necessary the very ones who stand up and vote against the tax increases are the ones who have always been going down the line for spending the money.

The CHAIRMAN. The question is on the amendment in the nature of a substitute offered by the gentleman from Indiana (Mr. LANDGREBE).

RECORDED VOTE

Mr. GERALD R. FORD. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—yeas 168, nays 229, not voting 34, as follows:

[Roll No. 44]

YEAS—168

Abdnor	Gross	Pickle
Andrews, N.C.	Grover	Powell, Ohio
Archer	Gunter	Preyer
Arends	Guyer	Quillen
Armstrong	Haley	Regula
Ashbrook	Hammer-	Rhodes
Baker	schmidt	Roberts
Beard	Hanrahan	Robinson, Va.
Bennett	Hastings	Robinson, N.Y.
Blackburn	Hebert	Rogers
Bray	Henderson	Roncallo, N.Y.
Brinkley	Hillis	Rousselot
Brotzman	Hinshaw	Runnels
Brown, Mich.	Holt	Ruth
Brown, Ohio	Huber	Sandman
Broyhill, N.C.	Hudnut	Satterfield
Broyhill, Va.	Hunt	Saylor
Buchanan	Hutchinson	Scherle
Burgener	Jarman	Schneebell
Burke, Fla.	Johnson, Colo.	Sebelius
Burleson, Tex.	Johnson, Pa.	Shriver
Burlison, Mo.	Jones, N.C.	Shuster
Butler	Jones, Okla.	Sikes
Byron	Keating	Skubitz
Camp	Kemp	Smith, N.Y.
Casey, Tex.	Ketchum	Snyder
Cederberg	Kuykendall	Spence
Chamberlain	Landgrebe	Stanton,
Clancy	Landrum	J. William
Clausen,	Latta	Steed
Don H.	Lott	Steiger, Ariz.
Clawson, Del.	Lujan	Stuckey
Cochran	McClory	Symms
Collins	McCollister	Taylor, Mo.
Conable	Madigan	Teague, Calif.
Conlan	Mahon	Teague, Tex.
Coughlin	Mallary	Thomson, Wis.
Crane	Mann	Thone
Daniel, Dan	Maraziti	Towell, Nev.
Daniel, Robert	Martin, Nebr.	Treen
W., Jr.	Martin, N.C.	Veysey
Davis, Wis.	Matthias, Calif.	Waggoner
Dennis	Michel	Wampler
Derwinski	Milford	Ware
Devine	Miller	Whitehurst
Dickinson	Mills, Md.	Whitten
Downing	Minshall, Ohio	Wiggins
Duncan	Mitchell, N.Y.	Williams
Edwards, Ala.	Mizell	Wilson, Bob
Findley	Montgomery	Winn
Fisher	Moorhead,	Wydler
Flynt	Calif.	Wylie
Ford, Gerald R.	Myers	Wyman
Fountain	Neisen	Young, Fla.
Froehlich	O'Brien	Young, Ill.
Gettys	Parris	Young, S.C.
Goldwater	Passman	Zion
Goodling	Pettis	

NAYS—229

Abzug	Daniels,	Ginn
Adams	Dominick V.	Gonzalez
Addabbo	Danielson	Grasso
Alexander	Davis, S.C.	Gray
Anderson,	de la Garza	Green, Oreg.
Calif.	Dellenback	Green, Pa.
Anderson, Ill.	Dellums	Griffiths
Andrews,	Denholm	Gubser
N. Dak.	Dent	Gude
Annunzio	Diggs	Hamilton
Ashley	Dingell	Hanley
Aspin	Donohue	Hanna
Bevill	Dorn	Hansen, Idaho
Blester	Drinan	Hansen, Wash.
Bingham	Dulski	Harrington
Boiland	du Pont	Hawkins
Bolling	Eckhardt	Hays
Bowen	Edwards, Calif.	Hechler, W. Va.
Brademas	Ellberg	Heckler, Mass.
Brasco	Erlenborn	Heinz
Breaux	Esch	Helstoski
Breckinridge	Eshleman	Hicks
Broomfield	Evans, Colo.	Hogan
Brown, Calif.	Evins, Tenn.	Holtzman
Burke, Calif.	Fascell	Horton
Burke, Mass.	Fish	Howard
Burton	Flood	Hungate
Carey, N.Y.	Flowers	Ichord
Carney, Ohio	Foley	Johnson, Calif.
Carter	Ford,	Jones, Ala.
Clark	William D.	Jones, Tenn.
Clay	Forsythe	Jordan
Cleveland	Fraser	Karth
Cohen	Frenzel	Kastenmeier
Conte	Frey	Kazen
Conyers	Fulton	Kluczynski
Corman	Fugua	Koch
Cotter	Gaydos	Leggett
Cronein	Gialmo	Lehman
Culver	Gilman	Lent

Litton	Pepper	Stanton.
Long, La.	Perkins	James V.
Long, Md.	Peyser	Stark
McCloskey	Pike	Steele
McCormack	Poage	Stephens
McDade	Podell	Stokes
McFall	Price, Ill.	Stratton
McKay	Pritchard	Stubblefield
McKinney	Quie	Studds
McSpadden	Railsback	Sullivan
Macdonald	Randall	Symington
Madden	Rangel	Talcott
Maillard	Rees	Taylor, N.C.
Mathis, Ga.	Reid	Thompson, N.J.
Matsunaga	Reuss	Thornton
Mayne	Riegley	Tiernan
Mazzoli	Rinaldo	Udall
Meeds	Rodino	Ullman
Melcher	Roe	Van Deerlin
Metcalfe	Roncalio, Wyo.	Vander Jagt
Mezvinsky	Rooney, Pa.	Vanik
Minish	Rose	Vigorito
Mink	Rosenthal	Walsh
Mitchell, Md.	Rostenkowski	Whalen
Moakley	Roush	White
Mollohan	Royal	Wilson,
Morgan	Ruppe	Charles H.,
Mosher	Ryan	Calif.
Moss	St Germain	Wilson,
Murphy, Ill.	Sarasin	Charles, Tex.
Murphy, N.Y.	Sarbanes	Wolf
Natcher	Schroeder	Wright
Nezzi	Selberling	Wyatt
Obey	Shipley	Yates
O'Hara	Shoup	Yatron
O'Neill	Sisk	Young, Ga.
Owens	Slack	Young, Tex.
Patman	Smith, Iowa	Zablocki
Patten	Staggers	Zwach

NOT VOTING—34

Badillo	Delaney	Nichols
Bafalis	Frelinghuysen	Nix
Barrett	Gibbons	Price, Tex.
Bell	Harsha	Rarick
Bergland	Harvey	Rooney, N.Y.
Biaggi	Holifield	Roy
Blatnik	Hosmer	Steelman
Brooks	King	Steiger, Wis.
Chappell	Kyros	Waldie
Chisholm	McEwen	Widnall
Collier	Mills, Ark.	
Davis, Ga.	Moorhead, Pa.	

So the amendment in the nature of a substitute was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TITLE I—DECLARATION OF OBJECTIVES

FINDINGS AND PURPOSES

SEC. 101. The Congress finds that millions of older citizens in this Nation are suffering unnecessary harm from the lack of adequate services. It is therefore the purpose of this Act, in support of the objectives of the Older Americans Act of 1965, to—

(1) make available comprehensive programs which include a full range of health, education, and social services to our older citizens who need them,

(2) give full and special consideration to older citizens with special needs in planning such programs, and, pending the availability of such programs for all older citizens, give priority to the elderly with the greatest economic and social need,

(3) provide comprehensive programs which will assure the coordinated delivery of a full range of essential services to our older citizens, and, where applicable, also furnish meaningful employment opportunities for many individuals, including older persons, young persons, and volunteers from the community, and

(4) insure that the planning and operation of such programs will be undertaken as a partnership of older citizens, parents, and community, State and local governments, with appropriate assistance from the Federal Government.

SEC. 102. Section 101(8) of the Older Americans Act of 1965 is amended by inserting after "services" the following: ", including access to low-cost transportation".

TITLE II—ADMINISTRATION ON AGING

SEC. 201. (a) Section 201 of the Older Americans Act of 1965 is amended to read as follows:

"ESTABLISHMENT OF ADMINISTRATION ON AGING

"SEC. 201. (a) There is established in the Office of the Secretary an Administration on Aging (hereinafter in this Act referred to as the 'Administration') which shall be headed by a Commissioner on Aging (hereinafter in this Act referred to as the 'Commissioner'). Except for title VI and as otherwise specifically provided by the Comprehensive Older Americans Services Amendments of 1973, the Administration shall be the principal agency for carrying out this Act. In the performance of his functions, he shall be directly responsible to the Secretary and not to or through any other officer of that Department. The Commissioner shall not delegate any of his functions to any other officer who is not directly responsible to him unless he first submits a plan for such delegation to the Congress. Such delegation is effective at the end of the first period of thirty calendar days of continuous session of Congress after the date on which the plan for such delegation is transmitted to it, unless between the day of transmittal and the end of the thirty-day period either House passes a resolution stating in substance that that House does not favor such delegation. For the purpose of this section, continuing of session is broken only by an adjournment of Congress sine die, and the days on which either House is not in session because of an adjournment of more than three days to a day certain are excluded in the computation of the thirty-day period. Under provisions contained in a reorganization plan, a provision of the plan may be effective.

"(b) The Commissioner shall be appointed by the President by and with the advice and consent of the Senate."

"(b) (1) Section 202(4) of the Older Americans Act of 1965 is amended to read as follows:

"(4) develop plans, conduct and arrange for research in the field of aging, and assist in the establishment of and carry out programs designed to meet the needs of older persons for social services, including nutrition, hospitalization, preretirement training, continuing education, low-cost transportation and housing, and health services;"

"(2) Section 202 of the Older Americans Act of 1965 is amended by striking out "and" at the end of paragraph (7), by striking out the period at the end of paragraph (8) and inserting in lieu thereof "; and", and by adding at the end thereof the following new paragraphs:

"(9) develop basic policies and set priorities with respect to the development and operation of programs and activities conducted under authority of this Act;

"(10) provide for the coordination of Federal programs and activities related to such purposes;

"(11) coordinate, and assist in, the planning and development by public (including Federal, State, and local agencies) and non-profit private organizations of programs for older persons, with view to the establishment of a nationwide network of comprehensive, coordinated services and opportunities for such persons;

"(12) convene conferences of such authorities and officials of public (including Federal, State, and local agencies) and non-profit private organizations concerned with the development and operation of programs for older persons as the Commissioner deems necessary or proper for the development and implementation of policies related to the purposes of this Act;

"(13) develop and operate programs providing services and opportunities as author-

ized by this Act which are not otherwise provided by existing programs for older persons;

"(14) carry on a continuing evaluation of the programs and activities related to the purposes of this Act, with particular attention to the impact of medicare and medicaid, the Age Discrimination in Employment Act of 1967, and the programs of the National Housing Act relating to housing for the elderly and the setting of standards for the licensing of nursing homes, intermediate care homes, and other facilities providing care for older people;

"(15) provide information and assistance to private nonprofit organizations for the establishment and operation by them of programs and activities related to the purposes of this Act; and

"(16) develop, in coordination with other agencies, a national plan for meeting the needs for trained personnel in the field of aging, and for training persons for carrying out programs related to the purposes of this Act, and conduct and provide for the conducting of such training."

"(3) Section 202 of the Act (as amended by the preceding provisions of this subsection) is further amended by inserting "(a)" after "Sec. 202.", and by adding at the end thereof the following new subsection:

"(b) In executing his duties and functions under this Act and carrying out the programs and activities provided for by this Act, the Commissioner, in consultation with the Director of Action, shall take all possible steps to encourage and permit voluntary groups active in social services, including youth organizations active at the high school or college levels, to participate and be involved individually or through representative groups in such programs or activities to the maximum extent feasible, through the performance of advisory or consultative functions, and in other appropriate ways."

"(c) Title II of the Older Americans Act of 1965 is further amended by adding at the end thereof the following new sections:

"FEDERAL AGENCY COOPERATION

"SEC. 203. Federal agencies proposing to establish programs substantially related to the purposes of this Act shall consult with the Administration on Aging prior to the establishment of such services, and Federal agencies administering such programs shall cooperate with the Administration on Aging in carrying out such services.

"THE NATIONAL INFORMATION AND RESOURCE CLEARINGHOUSE FOR THE AGED

"SEC. 204. (a) The Commissioner is authorized and directed to establish and operate a National Information and Resources Clearinghouse for the Aging which shall—

"(1) collect, analyze, prepare, and disseminate information related to the needs and interests of older persons;

"(2) obtain information concerning older persons from public and private agencies and other organizations serving the needs and interests of older persons and furnish, upon request, information to such agencies and organizations, including information developed by Federal, State, and local public agencies with respect to programs of such agencies designed to serve the needs and interests of older persons;

"(3) encourage the establishment of State and local information centers and provide technical assistance to such centers, including sources established under section 304(c) (3) and section 305(a)(7), to assist older persons to have ready access to information; and

"(4) to carry out a special program for the collection and dissemination of information relevant to consumer interests of older persons in order that such older persons may more readily obtain information concerning goods and services needed by them.

"(b) The Commissioner shall take whatever action is necessary to achieve coordination of activities carried out or assisted by all departments, agencies, and instrumentalities of the Federal Government with respect to the collection, preparation, and dissemination of information relevant to older persons. To the extent practicable, the Commissioner shall carry out his functions under this subsection through the National Information and Resource Clearinghouse for the Aging.

"(c) There are authorized to be appropriated to carry out the purposes of this section \$750,000 for the fiscal year ending June 30, 1973, \$1,000,000 for the fiscal year ending June 30, 1974, and \$1,250,000 for the fiscal year ending June 30, 1975.

"FEDERAL COUNCIL ON THE AGING

"SEC. 205. (a) There is established a Federal Council on the Aging to be composed of fifteen members appointed by the President with the advice and consent of the Senate for terms of three years without regard to the provisions of title 5, United States Code. Members shall be appointed so as to be representative of older Americans, national organizations with an interest in aging, business, labor, and the general public. At least five of the members shall themselves be older persons.

"(b) (1) Of the members first appointed, five shall be appointed for a term of one year, five shall be appointed for a term of two years, and five shall be appointed for a term of three years, as designated by the President at the time of appointment.

"(2) Any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed only for the remainder of such term. Members shall be eligible for re-appointment and may serve after the expiration of their terms until their successors have taken office.

"(3) Any vacancy in the Council shall not affect its powers, but shall be filled in the same manner by which the original appointment was made.

"(4) Members of the Council shall, while serving on business of the Council, be entitled to receive compensation at a rate not to exceed the daily rate specified for grade GS-18 in section 5332 of title 5, United States Code, including traveltime, and while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as the expenses authorized by section 5703(b) of title 5, United States Code, for persons in the Government service employed intermittently.

"(c) The President shall designate the Chairman from among the members appointed to the Council. The Council shall meet at the call of the Chairman but not less often than four times a year. The Secretary and the Commissioner on Aging shall be ex officio members of the Council.

"(d) The Council shall—

"(1) advise and assist the President on matters relating to the special needs of older Americans;

"(2) assist the Commissioner in making the appraisal of needs required by section 402;

"(3) review and evaluate, on a continuing basis, Federal policies regarding the aging and programs and other activities affecting the aging conducted or assisted by all Federal departments and agencies for the purpose of appraising their value and their impact on the lives of older Americans; and

"(4) serve as a spokesman on behalf of older Americans by making recommendations to the President, to the Secretary, the Commissioner, and to the Congress with respect to Federal policies regarding the aging and federally conducted or assisted programs

and other activities relating to or affecting them;

"(5) inform the public about the problems and needs of the aging, in consultation with the National Information and Resource Clearinghouse for the Aging, by collecting and disseminating information, conducting or commissioning studies and publishing the results thereof, and by issuing publications and reports; and

"(6) provide public forums for discussing and publicizing the problems and needs of the aging and obtaining information relating thereto by conducting public hearings and by conducting or sponsoring conferences, workshops, and other such meetings.

"(e) The Secretary and the Commissioner shall make available to the Council such staff, information, and other assistance as it may require to carry out its activities.

"(f) Beginning with the year 1974 the Council shall make such interim reports as it deems advisable and an annual report of its findings and recommendations to the President no later than March 31 of each year. The President shall transmit each such report to the Congress together with his comments and recommendations.

"(g) The Council shall undertake a study of the interrelationships of benefit programs for the elderly operated by Federal, State, and local government agencies. Following the completion of this study, the President shall submit to Congress no later than eighteen months after the enactment of this Act recommendations for bringing about greater uniformity of eligibility standards, and for eliminating the negative impact that one program's standards may have on another.

"(h) The Council shall undertake a study of the Combined impact of all taxes on the elderly—including but not limited to income, property, sales, and social security taxes. Upon completion of this study, but no later than eighteen months after enactment of this Act, the President shall submit to Congress, and to the Governors and legislatures of the States, the results thereof and such recommendations as he deems necessary.

"(i) (A) The Council shall, after consultation with the Secretary of Transportation and the Secretary of Housing and Urban Development, conduct a comprehensive study and survey of the transportation problems of older Americans with emphasis upon solutions that are practical and can be implemented in a timely fashion. In conducting the study and survey, the Council shall consider—

"(1) the use of all community transportation facilities, particularly public transportation systems, the possible use of school-buses, and excess Department of Defense vehicles; and

"(2) the need for revised and improved procedures for obtaining motor vehicle insurance by older Americans to be implemented for use in a coordinated transportation system.

"(B) Not later than June 30, 1975, the Council shall prepare and transmit to the Secretary, to the President, and to the Congress, a report on their findings and recommendations including a plan for implementation of improved transportation services for older Americans and recommendations for additional legislation, administrative and other measures to provide solutions to the transportation problems of older Americans.

"(C) In carrying out the study and survey, the Council is authorized to—

"(1) procure temporary and intermittent services of exports and consultants in accordance with section 3109 of title 5, United States Code, and

"(ii) secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality information, suggestions, estimates, and statistics for the purpose of this

section; and each such department, bureau, agency, board, commission, office, independent establishment, or instrumentality is authorized and directed, to the extent permitted by law, to furnish such information, suggestions, estimates, and statistics directly to the Council upon request by them.

"ADMINISTRATION OF THE ACT

"SEC. 206. (a) In carrying out the purposes of this Act, the Commissioner is authorized to:

"(1) provide consultative services and technical assistance to public or nonprofit agencies and organizations;

"(2) provide short-term training and technical instruction;

"(3) conduct research and demonstrations;

"(4) collect, prepare, publish, and disseminate special educational or informational materials, including reports of the projects for which funds are provided under this Act; and

"(5) provide staff and other technical assistance to the Federal Council on the Aging.

"(b) In administering his functions under this Act, the Commissioner may utilize the services and facilities of any agency of the Federal Government and of any other public or nonprofit agency or organization, in accordance with agreements between the Commissioner and the head thereof, and to pay therefor, in advance or by way of reimbursement, as may be provided in the agreement.

"(c) For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary.

"EVALUATION

"SEC. 207. (a) The Secretary shall measure and evaluate the impact of all programs authorized by this Act, their effectiveness in achieving stated goals in general, and in relation to their cost, their impact on related programs, and their structure and mechanisms for delivery of services, including, where appropriate, comparisons with appropriate control groups composed of persons who have not participated in such programs. Evaluations shall be conducted by persons not immediately involved in the administration of the program or project evaluated.

"(b) The Secretary may not make grants or contracts under section 308 or title IV of this Act until he has developed and published general standards to be used by him in evaluating the programs and projects assisted under such section or title. Results of evaluations conducted pursuant to such standards shall be included in the reports required by section 208.

"(c) In carrying out evaluations under this section, the Secretary shall, whenever possible, arrange to obtain the opinions of program and project participants about the strengths and weaknesses of the programs and projects.

"(d) The Secretary shall annually publish summaries of the results of evaluative research and evaluation of program and project impact and effectiveness, the full contents of which shall be available to Congress and the public.

"(e) The Secretary shall take the necessary action to assure that all studies, evaluations, proposals, and data produced or developed with Federal funds shall become the property of the United States.

"(f) Such information as the Secretary may deem necessary for purposes of the evaluations conducted under this section shall be made available to him, upon request by the departments and agencies of the executive branch.

"(g) The Secretary is authorized to use such sums as may be required, but not to exceed 1 per centum of the funds appropriated under this Act, or \$1,000,000, whichever is greater, to conduct program and project evaluations (directly, or by grants or contracts) as required by this title. In the case of allotments from such an appropriation,

the amount available for such allotments (and the amount deemed appropriated therefor) shall be reduced accordingly.

"REPORTS"

"SEC. 208. Not later than one hundred and twenty days after the close of each fiscal year, the Commissioner shall prepare and submit to the Congress a full and complete report on the activities carried out under this Act. Such annual reports shall include statistical data reflecting services and activities provided individuals during the preceding fiscal year.

"JOINT FUNDING OF PROJECTS"

"SEC. 209. Pursuant to regulations prescribed by the President, and to the extent consistent with the other provisions of this Act, where funds are provided for a single project by more than one Federal agency to an agency or organization assisted under this Act, the Federal agency principally involved may be designated to act for all in administering the funds provided.

"ADVANCE FUNDING"

"SEC. 210. (a) For the purpose of affording adequate notice of funding available under this Act, appropriations under this Act are authorized to be included in the appropriation Act for the fiscal year preceding the fiscal year for which they are available for obligation.

"(b) In order to effect a transition to the advance funding method of timing appropriation action, the amendment made by subsection (a) shall apply notwithstanding that its initial application will result in the enactment in the same year (whether in the same appropriation Act or otherwise) of two separate appropriations, one for the then current fiscal year and one for the succeeding fiscal year."

Sec. 202. Title VIII of the Older Americans Act of 1965 is hereby repealed.

TITLE III—GRANTS FOR STATE AND AREA PROGRAMS

SEC. 301. The Older Americans Act of 1965 is amended by striking out title III and inserting in lieu thereof the following new title:

"TITLE III—GRANTS FOR STATE AND COMMUNITY PROGRAMS ON AGING"

"PURPOSE"

"SEC. 301. It is the purpose of this title to encourage and assist State and local agencies to concentrate resources in order to develop greater capacity and foster the development of comprehensive and coordinated service systems to serve older persons by entering into new cooperative arrangements with each other and with providers of social services for planning for the provision of, and providing, social services and, where necessary, to reorganize or reassign functions, in order to—

"(1) secure and maintain maximum independence and dignity in a home environment for older persons capable of self-care with appropriate supportive services; and

"(2) remove individual and social barriers to economic and personal independence for older persons.

"DEFINITIONS"

"SEC. 302. For purposes of this title—

"(1) The term 'social services' means any of the following services which meet such standards as the Commissioner may prescribe:

"(A) health, continuing education, welfare, informational, recreational, homemaker, counseling, or referral services;

"(B) transportation services where necessary to facilitate access to social services;

"(C) services designed to encourage and assist older persons to use the facilities and services available to them;

"(D) services designed to assist older persons to obtain adequate housing;

"(E) services designed to assist older per-

sons in avoiding institutionalization, including preinstitutionalization evaluation and screening, and home health services; or

"(F) any other services;

if such services are necessary for the general welfare of older persons.

"(2) The term 'unit of general purpose local government' means (A) a political subdivision of the State whose authority is broad and general and is not limited to only one function or a combination of related functions, or (B) an Indian tribal organization.

"(3) The term 'comprehensive and coordinated system' means a system for providing all necessary social services in a manner designed to—

"(A) facilitate accessibility to and utilization of all social services provided within the geographic area served by such system by any public or private agency or organization;

"(B) develop and make the most efficient use of social services in meeting the needs of older persons; and

"(C) use available resources efficiently and with a minimum of duplication.

"AREA PLANNING AND SOCIAL SERVICE PROGRAMS"

"SEC. 303. (a) There are authorized to be appropriated \$85,000,000 for the fiscal year ending June 30, 1973, \$150,000,000 for the fiscal year ending June 30, 1974, and \$200,000,000 for the fiscal year ending June 30, 1975, to enable the Commissioner to make grants to each State with a State plan approved under section 305 for paying part of the cost (pursuant to subsection (e) of this section) of—

"(1) the administration of area plans by area agencies on aging designated pursuant to section 304(a)(2)(A), including the preparation of area plans on aging consistent with section 304(c) and the evaluation of activities carried out under such plans; and

"(2) the development of comprehensive and coordinated systems for the delivery of social services.

"(b) (1) From the sums authorized to be appropriated for the fiscal year ending June 30, 1973, under subsection (a) of this section, (A) Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands shall each be allotted an amount equal to one-fourth of 1 per centum of such sum, (B) each other State shall be allotted an amount equal to one-half of 1 per centum of such sum, and (C) from the remainder of the sum so appropriated, each State shall be allotted an additional amount which bears the same ratio to such remainder as the population aged sixty or over in such State bears to the population aged sixty or over in all States.

"(2) From the sums appropriated for the fiscal year ending June 30, 1974, and for the fiscal year ending June 30, 1975, each State shall be allotted an amount which bears the same ratio to such sum as the population aged sixty or over in such State bears to the population aged sixty or over in all States, except that (A) no State shall be allotted less than one-half of 1 per centum of the sum appropriated for the fiscal year for which the determination is made; (B) Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands shall each be allotted no less than one-fourth of 1 per centum of the sum appropriated for the fiscal year for which the determination is made; and (C) no State shall be allotted an amount less than that State received for the fiscal year ending June 30, 1973. For the purpose of the exception contained in clause (A) of this paragraph only, the term 'State' does not include Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

"(3) The number of persons aged sixty or over in any State and in all States shall be determined by the Commissioner on the basis of the most recent and satisfactory data available to him.

"(c) Whenever the Commissioner determines that any amount allotted to a State for fiscal year under this section will not be used by such State for carrying out the purpose for which the allotment was made, he shall make such amount available for carrying out such purpose to one or more other States to the extent he determines such other States will be able to use such additional amount for carrying out such purpose. Any amount made available to a State from an appropriation for a fiscal year pursuant to the preceding sentence shall, for purposes of this title, be regarded as part of such State's allotment (as determined under the preceding provisions of this section) for such year.

"(d) The allotment of a State under this section for the fiscal year ending June 30, 1973, shall remain available until the close of the following fiscal year.

"(e) From a State's allotment under this section for a fiscal year—

"(1) such amount as the State agency determines, but not more than 15 per centum thereof, shall be available for paying such percentage as such agency determines, but not more than 75 per centum, of the cost of administration of area plans; and

"(2) such amount as the State agency determines, but not more than 20 per centum thereof, shall be available for paying such percentage as such agency determines, but not more than 75 per centum, of the cost of social services which are not provided as a part of a comprehensive and coordinated system in planning and service areas for which there is an area plan approved by the State agency.

The remainder of such allotment shall be available to such State only for paying such percentage as the State agency determines, but not more than 90 per centum, of the cost of social services provided in the State as a part of comprehensive and coordinated systems in planning and service areas for which there is an area plan approved by the State agency.

"ORGANIZATION"

"State Organization"

"SEC. 304. (a) In order for a State to be eligible to participate in the programs of grants to States from allotments under section 303 and section 306—

"(1) the State shall, in accordance with regulations of the Commissioner, designate a State agency as the sole State agency (hereinafter in this title referred to as 'the State agency') to: (A) develop the State plan to be submitted to the Commissioner for approval under section 305, (B) administer the State plan within such State, (C) be primarily responsible for the coordination of all State activities related to the purposes of this Act, (D) review and comment on, at the request of any Federal department or agency, any application from any agency or organization within such State to such Federal department or agency for assistance related to meeting the needs of older persons; and (E) divide the entire State into distinct areas (hereinafter in this title referred to as 'planning and service areas'), after considering the geographical distribution of individuals aged sixty and older in the State, the incidence of the need for social services (including the numbers of older persons with low incomes residing in such areas), the distribution of resources available to provide such services, the boundaries of existing areas within the State which were drawn for the planning or administration of social services programs, the location of units of general purpose local government within the State, and any other relevant factors: *Provided*, That any unit of general purpose local government which has a population aged sixty or over of fifty thousand or more or which contains 15 per centum or more of the State's population aged sixty or over shall be designated as a planning and service area and

the State may include in any planning and service area designated pursuant to this provision such additional areas adjacent to the unit of general purpose local government so designated as the State determines to be necessary for the effective administration of the programs authorized by this title, and

"(2) the State agency designated pursuant to paragraph (1) shall—

"(A) determine for which planning and service areas an area plan will be developed, in accordance with subsection (c) of this section, and for each such area designate, after consideration of the views offered by the unit or units of general purpose local government in such area, a public or non-profit private agency or organization as the area agency on aging for such area; and

"(B) provide assurances satisfactory to the Commissioner that the State agency will take into account, in connection with matters of general policy arising in the development and administration of the State plan for any fiscal year, the views of recipients of social services provided under such plan.

"Area Organization

"(b) An area agency on aging designated under subsection (a) must be—

"(1) an established office on aging which is operating within a planning and service area designated pursuant to subsection (a) of this section, or

"(2) any office or agency of a unit of general purpose local government, which is designated for this purpose by the chief elected official or officials of such unit, or

"(3) any office or agency designated by the chief elected official or officials of a combination of units of general purpose local government to act on behalf of such combination for this purpose, or

"(4) any public or nonprofit private agency in a planning and service area which is under the supervision or direction for this purpose of the designated State agency and which can engage in the planning or provision of a broad range of social services within such planning and service area,

and must provide assurance, found adequate by the State agency, that it will have the ability to develop an area plan and to carry out, directly or through contractual or other arrangements, a program pursuant to the plan within the planning and service area. In designating an area agency on aging, the State agency shall give preference to an established office on aging, unless the State agency finds that no such office within the planning and service area will have the capacity to carry out the area plan.

"Area plans

"(c) In order to be approved by the State agency, an area plan for a planning and service area shall be developed by the area agency on aging designated with respect to such area under subsection (a) and shall

"(1) provide for the establishment of a comprehensive and coordinated system for the delivery of social services within the planning and service area covered by the plan, including determining the need for social services in such area (taking into consideration, among other things, the numbers of older persons with low incomes residing in such area), evaluating the effectiveness of the use of resources in meeting such need, and entering into agreements with providers of social services in such area, for the provision of such services to meet such need;

"(2) in accordance with criteria established by the Commissioner by regulation relating to priorities, provide for the initiation, expansion, or improvement of social services in the planning and service area covered by the area plan;

"(3) provide for the establishment and maintenance of information and referral sources in sufficient numbers to assure that all older persons within the planning and

service area covered by the plan will have reasonably convenient access to such sources. For purposes of this section and section 305 (a)(7), an information and referral source is a location where the State or other public or private agency or organization (A) maintains current information with respect to the opportunities and services available to older persons, and develops current lists of older persons in need of services and opportunities, and (B) employs a specially trained staff to inform older persons of the opportunities and services which are available, and assists such persons to take advantage of such opportunities and services; and

"(4) provide that the area agency on aging will—

"(A) conduct periodic evaluations of activities carried out pursuant to the area plan;

"(B) render appropriate technical assistance to providers of social services in the planning and service area covered by the area plan;

"(C) where necessary and feasible, enter into arrangements, consistent with the provisions of the area plan, under which funds under this title may be used to provide legal services to older persons in the planning and service area carried out through federally assisted programs or other public or non-profit agencies;

"(D) take into account, in connection with matters of general policy arising in the development and administration of the area plan, the views of recipients of services under such plan;

"(E) where possible, enter into arrangements with organizations providing day care services for children so as to provide opportunities for older persons to aid or assist, on a voluntary basis, in the delivery of such services to children; and

"(F) establish an advisory council, consisting of representatives of the target population and the general public, to advise the area agency on all matters relating to the administration of the plan and operations concluded thereunder.

"STATE PLANS

"SEC. 305. (a) In order for a State to be eligible for grants for a fiscal year from its allotments under section 303 and section 306, except as provided in section 307(a), it shall submit to the Commissioner a State plan for such year which meets such criteria as the Commissioner may prescribe by regulation and which—

"(1) provides that the State agency will evaluate the need for social services within the State and determine the extent to which existing public or private programs meet such need;

"(2) provides for the use of such methods of administration (including methods relating to the establishment and maintenance of personnel standards on a merit basis, except that the Commissioner shall exercise no authority with respect to the selection, tenure of office, or compensation of an individual employed in accordance with such methods) as are necessary for the proper and efficient administration of the plan;

"(3) provides that the State agency will make such reports, in such form, and containing such information, as the Commissioner may from time to time require, and comply with such requirements as the Commissioner may impose to assure the correctness of such reports;

"(4) provides that the State agency will conduct periodic evaluations of activities and projects carried out under the State plan;

"(5) establish objectives, consistent with the purposes of this title, toward which activities under the plan will be directed, identifies obstacles to the attainment of those objectives, and indicates how it proposes to overcome those obstacles;

"(6) provides that each area agency on aging designated pursuant to section 304(a)(2)(A) will develop and submit to the State agency for approval an area plan which complies with section 304(c);

"(7) provides for establishing and maintaining information and referral sources in sufficient numbers to assure that all older persons in the State who are not furnished adequate information and referral sources under section 304(c)(3) will have reasonably convenient access to such sources;

"(8) provides that no social service will be directly provided by the State agency or an area agency on aging, except where, in the judgment of the State agency, provision of such service by the State agency or an area agency on aging is necessary to assure an adequate supply of such service; and

"(9) provides that preference shall be given to persons aged sixty or over for any staff positions (full time or part time) in State and area agencies for which such persons qualify.

"(b) The Commissioner shall approve any State plan which he finds fulfills the requirements of subsection (a) of this section.

"(c) The Commissioner shall not make a final determination disapproving any State plan, or any modification thereof, or make a final determination that a State is ineligible under section 304, without first affording the State reasonable notice and opportunity for a hearing.

"(d) Whenever the Commissioner, after reasonable notice and opportunity for hearing to the State agency, finds that—

"(1) the State is not eligible under section 304,

"(2) the State plan has been so changed that it no longer complies with the provisions of subsection (a), or

"(3) in the administration of the plan there is a failure to comply substantially with any such provision of subsection (a),

the Commissioner shall notify such State agency that no further payments from its allotments under section 303 and section 306 will be made to the State (or, in his discretion, that further payments to the State will be limited to projects under or portions of the State plan not affected by such failure), until he is satisfied that there will no longer be any failure to comply. Until he is so satisfied, no further payments shall be made to such State from its allotment under section 303 and section 306 (or payments shall be limited to projects under or portions of the State plan not affected by such failure). The Commissioner shall, in accordance with regulations he shall prescribe, disburse the funds so withheld directly to any public or nonprofit private organization or agency or political subdivision of such State submitting an approved plan in accordance with the provisions of section 304 and section 306. Any such payment or payments shall be matched in the proportions specified in section 303 and 306.

"(e) A State which is dissatisfied with a final action of the Commissioner under subsection (b), (c), or (d) may appeal to the United States court of appeals for the circuit in which the State is located, by filing a petition with such court within sixty days after such final action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Commissioner, or any officer designated by him for that purpose. The Commissioner 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. Upon the filing of such petition, the court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part, temporarily or permanently, but until the filing of the record, the Commissioner may modify or set aside his order. The findings of the Commissioner as to the facts, if supported by substantial evidence, shall be

conclusive, but the court, for good cause shown, may remand the case to the Commissioner to take further evidence, and the Commissioner may thereupon make new or modified findings of fact and may modify his previous action, and shall file in the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence. The judgment of the court affirming or setting aside, in whole or in part, any action of the Commissioner shall be final, 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. The commencement of proceedings under this subsection shall not, unless so specifically ordered by the court, operate as a stay of the Commissioner's action.

"PLANNING, COORDINATION, EVALUATION, AND ADMINISTRATION OF STATE PLANS

"SEC. 306. (a)(1) There are authorized to be appropriated \$20,000,000 for the fiscal year ending June 30, 1973, \$20,000,000 for the fiscal year ending June 30, 1974, and \$20,000,000 for the fiscal year ending June 30, 1975, to make grants to States for paying such percentages as each State agency determines, but not more than 75 per centum, of the cost of the administration of its State plan, including the preparation of the State plan, the evaluation of activities carried out under such plan, the collection of data and the carrying out of analyses related to the need for social services within the State, the dissemination of information so obtained, the provision of short-term training to personnel of public or nonprofit private agencies and organizations engaged in the operation of programs authorized by this Act, and the carrying out of demonstration projects of statewide significance relating to the initiation, expansion, or improvement of social service.

"(2) Any sums allotted to a State under this section for covering part of the cost of the administration of its State plan which the State determines is not needed for such purpose may be used by such State to supplement the amount available under section 303(e)(1) to cover part of the cost of the administration of area plans.

"(b)(1) From the sums appropriated for any fiscal year under subsection (a) of this section, each State shall be allotted an amount which bears the same ratio to such sum as the population aged sixty or over in such State bears to the population aged sixty or over in all States, except that (A) no State shall be allotted less than one-half of 1 per centum of the sum appropriated for the fiscal year for which the determination is made, or \$200,000, whichever is greater, and (B) Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands shall each be allotted no less than one-fourth of 1 per centum of the sum appropriated for the fiscal year for which the determination is made, or \$50,000, whichever is greater. For the purpose of the exception contained in clause (A) of this paragraph, the term 'State' does not include Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

"(2) The number of persons aged sixty or over in any State and in all States shall be determined by the Commissioner on the basis of the most recent satisfactory data available to him.

"(c) The amount of any State's allotment under subsection (b) for any fiscal year which the Commissioner determines will not be required for that year shall be reallocated, from time to time and on such dates during such year as the Commissioner may fix, to other States in proportion to the original allotments to such States under subsection (b) for that year, but with such proportionate amount for any of such other States being reduced to the extent it exceeds the sum the

Commissioner estimates such State needs and will be able to use for such year; and the total of such reductions shall be similarly reallocated among the States whose proportionate amounts were not so reduced. Such reallocations shall be made on the basis of the State plan so approved, after taking into consideration the population aged sixty or over. Any amount reallocated to a State under this subsection during a year shall be deemed part of its allotment under subsection (b) for that year.

"(d) The allotment of a State under this section for the fiscal year ending June 30, 1973, shall remain available until the close of the following fiscal year.

"PAYMENTS

"SEC. 307. (a) Payments of grants or contracts under this title may be made (after necessary adjustments on account of previously made overpayments or underpayments) in advance or by way of reimbursement, and in such installments, as the Commissioner may determine. From a State's allotment for a fiscal year which is available pursuant to section 306 the Commissioner may advance to a State which does have a State plan approved under section 305 such amounts as he deems appropriate for the purpose of assisting such State in developing a State plan.

"(b) Beginning with the fiscal year ending June 30, 1975, not less than 25 per centum of the non-Federal share (pursuant to section 303(e)) of the total expenditure under the State plan shall be met from funds from State or local public sources.

"(c) A State's allotment under section 303 for a fiscal year shall be reduced by the percentage (if any) by which its expenditures for such year from State sources under its State plan approved under section 305 are less than its expenditures from such sources for the preceding fiscal year.

"MODEL PROJECTS

"SEC. 308. (a) The Commissioner may, after consultation with the State agency, make grants to any public or nonprofit private agency or organization or contracts with any agency or organization within such State for paying part or all of the cost of developing or operating statewide, regional, metropolitan area, county, city, or community model projects which will expand or improve social services or otherwise promote the well-being of older persons. In making grants and contracts under this section, the Commissioner shall give special consideration to projects designed to—

"(1) assist in meeting the special housing needs of older persons by (A) providing financial assistance to such persons, who own their own homes, necessary to enable them to make the repairs and renovations to their homes which are necessary for them to meet minimum standards, (B) studying and demonstrating methods of adapting existing housing, or construction of new housing, to meet the needs of older persons suffering from physical disabilities, and (C) demonstrating alternative methods of relieving older persons of the burden of real property taxes on their homes;

"(2) improve the transportation services available to older persons by (A) establishing special transportation subsystems for older persons or similar groups with similar mobility restrictions, (B) providing portal-to-portal service and demand actuated services, (C) payment of subsidies to transportation systems to enable them to provide transportation services to older persons on a reduced rate basis, with special emphasis on transportation necessary to enable older persons to obtain health services, (D) payments directly to older persons to enable them to obtain reasonable and necessary transportation services, (E) programs to study the economic and service aspects of transportation for older persons living in urban or rural

areas, and (F) programs to study transportation and social service delivery interface;

"(3) meet the needs of unemployed low-income older persons who are unable, because of physical condition, obsolete or inadequate skills, declining economic conditions, or other causes of a lack of employment opportunity to secure appropriate employment, which will enable such persons to participate in projects for public service in such fields as environmental quality, health care, education, public safety, crime prevention and control, prison rehabilitation, transportation, recreation, maintenance of parks, streets, and other public facilities, solid waste removal, pollution control, housing and neighborhood improvements, rural development, conservation, beautification, and other fields of human betterment and community improvement;

"(4) provide continuing education to older persons designed to enable them to lead more productive lives by broadening the educational, cultural, or social awareness of such older persons, emphasizing, where possible, free tuition arrangements with colleges and universities;

"(5) provide preretirement education, information, and relevant services (including the training of personnel to carry out such programs and the conducting of research with respect to the development and operation of such programs) to persons planning retirement; or

"(6) provide services to assist in meeting the particular needs of the physically and mentally impaired older persons including special transportation and escort services, homemaker, home health, and shopping services, reader services, letterwriting services, and other service designed to assist such individuals in leading a more independent life, and encourage older Americans with skills and experience in trades and industry to be employed as aides in the vocational and industrial arts departments of our secondary schools.

"(b) For the purpose of carrying out this section, there are authorized to be appropriated \$40,000,000 for the fiscal year ending June 30, 1973, \$75,000,000 for the fiscal year ending June 30, 1974, and \$100,000,000 for the fiscal year ending June 30, 1975."

TITLE IV—TRAINING AND RESEARCH

SEC. 401. The Older Americans Act of 1965 is amended by striking out titles IV and V and by inserting immediately after title III the following new title:

"TITLE IV—TRAINING AND RESEARCH

"PART A—TRAINING

"STATEMENT OF PURPOSE

"SEC. 401. The purpose of this part is to improve the quality of service and to help meet critical shortages of adequately trained personnel for programs in the field of aging by (1) developing information on the actual needs for personnel to work in the field of aging, both present and long range; (2) providing a broad range of quality training and retraining opportunities, responsive to changing needs of programs in the field of aging; (3) attracting a greater number of qualified persons into the field of aging; and (4) helping to make personnel training programs more responsive to the need for trained personnel in the field of the aging.

"APPRaising PERSONAL NEEDS IN THE FIELD OF AGING

"SEC. 402. (a) The Commissioner shall from time to time appraise the Nation's existing and future personnel needs in the field of aging, at all levels and in all types of programs, and the adequacy of the Nation's efforts to meet these needs. In developing information relating to personnel needs in the field of aging, the Commissioner shall consult with, and make maximum utilization of statistical and other related information of the Department of Labor, the Veterans'

Administration, the Office of Education, Federal Council on the Aging, the National Foundation on the Arts and Humanities, State educational agencies, other State and local public agencies and offices dealing with problems of the aging, State employment security agencies, and other appropriate public and private agencies.

(b) The Commissioner shall prepare and publish annually as a part of the annual report provided in section 208 a report on the professions dealing with the problems of the aging, in which he shall present in detail his view on the state of such professions and the trends which he discerns with respect to the future complexion of programs for the aging throughout the Nation and the funds and the needs for well-educated personnel to staff such programs. The report shall indicate the Commissioner's plans concerning the allocation of Federal assistance under this title in relation to the plans and programs of other Federal agencies.

"ATTRACTING QUALIFIED PERSONS TO THE FIELD OF AGING

"SEC. 403. The Commissioner may make grants to State agencies referred to in section 304, State or local educational agencies, institutions of higher education, or other public or nonprofit private agencies, organization, or in public or nonprofit private agencies, organizations, or institutions, and he may enter into contracts with any agency, institution, or organization for the purpose of—

- (1) publicizing available opportunities for careers in the field of aging;
- (2) encouraging qualified persons to enter or reenter the field of aging;
- (3) encouraging artists, craftsmen, artisans, scientists, and persons from other professions and vocations and homemakers, to undertake assignments on a parttime basis or for temporary periods in the field of aging; or
- (4) preparing and disseminating materials, including audiovisual materials and printed materials, for use in recruitment and training of persons employed or preparing for employment in carrying out programs related to the purposes of this Act.

"TRAINING PROGRAMS FOR PERSONNEL IN THE FIELD OF AGING

"SEC. 404. (a) The Commissioner may make grants to any public or nonprofit private agency, organization, or institution or with State agencies referred to in section 304, or contracts with any agency, organization, or institution, to assist them in training persons who are employed or preparing for employment in fields related to the purposes of this Act—

(1) to assist in covering the cost of courses of training or study (including short-term or regular session institutes and other inservice and preservice training programs);

(2) for establishing and maintaining fellowships to train persons to be supervisors or trainers of persons employed or preparing for employment in fields related to the purposes of this Act;

(3) for seminars, conferences, symposiums, and workshops in the field of aging, including the conduct of conferences and other meetings for the purposes of facilitating exchange of information and stimulating new approaches with respect to activities related to the purposes of this Act;

(4) for the improvement of programs for preparing personnel for careers in the field of aging, including design, development, and evaluation of exemplary training programs, introduction of high quality and more effective curriculums and curricular materials, and

(5) the provision of increased opportunities for practical experience.

(b) The Commissioner may include in the terms of any contract or grant under this part provisions authorizing the payment, to

persons participating in training programs supported under this part, of such stipends (including allowances for subsistence and other expenses for such persons and their dependents) as he determines to be consistent with prevailing practices under comparable federally supported programs. Where the Commissioner provides for the use of funds under this section for fellowships, he shall (in addition to stipends for the recipients) pay to colleges or universities in which the fellowship is being pursued such amounts as the Commissioner shall determine to be consistent with prevailing practices under comparable federally supported programs.

"PART B—RESEARCH AND DEVELOPMENT PROJECTS

"DESCRIPTION OF ACTIVITIES

"SEC. 411. The Commissioner may make grants to any public or nonprofit private agency, organization, or institution and contracts with any agency, organization, or institution or with any individual for the purpose of—

(1) studying current patterns and conditions of living of older persons and identifying factors which are beneficial or detrimental to the wholesome and meaningful living of such persons;

(2) developing or demonstrating new approaches, techniques, and methods (including the use of multipurpose centers) which hold promise of substantial contribution toward wholesome and meaningful living for older persons;

(3) developing or demonstrating approaches, methods, and techniques for achieving or improving coordination of community services for older persons;

(4) evaluating these approaches, techniques, and methods, as well as others which may assist older persons to enjoy wholesome and meaningful lives and to continue to contribute to the strength and welfare of our Nation;

(5) collecting and disseminating, through publications and under appropriate means, information concerning research findings, demonstration results, and other materials developed in connection with activities assisted under this part; or

(6) conducting conferences and other meetings for the purposes of facilitating exchange of information and stimulating new approaches with respect to activities related to the purposes of this part.

"PART C—MULTIDISCIPLINARY CENTERS OF GERONTOLOGY

"SEC. 421. The Commissioner may make grants to public and private nonprofit agencies, organizations, and institutions for the purpose of establishing or supporting multidisciplinary centers of gerontology. A grant may be made under this section only if the application therefor—

(1) provides satisfactory assurance that the applicant will expend the full amount of the grant to establish or support a multidisciplinary center of gerontology which shall—

(A) recruit and train personnel at the professional and subprofessional levels,

(B) conduct basic and applied research on work, leisure, and education of older people, living arrangements of older people, social services for older people, the economics of aging, and other related areas,

(C) provide consultation to public and voluntary organizations with respect to the needs of older people and in planning and developing services for them,

(D) serve as a repository of information and knowledge with respect to the areas for which it conducts basic and applied research,

(E) stimulate the incorporation of information on aging into the teaching of biological, behavioral, and social sciences at colleges or universities,

(F) help to develop training programs on aging in schools of social work, public health,

health care administration, education, and in other such schools at colleges and universities, and

(G) create opportunities for innovative, multidisciplinary efforts in teaching, research, and demonstration projects with respect to aging.

(2) provides for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for funds paid to the applicant under this section; and

(3) provides for making such reports, in such form and containing such information, as the Commissioner may require to carry out his functions under this section, and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

"PART D—AUTHORIZATION OF APPROPRIATIONS

"AUTHORIZATION

"SEC. 431. (a) There are authorized to be appropriated for the purposes of carrying out part A of this title \$11,000,000 for the fiscal year ending June 30, 1973, \$15,000,000 for the fiscal year ending June 30, 1974, and \$20,000,000 for the fiscal year ending June 30, 1975.

(b) There are authorized to be appropriated for the purpose of carrying out the provisions of parts B and C of this title, \$15,000,000 for the fiscal year ending June 30, 1973, \$25,000,000 for the fiscal year ending June 30, 1974, and \$30,000,000 for the fiscal year ending June 30, 1975.

"PAYMENTS OF GRANTS

"SEC. 432. (a) To the extent he deems it appropriate, the Commissioner shall require the recipient of any grant or contract under this title to contribute money, facilities, or services for carrying out the project for which such grant or contract was made.

(b) Payments under this part pursuant to a grant or contract may be made (after necessary adjustment, in the case of grants, on account of previously made overpayments or underpayments) in advance or by way of reimbursement, and in such installments and on such conditions, as the Commissioner may determine.

(c) The Commissioner shall make no grant or contract under this title in any State which has established or designated a State agency for purposes of title III of this Act unless the Commissioner has consulted with such State agency regarding such grant or contract."

"TITLE V—MULTIPURPOSE SENIOR CENTERS

SEC. 501. The Older Americans Act of 1965 is further amended by inserting immediately after title IV the following new title:

"TITLE V—MULTIPURPOSE SENIOR CENTERS

"PART A—CONSTRUCTION OF MULTIPURPOSE SENIOR CENTERS

"CONSTRUCTION PROJECTS

"SEC. 501. In order to provide a focal point in communities for the development and delivery of social services and nutritional services designed primarily for older persons, the Commissioner may make grants to units of general purpose local government or other public or nonprofit private agencies or organizations, or in public or nonprofit private agency or organization to pay not to exceed 75 per centum of the cost of leasing, altering, or renovating existing facilities to serve as multipurpose senior centers (including the initial equipment of such facilities), and, where utilizing existing facilities is not feasible, not to exceed 75 per centum of the cost of constructing new public or nonprofit private multipurpose senior centers. Facilities assisted by grants or contracts under this part shall be in close proximity to the majority of individuals eligible to use the multi-

purpose senior center, and within walking distance where possible, except that the total payments made pursuant to such grants or contracts in any State for any fiscal year shall not exceed 10 per centum of the total amount appropriated for the year for the purposes of carrying out this part.

"REQUIREMENTS FOR APPROVAL OF APPLICATIONS

"SEC. 502. (a) A grant or contract for construction under this part may be made only if the application therefor is approved by the Commissioner upon his determination that—

"(1) the application contains or is supported by reasonable assurances that (A) for not less than ten years after completion of construction, the facility will be used for the purposes for which it is to be constructed, (B) sufficient funds will be available to meet the non-Federal share of the cost of constructing the facility, and (C) sufficient funds will be available, when construction is completed, for effective use of the facility for the purpose for which it is being constructed;

"(2) the application contains or is supported by reasonable assurances that there are no existing facilities in the community suitable for leasing as a multipurpose senior center, and that there are no existing facilities in the community which could be altered or renovated to serve such a purpose;

"(3) the plans and specifications are in accordance with regulations relating to minimum standards of construction and equipment; and

"(4) the application contains or is supported by adequate assurance that any laborer or mechanic employed by any contractors or subcontractors in the performance of work on the construction of the facility will 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 276a5). The Secretary of Labor shall have, with respect to the labor standards specified in this paragraph, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267), and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

"(b) In making grants or contracts under this part, the Commission shall—

"(1) give preference to the construction of multipurpose senior centers in areas where there is being developed a comprehensive and coordinated system under title III of this Act; and

"(2) consult with the Secretary of Housing and Urban Development with respect to the technical adequacy of any proposed construction.

"PAYMENTS

"SEC. 503. Upon approval of any application for a grant or contract under this part, the Commissioner shall reserve, from any appropriation available therefor, the amount of such grant or contract; the amount so reserved may be paid in advance of by way of reimbursement, and in such installments consistent with construction progress, as the Commissioner may determine. The Commissioner's reservation of any amount under this section may be amended by him, either upon approval of an amendment of the application or upon revision of the estimated cost of construction of the facility.

"RECAPTURE OF PAYMENTS

"SEC. 504. If, within ten years after completion of any construction for which funds have been paid under this part—

"(a) the owner of the facility ceases to be a public or nonprofit private agency or organization, or

"(b) the facility shall cease to be used for the purposes for which it was constructed (unless the Commissioner determines, in accordance with regulations, that there is good

cause for releasing the applicant or other owner from the obligation to do so), 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 or projects) the same ratio as the amount of such Federal funds bore to the cost of the facility financed with the aid of such funds. 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 such facility is situated.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 505. (a) There is authorized to be appropriated for the purpose of making grants or contracts under section 501, \$10,000,000 for the fiscal year ending June 30, 1973, \$15,000,000 for the fiscal year ending June 30, 1974, and \$20,000,000 for the fiscal year ending prior to July 1, 1975.

"(b) Sums appropriated for any fiscal year under subsection (a) of this section and remaining unobligated at the end of such year shall remain available for such purpose for the next fiscal year.

"MORTGAGE INSURANCE FOR MULTIPURPOSE SENIOR CENTERS

"SEC. 506. (a) It is the purpose of this section to assist and encourage the provision of urgently needed facilities for programs for the elderly.

"(b) For the purpose of this part 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 is authorized to insure any mortgage which covers a new multipurpose senior center, 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, who demonstrates ability successfully to operate one or more programs for the elderly. The Secretary 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 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 Multipurpose Senior Center Insurance Fund, and shall be redeemed by the mortgagor at par upon the termination of all obligations of the Secretary 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 multipurpose senior center, 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 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 finds necessary to meet the mortgage market.

"(4) The Secretary shall not insure any mortgage under this section unless he has determined that the center to be covered by the mortgage will be in compliance with minimum standards to be prescribed by the Secretary.

"(5) In the plans for such Multipurpose Senior Center due consideration shall be given to excellence of architecture and design, and to the inclusion of works of art (not representing more than 1 per centum of the cost of the project).

"(e) The Secretary shall fix and collect premium charges for the insurance of mortgages under this section which shall be payable annually in advance by the mortgagor, either in cash or in debentures of the Multipurpose Senior Center 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 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 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 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 Multipurpose Senior Center 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 Multipurpose Senior Center Insurance Fund which shall be used by the Secretary 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 Multipurpose Senior Center 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 Multipurpose Senior Center Insurance Fund.

"(3) Moneys in the Multipurpose Senior Center 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 may, with the approval of the Secretary of the Treasury, purchase in the open market debentures issued as obligations of the Multipurpose Senior Center In-

surance 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 in connection therewith, and all earnings as the assets of the fund, shall be credited to the Multipurpose Senior Center Insurance Fund. The principal of, and interest paid and to be paid on, debentures which are the obligation of such funds, 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 Multipurpose Senior Center Insurance Fund, and to assure the soundness of such fund thereafter, such sums as may be necessary.

"ANNUAL INTEREST GRANTS

SEC. 507. (a) To assist nonprofit agencies to reduce the cost of borrowing from other sources for the construction of facilities, the Secretary may make annual interest grants to such agencies.

(b) Annual interest grants under this section with respect to any facility shall be made over a fixed period not exceeding forty years, and provision for such grants shall be embodied in a contract guaranteeing their payment over such period. Each such grant shall be in an amount not greater than the difference between (1) the average annual debt service which would be required to be paid, during the life of the loan, on the amount borrowed from other sources for the construction of such facilities, and (2) the average annual debt service which the institution would have been required to pay, during the life of the loan, with respect to such amounts if the applicable interest rate were 3 per centum per annum: *Provided*, That the amount on which such grant is based shall be approved by the Secretary.

(c) (1) There are hereby authorized to be appropriated to the Secretary such sums as may be necessary for the payment of annual interest grants in accordance with this section.

(2) Contracts for annual interest grants under this section shall not be entered into in an aggregate amount greater than is authorized in appropriation Acts; and in any event the total amount of annual interest grants in any year pursuant to contracts entered into under this section shall not exceed \$1,000,000, which amount shall be increased by \$3,000,000 on July 1, 1974, and by \$5,000,000 on July 1, 1975.

(d) Not more than 12½ per centum of the funds provided for in this section for grants may be used within any one State.

"PART B—INITIAL STAFFING OF MULTIPURPOSE SENIOR CENTERS

"PERSONNEL STAFFING GRANT PROGRAM AUTHORIZED

SEC. 511. (a) For the purpose of assisting in the establishment and initial operation of multipurpose senior centers the Commissioner may, in accordance with the provisions of this part, make grants to meet, for the temporary periods specified in this part, all or part of the costs of compensation of professional and technical personnel for the initial operation of new multipurpose senior centers and for the delivery of social services established therein.

(b) Grants for such costs of any center under this title may be made only for the

period beginning with the first day of the first month for which such grant is made and ending with the close of three years after such first day. Such grants with respect to any center may not exceed 75 per centum of such costs for the first year of the project, 66½ per centum of such costs for the second year of the project, and 50 per centum of such costs for the third year of the project.

(c) In making such grants, the Secretary shall take into account the relative needs of the several States for community centers for senior citizens, their relative financial needs, and their population of persons over sixty years of age.

(d) For the purpose of this part, there are authorized to be appropriated \$10,000,000 for the fiscal year ending June 30, 1973, and for each of the next two succeeding fiscal years.

"DEFINITIONS

"Sec. 512. For purposes of this title—

"(1) the term 'multipurpose senior center' means a community facility for the organization and provision of a broad spectrum of services (including provision of health, social, and educational services and provision of facilities for recreational activities) for older persons.

"(2) the term 'cost of construction' includes the cost of architects' fees and acquisition of land in connection with construction, but does not include the cost of offsite improvements."

TITLE VI—NATIONAL OLDER AMERICANS VOLUNTEER PROGRAM

SEC. 601. Section 601 of the Older Americans Act of 1965 is amended by adding at the end thereof the following new subsection:

"(d) Notwithstanding any other provision of law, no compensation provided to individual volunteers under this part shall be considered income for any purpose whatsoever."

SEC. 602. Section 603 of the Older Americans Act of 1965 is amended by inserting immediately before the period at the end thereof the following: "and \$20,000,000 for the fiscal year ending June 30, 1973, \$30,000,000 for the fiscal year ending June 30, 1974, and \$40,000,000 for the fiscal year ending June 30, 1975".

SEC. 603. (a) The heading of part B of title VI of the Older Americans Act of 1965 is amended to read as follows:

"FOSTER GRANDPARENT PROGRAM AND OLDER AMERICANS COMMUNITY SERVICE PROGRAMS".

(b) Section 611 of such Act is amended to read as follows:

"SEC. 611. (a) The Commissioner is authorized to make grants to or contracts with public and nonprofit private agencies and organizations to pay part or all of the cost of development and operation of projects designed to provide opportunities for low-income persons aged sixty or over to render supportive person-to-person services in health, education, welfare, and related settings to children having exceptional needs, including services as 'Foster Grandparents' to children receiving care in hospitals, homes for dependent and neglected children, or other establishments providing care for children with special needs.

"(b) The Commissioner is also authorized to make grants or contracts to carry out the purposes described in subsection (a) in the case of persons (other than children) having exceptional needs, including services as 'senior health aides' to work with persons receiving home health care and nursing care, and as 'senior companions' to persons having developmental disabilities.

"(c) Payments under this part pursuant to a grant or contract may be made (after necessary adjustment on account of previously made overpayments or underpayments) in advance or by way of reimbursement, in

such installments and such conditions as the Commissioner may determine.

"(d) Notwithstanding any other provision of law, no compensation provided to individual volunteers under this part shall be considered income for any purpose whatsoever."

(c) The first sentence of section 613 of such Act is amended to read as follows:

"In administering this part, the Commissioner shall consult with the Office of Economic Opportunity, the Departments of Labor and Health, Education, and Welfare and any other Federal agencies administering relevant programs with a view to achieving optimal coordination with such other programs and shall promote the coordination of projects under this part with other public or private programs or projects carried out at State and local levels."

SEC. 604. Section 614 of the Older Americans Act is amended to read as follows:

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 614. (a) There are authorized to be appropriated for grants or contracts under subsection (a) of section 611, \$35,000,000 for the fiscal year ending June 30, 1973, \$45,000,000 for the fiscal year ending June 30, 1974, \$55,000,000 for the fiscal year ending June 30, 1975.

"(b) There are authorized to be appropriated for grants or contracts under subsection (b) of section 611, \$6,000,000 for the fiscal year ending June 30, 1973, \$7,000,000 for the fiscal year ending June 30, 1974, \$8,000,000 for the fiscal year ending June 30, 1975."

SEC. 605. The authorities conferred upon the Commissioner of the Administration on Aging by the amendments made in this title shall be carried out pursuant to delegations of authority, reorganization plans, and transfers made effective prior to the date of enactment of this Act with respect to authorities conferred upon the Secretary of the Department of Health, Education, and Welfare under title VI of the Older Americans Act of 1965, as amended.

TITLE VII—NUTRITION PROGRAM

AVAILABILITY OF SURPLUS COMMODITIES

SEC. 701. Section 707 of the Older Americans Act of 1965 is amended to read as follows:

"AVAILABILITY OF SURPLUS COMMODITIES

"SEC. 707. (a) Agricultural commodities and products purchased by the Secretary of Agriculture under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), may be donated to a recipient of a grant or contract to be used for providing nutritional services in accordance with the provisions of this title.

"(b) The Commodity Credit Corporation may dispose of food commodities under section 416 of the Agricultural Act of 1949 (7 U.S.C. 1431) by donating them to a recipient of a grant or contract to be used for providing nutritional services in accordance with the provisions of this title.

"(c) Dairy products purchased by the Secretary of Agriculture under section 709 of the Food and Agriculture Act of 1965 (7 U.S.C. 1446a-1) may be used to meet the requirements of programs providing nutritional services in accordance with the provisions of this title."

SEC. 702. Section 705(a) of the Older Americans Act of 1965 is amended by adding at the end thereof the following new paragraph:

"(5) provide that, when mutually agreed upon by recipients of grants and contracts and area planning and service areas agencies, nutrition projects assisted under this title shall be made a part of the comprehensive and coordinated systems established under title III of this Act."

STATE PLANNING

SEC. 703. Section 705(a)(2)(B) of the Older Americans Act of 1965 is amended by

inserting "for the fiscal year ending June 30, 1973," following "administrative cost"; by striking out "any fiscal year" and inserting in lieu thereof "such fiscal year"; and by adding at the end of the first sentence thereof the following sentence: "For the fiscal years ending after June 30, 1973, funds allotted to a State for State planning and administration pursuant to section 306 of this Act may be used for the administration of the State plan submitted pursuant to this section, except that wherever the Governor of the State designates an agency other than the agency designated under section 304(a)(1) of this Act, then the Commissioner shall determine that portion of a State's allotment under section 306 which shall be available to the agency designated under section 705(a)(1) for planning and administration."

CONFORMING AMENDMENT

SEC. 704. (a) The first sentence of section 705(a) of the Older Americans Act of 1965 is amended by striking out "303" the first time it appears in such sentence and inserting in lieu thereof "304" and by striking out "303" the second time it appears in such sentence and inserting in lieu thereof "305".

(b) Section 705(a)(1) of the Older Americans Act of 1965 is amended by striking out "303" and inserting in lieu thereof "304".

(c) Title VII of the Older Americans Act of 1965 is amended by striking out "Secretary" wherever in such title the term refers to the Secretary of Health, Education, and Welfare, and inserting in lieu thereof "Commissioner".

TITLE VIII—AMENDMENTS TO OTHER ACTS

AMENDMENT TO LIBRARY SERVICES AND CONSTRUCTION

SEC. 801. (a) The Library Services and Construction Act (20 U.S.C. 351 et seq.) is amended by adding at the end thereof the following new title:

"TITLE IV—OLDER READERS SERVICES "GRANTS TO STATES FOR OLDER READERS SERVICES

"SEC. 401. The Commissioner shall carry out a program of making grants to States which have an approved basic State plan under section 6 and have submitted a long-range program and an annual program under section 403 for library services for older persons.

"USES OF FEDERAL FUNDS

"SEC. 402. (a) Funds appropriated pursuant to paragraph (4) of section 4(a) shall be available for grants to States from allotments under section 5(a) for the purpose of carrying out the Federal share of the cost of carrying out State plans submitted and approved under section 403. Such grants shall be used for (1) the training of librarians to work with the elderly; (2) the conduct of special library programs for the elderly; (3) the purchase of special library materials for use by the elderly; (4) the payment of salaries for elderly persons who wish to work in libraries as assistants on programs for the elderly; (5) the provision of in-home visits by librarians and other library personnel to the elderly; (6) the establishment of outreach programs to notify the elderly of library services available to them; and (7) the furnishing of transportation to enable the elderly to have access to library services.

(b) For the purposes of this title, the Federal share shall be 100 per centum of the cost of carrying out the State plan.

"STATE ANNUAL PROGRAM FOR LIBRARY SERVICES FOR THE ELDERLY

"SEC. 403. Any State desiring to receive a grant from its allotment for the purposes of this title for any fiscal year shall, in addition to having submitted, and having had approved, a basic State plan under section 6, submit for that fiscal year an annual program for library services for older persons. Such program shall be submitted at such

time, in such form, and contain such information as the Commissioner may require by regulation and shall—

(1) set forth a program for the year submitted under which funds paid to the State from appropriations pursuant to paragraph (4) of section 4(a) will be used, consistent with its long-range program for the purposes set forth in section 402, and

(2) include an extension of the long-range program taking into consideration the results of evaluations.

"COORDINATION WITH PROGRAMS FOR OLDER AMERICANS

"SEC. 404. In carrying out the program authorized by this title, the Commissioner shall consult with the Commissioner of the Administration on Aging and the Director of ACTION for the purpose of coordinating where practicable, the programs assisted under this title with the programs assisted under the Older Americans Act of 1965."

(b) Section 4(a) of the Library Services and Construction Act is amended by adding at the end thereof the following new paragraph:

(4) For the purpose of making grants to States to enable them to carry out public library service programs for older persons authorized by title IV, there are authorized to be appropriated \$11,700,000 for the fiscal year ending June 30, 1973, \$12,300,000 for the fiscal year ending June 30, 1974, \$12,900,000 for the fiscal year ending June 30, 1975, and \$13,700,000 for the fiscal year ending June 30, 1976."

(c) (1) Section 5(a)(1) of such Act is amended by striking out "or (3)" and inserting in lieu thereof "(3), or (4)".

(2) Section 5(a)(2) of such Act is amended by striking out "or (3)" and inserting in lieu thereof "(3), or (4)".

(3) Section 5(a)(3) of such Act is amended by striking out the word "and" at the end of such subparagraph (B) thereof, by striking out the period at the end of subparagraph (C) and inserting in lieu thereof a semicolon and the word "and", and by inserting after subparagraph (C) thereof the following:

(D) with respect to appropriations for the purposes of title IV, \$40,000 for each State, except that it shall be \$10,000 in the case of Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands."

(4) The last sentence of section 5(a)(3) of such Act is amended by striking out "or (3)" and inserting in lieu thereof "(3), or (4)".

(5) Section 5(b) of such Act is amended by striking out "or (3)" and inserting in lieu thereof "(3), or (4)".

(c) Section 6(a) of such Act is amended by striking out "and III" and inserting in lieu thereof "III and IV".

(d) (1) Section 7(a) of such Act is amended by striking out "or (3)" and inserting in lieu thereof "(3), or (4)".

(2) Section 7(b)(1) of such Act is amended by inserting "and title IV" after "title III".

(e) The amendments made by subsections (a), (b), and (c) of this section shall be effective after June 30, 1972.

AMENDMENT TO NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCES ACT

SEC. 802. (a) Section 5(a)(2) of the National Commission on Libraries and Information Science Act is amended by striking out "and" after "areas" and inserting a comma in lieu thereof, and by inserting after "deprived persons," the following: "and of elderly persons."

(b) The second sentence of section 6(a) (20 U.S.C. 1505(a)) of such Act is amended by inserting before the period at the end thereof the following: "and at least one other of whom shall be knowledgeable with respect to the library and information service and science needs of the elderly".

AMENDMENT TO HIGHER EDUCATION ACT OF 1965

SEC. 803. Title I of the Higher Education Act of 1965 is amended by redesignating sections 110, 111, and 112 (and cross references thereto) as 111, 112, and 113, respectively, and by inserting after section 109 the following new section:

"SPECIAL PROGRAMS AND PROJECTS RELATING TO PROBLEMS OF THE ELDERLY

"SEC. 110. (a) The Commissioner is authorized to make grants to institutions of higher education (and combinations thereof) to assist such institutions in planning, developing, and carrying out, consistent with the purpose of this title, programs specifically designed to apply the resources of higher education to the problems of the elderly, particularly with regard to transportation and housing problems of elderly persons living in rural and isolated areas.

(b) For purposes of making grants under this section, there are authorized to be appropriated \$5,000,000 for the fiscal year ending June 30, 1973, and each succeeding fiscal year ending prior to July 1, 1977.

(c) In carrying out the program authorized by this section, the Commissioner shall consult with the Commissioner of the Administration on Aging for the purpose of coordinating, where practicable, the programs assisted under this section with the programs assisted under the Older Americans Act of 1965."

AMENDMENT TO ADULT EDUCATION ACT

SEC. 804. (a) The Adult Education Act (20 U.S.C. 1201 et seq.) is amended by redesignating sections 310, 311, and 312 (and cross references thereto) as sections 311, 312, and 313, respectively, and by inserting after section 309 the following new section:

"SPECIAL PROJECTS FOR THE ELDERLY

"SEC. 310. (a) The Commissioner is authorized to make grants to State and local educational agencies or other public or private nonprofit agencies for programs to further the purpose of this Act by providing educational programs for elderly persons whose ability to speak and read the English language is limited and who live in an area with a culture different than their own. Such programs shall be designed to equip such elderly persons to deal successfully with the practical problems in their everyday life, including the making of purchases, meeting their transportation and housing needs, and complying with governmental requirements such as those for obtaining citizenship, public assistance and social security benefits, and housing.

(b) For the purpose of making grants under this section there are authorized to be appropriated such sums as may be necessary for the fiscal year ending June 30, 1973, and each succeeding fiscal year ending prior to July 1, 1975.

(c) In carrying out the program authorized by this section, the Commissioner shall consult with the Commissioner of the Administration on Aging for the purpose of coordinating where practicable, the programs assisted under this section with the programs assisted under the Older Americans Act of 1965."

(b) Section 313(a) of such Act, as redesignated, is amended by inserting before the period at the end thereof the following: "(other than section 310)".

ADDITIONAL AUTHORIZATION FOR SENIOR OPPORTUNITIES AND SERVICES

SEC. 805. In addition to the amounts authorized to be appropriated and allocated pursuant to the Economic Opportunity Amendments of 1972, there is further authorized to be appropriated \$7,000,000 annually for the fiscal year ending June 30, 1973, and the succeeding fiscal year, to be used for the Senior Opportunities and Services program described in section 222(a)(7) of the Economic Opportunity Act of 1964.

TITLE IX—COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS

SHORT TITLE

SEC. 901. This title may be cited as the "Older American Community Service Employment Act".

OLDER AMERICAN COMMUNITY SERVICE EMPLOYMENT PROGRAM

SEC. 902. (a) In order to foster and promote useful part-time work opportunities in community service activities for unemployed low-income persons who are fifty-five years old or older and who have poor employment prospects, the Secretary of Labor (hereinafter referred to as the "Secretary") is authorized to establish an older American community service employment program (hereinafter referred to as the "program").

(b) In order to carry out the provisions of this title, the Secretary is authorized—

(1) to enter into agreements with public or private nonprofit agencies or organizations, agencies of a State government or a political subdivision of a State (having elected or duly appointed governing officials), or a combination of such political subdivisions, or Indian tribes on Federal or State reservations in order to further the purposes and goals of the program. Such agreements may include provisions for the payment of costs, as provided in subsection (c), of projects developed by such organizations and agencies in cooperation with the Secretary in order to make the program effective or to supplement it. No payment shall be made by the Secretary toward the cost of any project established or administered by any such organization or agency unless he determines that such project—

(A) will provide employment only for eligible individuals, except for necessary technical, administrative, and supervisory personnel, but such personnel shall, to the fullest extent possible, be recruited from among eligible individuals;

(B) will provide employment for eligible individuals in the community in which such individuals reside, or in nearby communities;

(C) will employ eligible individuals in services related to publicly owned and operated facilities and projects, or projects sponsored by organizations exempt from taxation under the provisions of section 501(c)(3) of the Internal Revenue Code of 1954 (other than political parties), except projects involving the construction, operation, or maintenance of any facility used or to be used as a place for sectarian religious instruction or worship;

(D) will contribute to the general welfare of the community;

(E) will provide employment for eligible individuals whose opportunities for other suitable public or private paid employment are poor;

(F) will result in an increase in employment opportunities for eligible individuals, and will not result in the displacement of employed workers or impair existing contracts;

(G) will utilize methods of recruitment and selection (including, but not limited to, listing of job vacancies with the employment agency operated by any State or political subdivision thereof) which will assure that the maximum number of eligible individuals will have an opportunity to participate in the project;

(H) will include such training as may be necessary to make the most effective use of the skills and talents of those individuals who are participating, and will provide for the payment of the reasonable expenses of individuals being trained, including expenses of individuals being trained, including a reasonable subsistence allowance;

(I) will assure that safe and healthy conditions of work will be provided, and will assure that persons employed in public service jobs assisted under this title shall be paid

wages which shall not be lower than whichever is the highest of (i) the minimum wage which would be applicable to the employee under the Fair Labor Standards Act of 1938, if section 6(a)(1) of such Act applied to the participant and if he were not exempt under section 13 thereof, (ii) the State or local minimum wage for the most nearly comparable covered employment, or (iii) the prevailing rates of pay for persons employed in similar public occupations by the same employer;

(J) will be established or administered with the advice of persons competent in the field of service in which employment is being provided, and of persons who are knowledgeable with regard to the needs of older persons;

(K) will authorize pay for necessary transportation costs of eligible individuals which may be incurred in employment at any project funded under this title in accordance with regulations promulgated by the Secretary; and

(L) will assure that to the extent feasible such projects will serve the needs of minority, Indian, and limited English-speaking eligible individuals in proportion to their numbers in the State;

(2) to make, issue, and amend such regulations as may be necessary to effectively carry out the provisions of this title.

(c) (1) The Secretary is authorized to pay not to exceed 90 per centum of the cost of any project which is the subject of an agreement entered into under subsection (b), except that the Secretary is authorized to pay all of the costs of any such project which is (A) an emergency or disaster project or (B) a project located in an economically depressed area as determined in consultation with the Secretary of Commerce and the Director of the Office of Economic Opportunity.

(2) The non-Federal share shall be in cash or in kind. In determining the amount of the non-Federal share, the Secretary is authorized to attribute fair market value to services and facilities contributed from non-Federal sources.

ADMINISTRATION

SEC. 903. (a) In order to effectively carry out the purposes of this title, the Secretary is authorized to consult with agencies of States and their political subdivisions with regard to—

(1) the localities in which community service projects of the type authorized by this title are most needed;

(2) consideration of the employment situation and the types of skills possessed by available local individuals who are eligible to participate; and

(3) potential projects and the number and percentage of eligible individuals in the local population.

(b) (1) The Secretary is authorized and directed to require agencies and organizations administering community service projects and other activities assisted under this title to coordinate their projects and activities with agencies and organizations conducting related manpower and unemployment programs receiving assistance under this Act and under other authorities such as the Economic Opportunity Act of 1964, the Manpower Employment Act of 1971. In carrying out the provisions of this paragraph, the Secretary is authorized to make necessary arrangements to include projects and activities assisted under this title within a common agreement and a common application with projects assisted under this Act and other provisions of law such as the Economic Opportunity Act of 1964, the Manpower Development and Training Act of 1962, the Emergency Employment Act of 1971.

(2) The Secretary is authorized to make whatever arrangements that are necessary to carry out the programs assisted under this title as part of any general manpower legislation hereafter enacted, except that appropriations for programs assisted under this title may not be expended for programs assisted under that title.

(c) In carrying out the provisions of this title, the Secretary is authorized to use, with their consent, the services, equipment, personnel, and facilities of Federal and other agencies with or without reimbursement, and on a similar basis to cooperate with other public and private agencies, and instrumentalities in the use of services, equipment, and facilities.

(d) The Secretary shall establish criteria designed to assure equitable participation in the administration of community service projects by agencies and organizations eligible for payment under section 902(b).

(e) Payments under this title may be made in advance or by way of reimbursement and in such installments as the Secretary may determine.

(f) The Secretary shall not delegate his functions and duties under this title to any other department or agency of Government.

PARTICIPANTS NOT FEDERAL EMPLOYEES

SEC. 904. (a) Eligible individuals who are employed in any project funded under this title shall not be considered to be Federal employees as a result of such employment and shall not be subject to the provisions of part III of title 5, United States Code.

(b) No contract shall be entered into under this title with a contractor who is, or whose employees are, under State law, exempted from operation of the State workers' compensation law, generally applicable to employees, unless the contractor shall undertake to provide either through insurance by a recognized carrier, or by self-insurance, as allowed by State law, that the persons employed under the contract, shall enjoy workmen's compensation coverage equal to that provided by law for covered employment. The Secretary must establish standards for severance benefits, in lieu of unemployment insurance coverage, for eligible individuals who have participated in qualifying programs and who have become unemployed.

INTERAGENCY COOPERATION

SEC. 905. The Secretary shall consult and cooperate with the Office of Economic Opportunity, the Administration on Aging, the Department of Health, Education, and Welfare, and any other related Federal agency administering related programs, with a view to achieving optimal coordination with such other programs and shall promote the coordination of projects under this title with other public and private programs or projects of similar nature. Such Federal agencies shall cooperate with the Secretary in disseminating information about the availability of assistance under this title and in promoting the identification and interests of individuals eligible for employment in projects funded under this title.

EQUITABLE DISTRIBUTION OF ASSISTANCE

SEC. 906. (a) (1) From the sums appropriated for any fiscal year under section 908 there shall be initially allotted for projects within each State an amount which bears the same ratio to such sum as the population, aged fifty-five or over in such State bears to the population aged fifty-five or over in all States, except that (A) no State shall be allotted less than one-half of 1 per centum of the sum appropriated for the fiscal year for which the determination is made; and (B) Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands shall each be allotted an amount equal to one-fourth of 1 per centum of the sum appropriated for the fiscal year for which the determination is made. For the purpose of the exception contained in this paragraph, the term "State" does not include Guam, American Samoa, the Virgin Is-

lands, and the Trust Territory of the Pacific Islands.

(2) The number of persons aged fifty-five or over in any State and for all States shall be determined by the Secretary on the basis of the most satisfactory data available to him.

(b) The amount allotted for projects within any State under subsection (a) for any fiscal year which the Secretary determines will not be required for that year shall be reallocated, from time to time and on such dates during such year as the Secretary may fix, to projects within other States in proportion to the original allotments to projects within such States under subsection (a) for that year, but with such proportionate amount for any of such other States being reduced to the extent it exceeds the sum the Secretary estimates that projects within such State need and will be able to use for such year; and the total of such reductions shall be similarly reallocated among the States whose proportionate amounts were not so reduced. Any amount reallocated to a State under this subsection during a year shall be deemed part of its allotment under subsection (a) for that year.

(c) The amount apportioned for projects within each State under subsection (a) shall be apportioned among areas within each such State in an equitable manner, taking into consideration the proportion which eligible persons in each such area bears to such total number of such persons, respectively, in that State.

DEFINITIONS

SEC. 907. As used in this title—

(a) "State" means any of the several States of the United States, the District of Columbia, Puerto Rico, the Virgin Islands, American Samoa, Guam, and the Trust Territory of the Pacific Islands;

(b) "eligible individual" means an individual who is fifty-five years old or older, who has a low income, and who has or would have difficulty in securing employment, except that pursuant to regulations prescribed by the Secretary any such individual who is sixty years old or older shall have priority for the work opportunities provided for under this Act;

(c) "community service" means social, health, welfare, educational, library, recreational, and other similar services; conservation, maintenance, or restoration of natural resources; community betterment or beautification; antipollution and environmental quality efforts; economic development; and such other services which are essential and necessary to the community as the Secretary, by regulation, may prescribe.

AUTHORIZATION OF APPROPRIATIONS

SEC. 908. There are hereby authorized to be appropriated \$50,000,000 for the fiscal year ending June 30, 1974, and \$100,000,000 for the fiscal year ending June 30, 1975, to carry out the provisions of this title.

Mr. BRADEMAS (during the reading). Mr. Chairman, as I understand, there are no more amendments pending on the Clerk's desk. I ask unanimous consent that the committee amendment in the nature of a substitute be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

Mr. GROSS. Mr. Chairman, this bill, H.R. 71, the Older Americans Act, is a full-blown demonstration of what a little financial pregnancy means when attended by congressional spenders.

In fiscal year 1966, when the act received its first funding, the appropriation was \$7½ million.

The bill before us this afternoon authorizes spending in fiscal year 1975 of \$627 million—an increase of \$619.5 million in annual spending for the same general purpose in less than 10 years.

This bill authorizes the spending of \$277.4 million in 1973, \$470.3 million in 1974, and \$627.1 million in 1975, or a total of nearly \$1.4 billion in 3 fiscal years. That is at least \$370 million more than is provided in the President's budget.

As I said earlier this afternoon, not a single Member of the House knows what the financial situation of this Government will be a year from now much less 3 years hence. The Landgrebe substitute brought this legislation within reason. The committee amendments are fiscally irresponsible and unacceptable.

I will vote against the committee bill and urge President Nixon to veto it.

The CHAIRMAN. Are there any amendments to be proposed? If not, the question is on the committee amendment in the nature of a substitute.

The committee amendment in the nature of a substitute was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. NEDZI, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 71) to strengthen and improve the Older Americans Act of 1965, and for other purposes, pursuant to House Resolution 273, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

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

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

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

Mr. GERALD R. FORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 329, nays 69, not voting 33, as follows:

[Roll No. 45]

YEAS—329

Abdnor	Brasco	Chamberlain
Abzug	Bray	Chappell
Adams	Breaux	Clark
Addabbo	Breckinridge	Clausen
Alexander	Brinkley	Don H.
Anderson, Calif.	Broomfield	Clay
Anderson, Ill.	Brotzman	Cleveland
Andrews, N.C.	Brown, Calif.	Cochran
Andrews, N. Dak.	Brown, Mich.	Cohen
Andrews, N. Dak.	Brown, Ohio	Conte
Anunzio	Broyhill, N.C.	Conyers
Ashley	Buchanan	Corman
Aspin	Burke, Calif.	Cotter
Beard	Burke, Fla.	Coughlin
Bennett	Burke, Mass.	Cronin
Bevill	Burleson, Tex.	Culver
Biester	Burlison, Mo.	Daniels
Bingham	Burton	Dominick V.
Boland	Byron	Danielson
Boiling	Carey, N.Y.	Davis, Ga.
Bowen	Carney, Ohio	Davis, S.C.
Brademas	Carter	de la Garza
	Casey, Tex.	Dellenback

Dellums	Keating	Rogers
Denholm	Kluczynski	Roncalio, Wyo.
Dent	Koch	Roncalio, N.Y.
Diggs	Landrum	Roohey, Pa.
Dingell	Leggett	Rose
Donohue	Lehman	Rosenthal
Dorn	Lent	Rostenkowski
Downing	Litton	Roush
Drinan	Long, La.	Royal
Dulski	Long, Md.	Runnells
Duncan	Lott	Rupe
du Pont	Lujan	Ruth
Eckhardt	McClory	Ryan
Edwards, Calif.	McCloskey	St Germain
Ellberg	McCormack	Sandman
Ernborn	McDade	Sarasin
Esch	McFall	Sarbanes
Eshleman	McKay	Schroeder
Evans, Colo.	McKinney	Sebelius
Evins, Tenn.	McSpadden	Seiberling
Fascell	Macdonald	Shipley
Fish	Madden	Shoup
Flood	Madigan	Shriver
Flowers	Mahon	Sikes
Flynt	Mailliard	Sisk
Foley	Mallary	Skubitz
Ford,	Mann	Slack
William D.	Maraziti	Smith, Iowa
Forsythe	Mathias, Calif.	Smith, N.Y.
Fountain	Mathis, Ga.	Spence
Fraser	Matsunaga	Staggers
Frenzel	Mayne	Stanton, J. William
Frey	Mazzoll	Stanton, James V.
Froehlich	Meeds	Stark
Fulton	Melcher	Steed
Fuqua	Metcalfe	Steele
Gaydos	Mezvinsky	Stephens
Gettys	Millford	Stokes
Gialmo	Miller	Stratton
Gilman	Mills, Md.	Stubblefield
Gonzalez	Minish	Stuckey
Grasso	Mink	Studds
Gray	Minshall, Ohio	Sullivan
Green, Oreg.	Mitchell, Md.	Symington
Green, Pa.	Mitchell, N.Y.	Talcott
Griffiths	Mizell	Taylor, N.C.
Grover	Moakley	Teague, Calif.
Gubser	Mollohan	Teague, Tex.
Gude	Montgomery	Thompson, N.J.
Gunter	Moorhead,	Thomson, Wis.
Haley	Calif.	Thomson, Wis.
Hamilton	Morgan	Thone
Hammer-	Mosher	Thornton
schmidt	Moss	Tiernan
Hanley	Murphy, Ill.	Udall
Hanna	Murphy, N.Y.	Ullman
Hanrahan	Myers	Van Deerlin
Hansen, Idaho	Natcher	Vander Jagt
Hansen, Wash.	Nedzi	Vanik
Harrington	Obey	Veysey
Hastings	O'Brien	Vigorito
Hawkins	O'Hara	Wagonner
Hays	O'Neill	Walsh
Hebert	Owens	Wampler
Hillis	Passman	Whalen
Hinshaw	Pattan	White
Hogan	Patten	Whitten
Holt	Pepper	Widnall
Holtzman	Perkins	Wilson, Charles H., Calif.
Horton	Pettis	Wilson, Charles, Tex.
Howard	Peyser	Winn
Hudnut	Pickle	Wolf
Hungate	Pike	Wright
Hunt	Poage	Wyatt
Ichord	Patten	Wylie
Johnson, Calif.	Pepper	Wyman
Johnson, Pa.	Perkins	Yates
Jordan	Price, Ill.	Yatron
Karth	Pritchard	Young, Fla.
Kastenmeier	Quile	Young, Ga.
Kazen	Quillen	Young, Ill.
	Rallsback	Young, S.C.
	Randall	Young, Tex.
	Rangel	Zablocki
Jones, Ala.	Reid	Zion
Jones, N.C.	Reuss	Zwach
Jones, Okla.	Riegler	
Jones, Tenn.	Rinaldo	
Jordan	Roberts	
Karth	Robison, N.Y.	
Kastenmeier	Rodino	
Kazen	Roe	
		NAYS—69
Collins	Archer	Findley
Conable	Arends	Fisher
Conlan	Armstrong	Ford, Gerald R.
Crane	Ashbrook	Goldwater
Baker	Baker	Goodling
Blackburn	Blackburn	Gross
Broyhill, Va.	Broyhill, Va.	W., Jr.
Burgener	Burgener	Guyer
Butler	Butler	Huber
Camp	Camp	Dennis
Cederberg	Cederberg	Hutchinson
Clancy	Clancy	Jarman
Clawson, Del.	Clawson, Del.	Johnson, Colo.
Davis, Wis.	Davis, Wis.	Kemp
Dennis	Dennis	Ketchum
Derwinski	Derwinski	
Devine	Devine	
Dickinson	Dickinson	
Edwards, Ala.	Edwards, Ala.	

Kuykendall	Rhodes	Taylor, Mo.
Landgrebe	Robinson, Va.	Towell, Nev.
Latta	Rousselot	Treen
McCollister	Satterfield	Ware
Martin, Nebr.	Saylor	Whitehurst
Martin, N.C.	Scherle	Wiggins
Michel	Schneebeli	Williams
Neisen	Shuster	Wilson, Bob
Parris	Snyder	Wydler
Powell, Ohio	Steiger, Ariz.	
Regula	Symms	

NOT VOTING—33

Badillo	Frelinghuysen	Moorhead, Pa.
Bafalis	Gibbons	Nichols
Barrett	Harsha	Nix
Bell	Harvey	Price, Tex.
Bergland	Heinz	Rarick
Biaggi	Hollifield	Rees
Blatnik	Hosmer	Rooney, N.Y.
Brooks	King	Roy
Chisholm	Kyros	Steelman
Collier	McEwen	Steiger, Wis.
Delaney	Mills, Ark.	Walde

So the bill was passed.

The Clerk announced the following pairs:

Mr. Holifield with Mr. Bell.
Mr. Rooney of New York with Mr. Bafalis.
Mr. Barrett with Mr. Collier.
Mrs. Chisholm with Mr. Mills of Arkansas.
Mr. Kyros with Mr. Frelinghuysen.
Mr. Moorhead of Pennsylvania with Mr. Harsha.
Mr. Nichols with Mr. Harvey.
Mr. Nix with Mr. Badillo.
Mr. Walde with Mr. Heinz.
Mr. Roy with Mr. Hosmer.
Mr. Delaney with Mr. King.
Mr. Blatnik with Mr. McEwen.
Mr. Brooks with Mr. Rees.
Mr. Biaggi with Mr. Rarick.
Mr. Bergland with Mr. Steelman.
Mr. Gibbons with Mr. Steiger of Wisconsin.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. BRADEMAS. Mr. Speaker, pursuant to the provisions of House Resolution 273, I call up for immediate consideration the Senate bill (S. 50) to strengthen and improve the Older Americans Act of 1965, and for other purposes.

The Clerk read the title of the Senate bill.

MOTION OFFERED BY MR. BRADEMAS

Mr. BRADEMAS. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. BRADEMAS moves to strike out all after the enacting clause of the bill (S. 50) and insert in lieu thereof the provisions of H.R. 71, as passed.

The motion was agreed to.

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

A similar House bill (H.R. 71) was laid on the table.

GENERAL LEAVE

Mr. BRADEMAS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill H.R. 71 just passed by the House.

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

There was no objection.

ON PRIVILEGE AND THE PUBLIC GOOD

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

Mr. LANDRUM. Mr. Speaker, amidst all the talk now going through our land about freedom of the press and proposals for new provisions in law for the protection of reporters to maintain confidential sources of information, we hear all sorts of clouded opinions and statements, some apparently made without full understanding of the provisions of our Constitution undergirding the important fundamental "freedom of the press."

Out of the maze of uncertainty surrounding this issue, an editorial from the Bainbridge Post-Searchlight, of Bainbridge, Ga., written by Mr. Sam M. Griffin, Jr., chairman of the legislative committee of the Georgia Press Association, recently came to my attention. I think it is worthy of the thoughtful consideration of every Member of the U.S. Congress, and I offer it as an extension of my remarks with the expressed hope that it will be read carefully by all of the membership.

ON PRIVILEGE AND THE PUBLIC GOOD—PIED OPINIONS AND OTHER CURIOUS NOTIONS

(By the editor)

A few weeks ago, we expressed our thoughts about freedom of the press and the protection of reporters to maintain confidential sources of material. In short, we are of the opinion that the privilege of immunity to be forced to testify before a court of law is an awful responsibility, and one that should be sparingly granted. The criteria for granting requires a balance of the personal rights of the individual and the common good of the public, and the decision must necessarily be made in whichever way the scale tends when all the facts are weighed.

The matter has attracted national significance, and some reporters have served sentences for contempt of court because they refused to reveal their sources in various sorts of cases. One William Farr, who wrote a story on the Charles Manson murder case, has been imprisoned in California because he would not reveal the sources of his information concerning that case in the story. He says that two of the attorneys on the case gave the information to him, but he refuses to testify as to which of the attorneys it was, and all of the attorneys in the case have testified under oath that they did not furnish him with the information.

Somebody has to be lying, and in judicial circles, that is called perjury. It is not the kind of thing which deserves the dignity of the protection of the law, and we cannot see why journalists should become alarmed over the particular situation.

The worth of a free press depends on the credence and believability of it, and heaven help us, but that has been deserved discussion in this country over the last two or three decades. If a reporter has evidence substantial enough to be published as the truth, he should have the means to reveal the qualifications of his source, or else be prepared to suffer the consequences and possibly leave the veracity of his work in question.

The freedom of the press, as provided in our Constitution, was created to assure the public of access to the truth of the happenings of the day unencumbered by the influence of government. Its purpose might be

described as providing each citizen an extension of himself to hear and attend to the affairs of government and men without pressure or interference of government and men to prevent his knowledge.

There is no greater supporter of the people's right and need to know than I am. I believe fervently in the freedom granted to the press and its responsibilities to the citizen to act as his ear in public affairs. I do not believe that this Constitutionally guaranteed freedom was intended to provide the press greater freedom than is afforded the private citizen in similar matters.

Such desires are not for freedom of the press, but for privilege, and privilege is a matter that is exceedingly difficult to justify or support successfully in our government.

I see where the American Civil Liberties Union has joined with plaintiffs seeking the immunity of reporters to testify in duly constituted courts of law in so far as their sources are concerned. These people, the ACLU, have a record of being supporters of privilege and not freedoms the country over. If there was ever any doubt in my mind, it would now be relieved.

For us, we want no part of privilege of the press. We are satisfied with the guaranteed freedoms, and we do not plan to print news stories that we cannot substantiate. This does not mean that we care to tell our sources to the merely curious, for sources are a part of the competitive business of news reporting, but we do not anticipate printing any information for which the source would not be revealed to proper authorities.

No more cards, Mr. Dealer; we'll play these.

THE "FORT WORTH FIVE" AND AMERICAN JUSTICE

(Mr. PODELL asked and was given permission to address the House for 1 minute and to include extraneous matter.)

Mr. PODELL. Mr. Speaker, five Irish-Americans from the New York City area are being held without bond in a Texas jail. There are no criminal charges pending against these men. They are being held as prisoners because they have refused to give up their constitutional privilege against self-incrimination.

Last June, the five men—Kenneth Tierney, Matthias Reilly, Thomas Laffey, Paschal Morahan, and Daniel Crawford—were served with subpoenas and ordered to tell a Federal grand jury in Fort Worth, Tex., about their alleged involvement in attempts to smuggle small weapons into Northern Ireland. When they refused to testify, citing the privilege against self-incrimination, they were granted limited immunity and were ordered to testify. They again refused to do so, on the grounds that the immunity offered was insufficient to protect them against future prosecution by the British Government. The five were then cited for civil contempt, and were sentenced to be incarcerated until they were ready to testify.

Since no Federal facility in the area was deemed suitable to house recalcitrant witnesses, they spent 4 hot, summer months in the Tarrant County jail, where they were denied many of the rights usually enjoyed even by criminal defendants awaiting trial. Most important, perhaps, was the fact that they were held without bail. After Justice Powell affirmed the circuit court decision deny-

ing bail, the five were admitted to bail by order of Justice Douglas, pending the disposition of their appeal by the Supreme Court. One month ago, however, the Supreme Court denied their petition for a writ of certiorari, and on January 30 they were forced to return to the Tarrant County jail.

After much public criticism, the men were granted the right to have a 5-minute telephone conversation with their families—once every 2 weeks. The Department of Justice has cut off telephone calls between the men and their attorneys, in flagrant violation of their right to counsel. Recently, they were transferred to somewhat better quarters in the Federal Correctional Institution at Seagoville, outside of Dallas. However, the Justice Department has continued to unreasonably restrict their communication with the outside world.

The Fort Worth Five, as they have come to be called, will apparently be kept in jail until the current term of the grand jury expires on November 4, 1973. The men have never been charged with any crime, and the Department of Justice has not revealed any details of the alleged gun-running activities. The policy of internment without trial is disturbingly reminiscent of practices associated with totalitarian regimes.

While this case is an extension of the tragic strife in Ulster, it has also made painfully apparent some shortcomings in our own legal system.

FEDERAL GRAND JURIES

The grand jury, like most other legal institutions in America, originated in England, and has been traced back to the year 1166. Traditionally, the grand jury's function was to sift the likely accusations from the improbable ones; it was thus regarded as a legal safeguard which protected citizens from arbitrary or frivolous prosecutions. Unfortunately, our Federal grand jury system has atrophied, and is now merely a rubber stamp for the U.S. attorney's office.

In theory, the grand jury is supposed to hear the prosecutor's evidence and then hand down an indictment only if they feel that the evidence justifies a trial. In practice, the juries rarely refuse to indict, almost never conduct independent investigations, and serve largely to delay the already-complicated legal process and to burden the American taxpayer.

In grand jury proceedings, the witnesses are forbidden to bring their attorneys into the hearing room, where the prosecutor is not bound by formal rules of evidence. All proceedings are held in secret, and there is nothing to prevent the Government from conducting "fishing expeditions" and intimidating witnesses. Thus the grand jury has not only become superfluous, but may in many cases deprive witnesses and potential defendants of due process of law.

In addition to the lack of procedural safeguards during the grand jury hearing, the entire process is vulnerable to the political prejudices of whatever administration happens to be in power. In political "conspiracy" cases, for example, the Government can choose to convene the grand jury—and thus con-

duct the inevitable trial—in any jurisdiction having the slightest connection with the alleged conspiracy. Thus the celebrated "Berrigan conspiracy" trial, on charges of conspiring to kidnap Henry Kissinger and commit acts of sabotage in Washington, was held not in Washington but in Harrisburg, Pa., in the district where one of the alleged conspirators had been serving a prison term at the time in question. The Department of Justice may have felt that the supposed anti-Catholic sentiment in central Pennsylvania would insure a conviction. As we all know, the plan backfired, and the jury acquitted the defendants of all conspiracy charges.

In the present case, the sole link between the alleged gun-running and the city of Fort Worth is an unsubstantiated claim that some of the guns could have been purchased in Texas. On this flimsy pretext the five Irish-Americans were taken from New York, where most of the alleged crimes would probably have occurred—but where there are also many people of Irish extraction—and were forced to testify in Fort Worth, Tex., where the Nixon administration probably felt there would be little sympathy for them. A system which allows the Government such a tremendous political advantage in choosing the forum for the trial is incompatible with a society of law and justice.

Finally, when the present grand jury expires in November, the new grand jury can start the proceedings all over again. Theoretically, the Fort Worth Five could be jailed for the rest of their lives, with no criminal charges being brought against them.

In 1931 the National Commission on Law Observance and Enforcement recommended that the grand jury be done away with, except for investigations of graft and other large conspiracies. In Britain, where the grand jury was born, it was abolished 40 years ago on the grounds that it was unnecessary. Perhaps if we took a long, hard look at our own Federal grand jury system, we would arrive at the same conclusion.

NO FOREIGN IMMUNITY

Although the Department of Justice has already admitted that it used wiretaps in securing evidence against the Fort Worth Five, the witnesses' refusal to testify is not based chiefly on alleged illegal gathering of evidence, but rather on the possibility that their testimony might be used against them in a British court. The British have requested assistance from our Government in attempting to halt the alleged flow of arms from this country to Northern Ireland. As Mr. Justice Douglas said in dissenting from the Supreme Court's refusal to grant certiorari:

In the instant case the possibility of foreign prosecution is not insignificant. There are indications that the impetus for the grand jury investigation was the request of foreign powers. It is not enough to say that petitioners are not subject to foreign jurisdiction: At any time petitioners could be traveling in a foreign country or find themselves the subject of various international extradition treaties.

The Department of Justice has refused to approach any foreign government to

secure a guarantee that the Fort Worth Five will not be prosecuted on the basis of their own testimony. Moreover, there is no guarantee that they will not be extradited.

FEDERAL IMMUNITY STANDARDS

As if the danger of foreign prosecution were not enough, the Fort Worth Five, if compelled to testify, could also find themselves being tried and convicted in the United States, with the evidence against them coming from sources unearthed by their own testimony. The so-called immunity offered them is nothing more than an assurance that their own words, or the "fruits" thereof, will not be used against them. The Government has not granted them full or "transactional" immunity, which is a guarantee that they will not be prosecuted for acts about which they are compelled to testify.

In this case only testimonial or "use" immunity has been offered in exchange for the witnesses' waiving their fifth amendment rights. With "use" immunity, the Government may use a witness' testimony to explore leads which can be traced back to a supposedly "independent" source; the Government can then prosecute the original witness, who has thus been compelled to assist in compiling evidence for use in his own prosecution.

It is often extremely difficult for a defendant to prove that evidence introduced at trial was actually the fruit of his previous compelled testimony before a grand jury. The prosecutor can disguise evidence so that it appears to have been developed independently of the immunized witness' testimony or information.

Thus mere "use" immunity, such as that granted to the Fort Worth Five, is not a "fair trade" for the protections of the fifth amendment, since it leaves the witness vulnerable to future prosecution for the offenses on which he must testify.

In the name of decency and law, I call upon the Department of Justice to restore the lines of communication between the Fort Worth Five and their attorneys, and, if no formal charges are to be brought against these men, to free them at once. At the same time, the Congress must take steps to investigate and correct the deficiencies in our legal process which have been dramatized by the events in this case.

Accordingly, I am today introducing legislation establishing transactional immunity as the type of immunity to be granted all witnesses who are compelled to waive their privilege against self-incrimination in Federal proceedings. I am also introducing a resolution directing the Judiciary Committee to conduct a broad investigation of the practices and abuses of the Federal grand jury system. I urge all Members of Congress to support these efforts to protect the constitutional rights of witnesses in our system of criminal justice.

H. RES. 300

Resolved, That the Judiciary Committee, acting as a whole or by subcommittee, is authorized and directed to conduct a full and complete investigation and study of the con-

duct and practices of the United States Department of Justice and the Federal judiciary with respect to grand jury investigations. Such investigation and study shall be completed and reported to the House as soon as practicable, and shall include findings on the following matters:

(1) Whether there is reason for the Government to believe in all cases where witnesses are called before grand juries that each such witness has significant information on the subject of the investigation being made.

(2) Whether the questions asked of each such witness have a close nexus with the criminal activity under investigation.

(3) Whether the criteria employed by the Justice Department in selecting a site for each grand jury investigation are appropriate, especially in cases where such site is distant from the principal residences of a substantial number of prospective witnesses.

(4) The extent to which witnesses subpoenaed are not asked any questions before the grand jury.

(5) The instances in which a grand jury was convened in order to investigate lawful demonstrations or other lawful political events, and the instances in which a grand jury was convened simultaneously with lawful events in which the witnesses were to participate.

(6) Whether the questioning of grand jury witnesses has been used, or is capable of being used, to gather personal information about such witnesses for the purpose of domestic intelligence.

(7) Whether the use of grand juries has been made by the Government, or can be made by the Government, to harass or intimidate persons who advocate controversial policies or disagree with the administration.

(8) Whether there is sufficient assurance under present law that the compelled testimony of grand jury witnesses cannot subsequently be used to incriminate them.

(9) Whether grand jury witnesses should have the privilege of legal counsel during grand jury questioning.

H.R. 5539

A bill to amend section 6002 of title 18 of the United States Code to provide transactional immunity for witnesses compelled to testify after refusal on the basis of the privilege against self-incrimination

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6002 of title 18 of the United States Code is amended by striking out "but no testimony or other information compelled under the order (or any information directly or indirectly derived from such testimony or other information) may be used against the witness in any criminal case," and inserting in lieu thereof the following: "but no witness whose testimony or other information is compelled under the order shall be subject to prosecution for any offense to which such testimony or other information pertains."

AGRICULTURE, A METROPOLITAN CINDERELLA?

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

Mr. ANDREWS of North Dakota. Mr. Speaker, farmers are being continually blamed for what urban residents regard as excessively high food prices and it is refreshing when a distinguished publication such as *Editor and Publisher* seeks to set the record straight.

The writer of this article, which ap-

peared in the February 24 edition of the *Editor and Publisher* is assistant agricultural research editor at Washington State University and former western States vice president of the Newspaper Farm Editors of America. The last 3 years of his 11-year career in daily newspaper journalism were spent as a farm writer at The Tri-City Herald in Kennewick, Wash. I am herewith inserting Mr. Terence L. Day's article, "Agriculture, A Metropolitan Cinderella?", which deserves attention from all.

AGRICULTURE, A METROPOLITAN CINDERELLA?

There is a void in modern reportage, a gulf which could lead to a major crisis in America.

Never in the world's history have so many been so dependent upon so few, or so ignorant of their situation, as Americans today. More than 95 percent of the nation's people are dependent upon the less than 5 percent who man the nation's farms.

Agriculture is a metropolitan Cinderella who labors hard for urban America, but who works without appreciation because there is a knowledge chasm left unabridged by modern journalism, or inadequately bridged at best. That vital informational link, the farm beat, has been plowed under or sent out to graze on the south 40 on most urban newspapers today.

WRONG NEWS POLICY

A news executive recently explained his paper's abandoned farm beat: "We don't have very many farmers in our circulation area any more."

Unfortunately that philosophy is all too apparent in today's newsrooms. What J. Henri Fabre, the French entomologist and author, said of history is equally apropos of journalism: "History . . . celebrates the battlefields whereon we meet our death, but scorns to speak of plowed fields whereby we thrive; it knows the name of the king's bastards, but cannot tell us the origin of wheat. That is the way of human folly."

Journalism celebrates city streets whereon we riot, but scorns agriculture whereby we prosper; it reports which movie star is living out of wedlock with whom, but does not tell us about our source of food.

Today's newspapers may not have very many farmer subscribers, but their readers all have one thing in common: they eat. And as long as they do, newspapers should take a vital, intelligent interest in agriculture.

WRITE FOR CITY READERS

Editors don't expect an aerospace editor to write for aerospace employees. They don't ask science writers to write for scientists, nor education writers to slant articles to educators. Political writers aren't asked to write for politicians, and transportation writers don't write for truck drivers.

So why should farm writers write for farmers? They shouldn't. They should write about agriculture, for city folk. But all too much of the little farm writing today is of small value or interest to urbanites because it does not put agriculture in terms they can understand.

The reasons for strong farm beats are manifold, but paramount are reader interest and public interest. Readers are interested in farm news that is written for them, and nowhere is the need for farm editors to serve the public interest more apparent than in the hubbub over food prices.

The most prevalent and most inaccurate myth in America today is the "high" food prices legend believed by almost every consumer and promulgated by nearly every newspaper and television station in America.

Why does almost everyone think food is expensive? Because today's news media fails

miserably to understand agriculture and to report it accurately. It is a digression, but you won't believe that food is cheap unless we document it, so let's digress.

Agriculture has given America the lowest-cost food bill in the history of mankind—16 percent of disposable income in 1971, compared with 23 percent in 1950, according to U.S. Department of Agriculture statistics.

It's an unpopular story, but our great agricultural progress has reduced food costs by 30 percent during the past 21 years. As a bonus, Americans also get a greater variety of food, a higher standard of eating (including twice as much beef), less kitchen drudgery, and more meals "out-on-the-town."

America's food bill in 1971 was \$118 billion—a whopping \$51.7 billion less than it would be if Americans still paid 23 percent of their income for food as they did in 1950.

That's \$51.7 billion which Americans spent for second cars, trail bikes, boats, stereophonic sound systems, fancy furniture, summer cottages, dishwashers, color television, and a host of other consumer goods. But how much is \$51.7 billion? It is \$15.1 billion more than the total value of all automobiles manufactured in the United States and of the distribution costs of all foreign-made automobiles sold in the United States in 1969! (Based on U.S. Statistical Abstract figures.)

In other words, the unparalleled efficiency of the American farm is one of the basic reasons for the high and still rising American standard of living, a principle difference between our standard of living and that of other countries. (Englishmen spend 29 percent of their income for food, Italians 45 percent, and Indians 80 percent.)

SHOULD GIVE THANKS

Instead of complaining about "high" food prices, we Americans should be on our knees giving thanks for our share of the \$51.7 billion a year the nation saves on groceries. It is the very substance of our high standard of living.

But, you say, look at what's happening to food prices. Meat has gone up, eggs have gone up. Yes, and they'll come down, too. But not with the same fanfare with which they went up.

Recently when the price of eggs threatened to reach \$1 dozen the news was headlined for days on end. But when they dropped to 59 cents a dozen, our local newspaper didn't have a single line of copy with that news.

The result is a public misimpression that prices are always going up. That's true of cars, clothes and a lot of other things; but not of food. Food prices fluctuate because farmers cannot control production, and prices rise and fall with supply.

Further, reporters have wholly failed to put food prices into perspective with wages. Big, black headlines shout the news that food prices are expected to increase at an annual rate of about 4.5 percent during the first half of 1973. But what reporters have compared that with anticipated wage increases?

The Nixon Administration says 5.5 percent increases are acceptable, and few authorities feel that wage increases will be held that low in 1973.

It doesn't take an Einstein, or even a high school math teacher, to calculate that if food prices increase 4.5 percent and income rises 5.5 percent, the percentage of our income spent for food will decrease. The increase we see in food prices is inflation—and food is an anchor trying to hold inflation down. Food prices are not contributing to inflation.

With urban America and the press which serves it both ignorant of the realities of agriculture, there is a real threat to the agricultural abundance which is the foundation upon which America has become the world's wealthiest nation—a nation with the highest standard of poverty that the world has ever known.

How is America threatened?

With 95 percent of her population in the cities, and the one-man, one-vote rule, the farm bloc has withered to a tiny voice in a distant pasture.

Unless the farm-city information gap is bridged by the press, it is entirely conceivable that an urban-dominated, urban-oriented Congress could pass legislation which would wreck havoc with agricultural production, or fail to pass legislation essential to a healthy agriculture.

It would be tragic for America to learn the hard way that all of the social reform and anti-poverty programs in the world will be of no benefit if America's unparalleled agricultural miracle is permitted to wither. For modern agriculture is not a permanent miracle which can be ignored once achieved. It is a miracle which must be repeated every year.

But the moment America goes on a binge of anti-farm legislation, capriciously banning vital agricultural chemicals, wildly slashing farm programs, and arbitrarily siding against farmers on national issues; the nation will be sowing the seeds of wretchedness for the cities as well as for the farms.

Food prices will really become high, and with less to spend for other things there will be massive layoffs in city factories which will lose much of their market for consumer goods.

Re-creation of farm beats to report agriculture for city audiences, to give America more balanced reporting on issues touching the farm, would be a small price to pay for prosperity insurance.

FAIR STAFFING TREATMENT FOR MINORITY IN HOUSE

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

Mr. ESCH. Mr. Speaker, Republicans have attempted twice in as many weeks to remedy the inequitable treatment the minority party in Congress receives with regard to investigatory staff. Each time, those in the majority have refused our rights to one-third of committee investigatory staff, even though 44 percent of the House is Republican.

On March 7, many of us were shocked to hear our colleagues in the majority state that—

The facts of the matter are that the Democratic Party has been chosen and has the responsibility for the legislative program of this House . . . because the Democrats are the majority party.

And—

With the Majority in this House goes the responsibility of staffing, whether in 1952 when the Republican Party won the Congress, or when the Democratic Party won the Congress.

And—

Mr. Nixon was chosen to be the President. He has several thousand appointments. Has he offered one-third of them to the Democrats in the Executive Branch?

Mr. Speaker, the thrust of these remarks made during the minority staffing debate on March 7 are clear: the majority party in either Congress or the executive branch need not be compelled to provide the minority with fair staffing treatment.

This may be the philosophy espoused by Members of the Democrat Party, but Republicans do not share their thinking.

First, were we to become the majority

party in Congress, we would not change our position on minority staffing, but would extend to the other party the prerogatives they refuse to grant us; namely, access to one-third of committee investigatory staff.

Second, when the Nixon administration took office after 8 years of Democrat control there were thousands of Democrats on the payrolls in the Government departments and agencies. We did not employ the spoils system and fire these people—although many criticized us for not doing so. There was, in fact some feeling that the presence of so many officials whose sympathies lay with the Democrat Party made it difficult for the Republican administration to carry out its programs. It was even suggested that the Republicans implement in the executive branch the same philosophy as the Democrats advocate for the legislative branch: winner take all. We did not do that, or even advocate it, and we are shocked to hear the Democrats suggest this as a rationale for staffing allocation in the Congress.

On February 28, our efforts to achieve equitable minority staffing were turned down by a 204 to 191 vote, with 14 Democrats voting in favor of this long-needed reform. A week later, on March 7, the vote narrowed to 197-196, with one Democrat voting "present". This time, 17 Democrats had the courage to support fair and equitable treatment for the minority party in Congress.

Mr. Speaker, this issue will be raised again and again until we succeed in guaranteeing the minority party, whether Republican or Democrat, the right to one-third of the staff of standing committees. I hope that enough of our colleagues from the majority side will join with us next time, to make the next vote the final one on this issue.

PROBLEMS OF THE AMERICAN INDIAN

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

Mr. HANLEY. Mr. Speaker, there is an old saying in the Bible that the first shall be last, and the last shall be first. The reference, of course, has nothing to do with the pecking order here on earth, but we in the United States have found an interesting and tragic way of putting that quotation into social practice.

It is one of the painful ironies of American history that the first citizens of our land are, in fact, our last citizens, with no voice in the Government, with few friends in court and with little hope for the future. The American Indian, to put it bluntly, has been patted on the head by Uncle Sam, put out to pasture and told paternally to be a good little boy.

During my years in Congress, I have had repeated occasion to become involved in the concerns and problems of the American Indian. The treatment they have received at the hands of the American Government is enough to make the strongest man sick to his stomach. Nor have State governments been any more

reasonable or fair with them. While I am the last to condone violence, I can understand, in a human sense, the frustration which erupted into the confrontation recently at Wounded Knee, S. Dak. Anyone who has ever dealt with the bureaucracy in the Interior Department's Bureau of Indian Affairs can readily fathom the anger and humiliation which precipitated Wounded Knee. Treaties have been violated and promises broken and no one seemed to care. The Sioux had nothing to lose and everything to gain. Perhaps, just perhaps, someone would listen and do something.

A few years ago, I became involved in a situation in the Northern Tier of New York at the request of the Onondaga Tribe. Their brothers on the St. Regis Reservation, which lies partially within the United States and partially within the Province of Ontario, in Canada, were being illegally taxed.

When the United States signed the Jay Treaty in 1794, we specifically guaranteed the North American Indians free and untrammeled access to the United States-Canadian border. No duties or imposts could be levied against any food or goods they carried back and forth across the border. As it happened on the St. Regis Reservation, many of the Indians lived on one side of the border but did their shopping on the other side. Customs officials attempted to tax the food carried across the line, in direct violation of the Treaty, and no one would listen to the Indian pleas. They had no voice in either government, and so they rioted. I was asked to intercede and I did, willingly. It was quite an experience. That situation has now been resolved, but I suspect there are a thousand like it which have yet to surface. I suspect also that unless the problems and circumstances which precipitated Wounded Knee are taken care of promptly and effectively, those subsurface situations on reservations across the country will erupt likewise.

I mentioned a few moments ago the painful irony of the Indians' place in American life. There is a collateral irony which to me is equally painful. We, as a society and as a Government, took the land and the freedom away from the Indians. And when that was accomplished, we succeeded in taking away their dignity also. We gave them nothing. Yet, when others have attempted to take away our own freedom or when others have threatened democracy, we defeated them, and then proceeded to open up the U.S. Treasury for their benefit. We have poured billions into Japan and Germany; and the administration now proposes to pour more billions into North Vietnam, but we can not even get the Government to honor its solemn treaty obligations with our American Indians.

There is an old saying that you cannot know a man until you have walked a mile in his shoes. I suggest we try walking a mile in the shoes of America's Indians to learn their anguish and frustration. We can no longer be smug or aloof. We can no longer allow the first to be last.

Until this same time next week, this is, so forth and so forth.

TOWARD A MORE RESPONSIBLE NEWS MEDIA

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

Mr. TAYLOR of Missouri. Mr. Speaker, every day the American people are faced with the ominous task of sorting out hard factual news from the cryptic opinions of major networks news commentators. Because the people's right to accurate information about current events is so important for the existence of our form of Government, I feel that news reporters must accept the responsibility to give hard factual news unclouded by their interpretative remarks. Network reporters must start labeling their opinions as such, and separate their opinions from the hard news of the day. A growing sentiment within the broadcast industry for more responsible news reporting is reflected in the following editorial by Mr. Don Daley which was recently aired on KGBX radio in Springfield, Mo. The editorial is critical of irresponsible and over-emotional newscasters who attempt to create a mythical White House conspiracy against the press on scheduled network news programs. The editorial follows:

The President of the National Broadcasting Company, of which this station is an affiliate, stated recently in Fort Worth, Texas that "The Federal Government has shown a pattern of action aimed at weakening the news media as the public's watchdog."

Now, there is no doubt what he means by that . . . or is there? Some of these earnest defenders of the news media are making so much noise for such questionable reasons that the genuine threats to press freedom may be obscured. What they cry wolf about most often recently is the attitude toward the news media of the present administration in Washington. Where Nixon is involved it is easy to see in every problem of the press the manifestation of a sinister plot to punish and stifle the media.

A former President of CBS even went so far as to say, "The climate Nixon is creating is open season on journalism. This is a plot . . . Yes, a plot against free speech. Nixon really doesn't believe in a free and open society."

Walter Cronkite of CBS has expressed a similar opinion to the effect that there is a White House conspiracy against the press.

We say such statements are hogwash. There simply is no proof of a conspiracy or any organized effort to stifle freedom of the press and to suggest the White House is planning to wipe out the Bill of Rights, starting with freedom of the press, is utter nonsense.

But it is dangerous nonsense because it can create a supercharged, emotional atmosphere in which the real problems of the news media may very well not get the attention they deserve.

Let's take just one case . . . and there are many to show what we mean. In the fuss over "The Selling of the Pentagon" the threat to CBS was in the form of a subpoena issued by a Committee of Congress . . . not by the White House. In fact, Asst. Defense Secretary Daniel Henkin, one of the administration officials who had the most cause to feel wronged by the documentary sided with CBS in resisting the subpoena! If there is a conspiracy . . . someone at the White House evidently forgot to tell Henkin!

Another complaint of some media de-

fenders is that high Government officials are constantly badmouthing the press. Spiro Agnew is cited most often, but others are complained of, too. Dan Rather said recently, "I'm certainly not saying that they all sit around a table and plan some grand strategy to hit the media from all fronts. But I am convinced that in a broad, general way, the people around Nixon have come to know that it is OK to attack the media."

So it is OK. So what? Government officials have been critical of the press since America began. The only President who never quarreled with the press was William Henry Harrison who died a month after taking office.

Our advice to the president of NBC, for what it is worth, and we have suggested this before, stop worrying about the Government attacks. The press does have some serious problems with Government that must be resolved, but why do not you direct your newsmen on the network to start labeling opinion as such and try to separate it from the hard news of the day—then go out and hire a newsman or two, if you can find them—with a more conservative persuasion about the world to balance out all the liberals on the network. My guess is all those surveys that have shown the public thinks network TV news is biased might change after a while. Then, concentrate on stopping the movement toward denying reporters the right to maintain the confidentiality of their informants, before we all wind up with dried up sources of news that are absolutely needed to keep the public informed.

Unfortunately, it is going to be more difficult to muster support for the legitimate concerns of the free press if some news media spokesmen, including network presidents, continue to present these concerns stridently, simplistically, and unfairly.

ARRESTS IN STENNIS SHOOTING

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

Mr. FROEHLICH. Mr. Speaker, the Congress, the citizens of the Nation's Capital, and the people of America are grateful for the arrests last night in connection with the shooting of Senator John Stennis.

The sickening, cold-blooded attack last January on one of the country's most able and eminent lawmakers appalled the Nation and created in many lawmakers a discernible apprehension for their safety in Washington.

In a legal sense we may not presume the three young men who were arrested to be guilty of the crimes with which they are charged, but a lot of us will rest easier knowing that three people have been arrested who had in their possession the watch that Senator STENNIS was wearing the night he was shot.

I believe the FBI, the Metropolitan Police Department, and the many citizens and groups who participated in the search for the Senator's assailants are to be commended for their efforts. They

did their best. According to the newspaper this morning, at least 1,000 persons were questioned in the shooting as part of one of the most intensive man-hunts in Washington's history.

We are all very thankful for the success they achieved.

But, Mr. Speaker, I think it is necessary now to ask what will happen to these three young men if they plead guilty or if they are convicted of this senseless and brutal crime. I am very much afraid that after thousands of dollars were spent and hundreds, if not thousands, of man-hours were expended to obtain their capture, these men will be able to escape all meaningful punishment for their conduct.

They are charged with a Federal crime that was committed in the District of Columbia. They will be tried in a Federal court in the District of Columbia.

According to the paper, the ages of the men are 18, 19, and 21.

As you know, Mr. Speaker, in the District of Columbia, persons under the age of 22 who are convicted of serious crimes must be considered for sentencing under the Youth Corrections Act. In determining whether to sentence under that act, a trial judge in the District is not free to weigh the relative merits of the Youth Corrections Act versus adult confinement. The sole standard for decision is whether a so-called "youth offender" will derive any benefit from sentencing under the act. If he will, he must be sentenced under the act. Only if the judge affirmatively finds that the young offender will not benefit from rehabilitative treatment under the act can the defendant then be sentenced as an adult for a substantial sentence.

Persons sentenced under the Youth Corrections Act are sent to a youth center. It is almost impossible for them to remain there for more than 6 years. In actual fact, in the District of Columbia, most youth offenders are released after about a year at the center.

Anyone who wants to check the decisions on the act should read *United States v. Waters*, 437 F. 2d 722 (1970), and *United States v. Ward*, 454 F. 2d 992 (1971).

My question, Mr. Speaker, is simply this: If the Youth Corrections Act, as interpreted by the U.S. Court of Appeals for the District of Columbia, requires that calculating, insensitive, coldblooded hoodlums like the men who shot JOHN STENNIS, be treated with kid gloves—if we can expect to see these near murderers out on the streets again in about a year and a half—then, Mr. Speaker, should we not change that law at the earliest opportunity? My answer is "Yes."

INDICTMENTS START CLEANUP OF NEW YORK MEAT DISTRIBUTION SYSTEM

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

Mr. MELCHER. Mr. Speaker, indictments were returned in New York City today by State and Federal grand juries

which I hope are the first steps in leading to a cleanup of the meat distribution system there.

These indictments also are particularly significant because they represent the fruits of cooperation between the New York County district attorney's office and a Federal strike force, which joined an already going State investigation last summer.

It is my understanding that this investigation still is continuing.

Our House Agriculture Livestock and Grains Subcommittee conducted a series of hearings into beef prices during the last session of Congress when we heard testimony from one official who had taken part in an earlier New York grand jury investigation.

It is clear, Mr. Speaker, that the indictments which were returned today reveal practices which could be at least partially responsible for unnecessarily high beef prices in the East.

I commend these State and Federal officials for pursuing their investigation to this stage and for continuing it on what I now understand to be a different phase.

Mr. Speaker, the Associated Press carried an account of the indictments which I believe should be called to the attention of my colleagues. The article follows:

INDICTMENTS START CLEANUP OF NEW YORK DISTRIBUTION SYSTEM

WASHINGTON.—Iowa Beef Processors, Inc., the Nation's largest meat brokerage company was indicted by Federal and State grand juries today on charges of conspiring to bribe labor union officials and supermarket meat buyers, the Justice Department announced.

A top official of IBP and an employee of a New York City supermarket chain also were indicted on bribe charges.

Four officials of New York City Meat Brokerage firms were charged with filing false employers' quarterly payroll tax returns by placing nonexistent persons on their payrolls.

Two Federal and two State indictments were returned in U.S. District Court and New York County Court in New York City.

Charged in a two-count Federal indictment were:

Currier Holman, Sioux City, Nebr., cochairman of the Board of Iowa Beef Processors, headquartered in Dakota City, Nebr., which had annual sales in 1972 of \$1.28 billion.

C. P. Sales, Inc., New York City meat brokerage firm formerly known as Cattle Pact Sales, Inc. and

Moe Steinman of New York City, director of labor relations for Daitch Shopwell, a New York supermarket chain.

The indictment charges Holman and Steinman with conspiring from January 1969 to the present to pay commissions to Steinman to arrange for the purchase by New York City supermarkets of IBP's boxed beef products to make sure there was no union opposition to the sale of the products.

Part of the commission, the indictment said, would be used to pay off supermarket officials for buying meat in New York City and labor union officials responsible for unions having jurisdiction over the processing and sale of beef products in New York City.

(Mr. WHITEHURST) is recognized for 10 minutes.

Mr. WHITEHURST. Mr. Speaker, after months of research, the Supreme Court recently delivered a scholarly essay which examined the laws governing abortion throughout history, then invalidated nearly all existing State regulation of this subject.

I have no quarrel with the Court's recommendation that pregnancy be treated differently at various stages under the law. The decision probably reflects good medical thinking at the present time. I do object, however, to the Court's usurping what is clearly a legislative prerogative simply because the elected Representatives of the people had reached a different conclusion. By this ruling, the Court has insisted on imposing its legislative judgment on the Nation as a whole, depriving the people of the opportunity to adjust their laws to reflect the different attitudes toward abortion that exist in various parts of the country.

My objection is shared by thoughtful members of the Court itself. Mr. Justice White, dissenting in the abortion case, said:

The Court apparently values the convenience of the pregnant mother more than the continued existence and development of the life or potential life which she carries. Whether or not I might agree with that marshalling of values, I can in no event join the Court's judgment because I find no constitutional warrant for imposing such an order of priorities on the people and the legislatures of the States.

In a sensitive area such as this, involving as it does issues over which reasonable men may easily and heatedly differ, I cannot accept the Court's exercise of its clear power of choice by imposing a constitutional barrier to state efforts to protect human life by investing mothers and doctors with the constitutionally protected right to exterminate it. This issue, for the most part, should be left with the people and to the political processes the people have devised to govern their affairs.

Mr. Speaker, the Constitution has established ways to check the exercise of excess powers by all three branches of Government. The appropriate response to this decision which Justice Rehnquist and Justice White called an improvident and extravagant exercise of the power of judicial review, is to amend the Constitution to expressly guarantee the people's right to have this issue decided by Representatives directly accountable to the people.

I am therefore introducing today a measure which will guarantee this right. My amendment states:

Nothing in this Constitution shall bar any State or Territory or the District of Columbia, with regard to any area over which it has jurisdiction, from allowing, regulating, or prohibiting the practice of abortion.

This language would permit the enactment of a wide range of legislative approaches to abortion. It would not relieve the legislatures of the obligation to enact such laws in language which would not be impermissibly vague. Nor would it dispense with the procedural requisites of the Bill of Rights and Due Process. It would simply restore the basic power of the States to legislate with regard to abortion.

This is not a partisan issue, nor even a liberal-conservative one. In the last election, both President Nixon and Senator McGOVERN advocated State rather than Federal action in this field.

Mr. Speaker, in a democracy, questions of life, death, and belief cannot be decided from above. Only by giving the people a voice in issues like this can we hope to develop solutions that will be acceptable. I invite my colleagues to join me in restoring that voice to the people.

THE QUESTION OF FEDERAL SUPPORT FOR RURAL WATER AND SEWER SYSTEMS

The SPEAKER pro tempore (Mr. MAZZOLI). Under a previous order of the House, the gentleman from New York (Mr. ROBISON) is recognized for 10 minutes.

Mr. ROBISON of New York. Mr. Speaker, a few weeks ago I glanced over a statistical breakdown of my congressional district as prepared by the Bureau of the Census. I was interested to note that the rural residents in my area continue to move to the cities, that the median voting age was falling, that incomes were up—all these figures providing grist for my political mill. Then I gave a look at various other lists of numbers, which are often noted with interest and quickly forgotten. I guess I have looked at one such item, the number of families without adequate plumbing facilities, in such a manner before. During my younger years, I probably wandered through every corner of the southern tier of New York, so I was not surprised to see that 2.8 percent of the occupied housing units in my congressional district were without adequate plumbing facilities. I know of a few farm houses which draw water from the old wells they have used since my childhood. They are the kind of dwellings which seem to make up most of the 2.8-percent category.

But I have never added those individuals to their counterparts in New York State, and certainly not to those of the rest of the country. However, the Department of Agriculture has, and they tell me it appears that some 20 to 22 million persons, or approximately 5 million families, in this country, do not have adequate inside water or plumbing. It is further estimated that two-thirds of these families have incomes under the \$3,000 level; so most of these people, "lacking some or all plumbing facilities"—as the Census Bureau would have it—are "poor" people. Often, because of their geographic or social isolation, they have been left out of such public and private water distribution systems as may exist. That is also to say that most of them have been left out because of their poverty. And, if there were ever a cycle of poverty, it is the one described by the American Public Health Association where poor or inadequate household water leads to debilitating intestinal diseases, which translate into more and longer disability days, which implies loss of income, which implies lessened resources for attacking unsanitary conditions—and so the cycle of poverty goes on.

ABORTION: RESTORING THE PEOPLE'S RIGHT TO DECIDE

The SPEAKER pro tempore (Mr. MAZZOLI). Under a previous order of the House, the gentleman from Virginia

James H. McDermott of the Environmental Protection Agency adds:

In addition to the physical illnesses, there are psychological effects as evidenced by a lack of incentive to do anything productive. Many of our staff engineers have observed these relationships while working on water supply problems in underdeveloped countries throughout the world. It has been demonstrated within developing countries that water supply is an essential element in economic development. One measure of the importance of water supply to economic development is the total of almost one billion dollars spent by the U.S. Agency for International Development over a 25 year period in support of water supply programs in underdeveloped countries . . . It is paradoxical that these concepts we promote and support abroad have not been applied in the economically depressed regions of our country.

Mr. McDermott's concluding paradox is one worth dwelling upon in this day of revenue sharing. Here is a problem which is easily recognized in many other countries, but has failed to attract attention or sufficient resources at home. I am sure that the explanation has many parts but, in large degree, it is that the people who suffer from these conditions are spread throughout the country, in small pockets here and there. Even when recognized, they are given low priority by local and State jurisdictions because of their relatively small numbers.

Yet, as the Department of Agriculture suggests, their numbers may add up to over 20 million citizens when we look across the country. Here is a number of sufficient magnitude—and a privation of such proportions—as to motivate the interest and response of this body; and I would hope, in recognizing the problem that my colleagues will allow that the "Rural Drinking Water Assistance Act," which I am introducing today, is some part of the solution.

To a considerable degree, the solution lies in a better definition of the problem. Through a "rural water survey," the "Rural Drinking Water Assistance Act" would determine more accurately than we now know the number and location of those who presently have no household drinking water, or are inadequately supplied, and the number of persons who are experiencing impairment of health as a result.

To oversee the survey, and to coordinate the work of the several Government agencies which may participate, my proposal establishes a "Rural Water Council," composed of the Secretaries of Agriculture and HUD, the Administrator of the Environmental Protection Agency, and the Surgeon General, in addition to nine public members appointed by the President. On the basis of the policy recommendations from the Council, the Secretary of Agriculture is authorized to provide \$220 million in grants and loans to nonprofit associations organized to provide rural water systems. These water distribution systems may include single and multifamily wells, in addition to piped surface water, as is best suited to the particular locality.

The Secretary of Agriculture would also make available up to \$20 million of his funding authority to support the or-

ganization of rural water supply associations which might not otherwise have access to sufficient organizational tools because of low income or insufficient consultation and guidance.

Mr. Speaker, I am most anxious that this legislation draw the attention and support of my colleagues, so that we may look to a serious domestic problem, which has waited too long for attention. Having said that much, I suspect it will also be said—from the other side of the coin—that any such proposal for a new, categorical Federal-aid program comes at a bad time given our current difficulties, and budgetary arguments, over the existing rural water and waste-disposal planning and development grant program. We have, in this House, just passed by a substantial margin, H.R. 3298, a bill which, though opposed by the administration, would attempt to "restore" that particular program. The eventual fate of that bill, like a lot of other matters around here, still hangs in the balance.

As it happens, I accidentally missed my vote on final passage of H.R. 3298, but I subsequently expressed—for the record—my reservations about it and stated that, had I been present, I would not have voted for it. A broader explanation of that position on my part is not here necessary; suffice it to say only, in that regard, that it was the administration's position, as I remember it, that the argument then before the House was not one over the need for continuing a program of Federal support for rural water and sewer systems, but rather over how that effort would be organized and that assistance delivered.

Some of that argument—on which neither the Committee on Agriculture nor this House properly focused in its passage of H.R. 3298—may apply to the proposal I am now making and, insofar as it would, let me say now that I am flexible as to both the organization of the Federal effort I believe needs to be made here, as well as to the nature of the delivery of such Federal assistance as I also believe is clearly indicated.

The point to be addressed, then, is whether or not—given our present and difficult budgetary dilemma—there ought to be a moratorium of sorts on new proposals to meet obvious, but hitherto ignored, national needs. The answer to that, I think, should clearly be "No," for new initiatives to meet emerging national problems cannot long be held back without damage to the Nation and its environment, but should be considered on their respective merits with their comparative priorities weighted as against either existing programs of categorical assistance or other, new proposals for the same.

It is in that spirit that this proposal, then, is made, and my colleagues' consideration of the merits thereof solicited.

THE VETERAN SHOULD BE SERVED

The SPEAKER pro tempore. Under a previous order of the House, the gentle-

man from Connecticut (Mr. MCKINNEY) is recognized for 5 minutes.

Mr. MCKINNEY. Mr. Speaker, I have received innumerable letters from individual citizens and veteran organizations, urging the restoration of Memorial Day and Veterans Day to their traditional dates of May 30 and November 11, respectively.

The legislation changing the observance dates of several legal holidays was passed before I was elected to Congress. I have no doubt that at the time it was felt that with the longer weekends, families could have more time together and that such a change would not detract from the observance of these holidays. In the last Congress I did not support legislation to return Veterans Day and Memorial Day to their traditional dates because I felt we needed more time to evaluate the Monday-holiday change. I now fully support the move for restoration of Veterans Day and Memorial Day to their traditional dates.

As a whole, I believe our society has become very blasé with respect to our national holidays and I further believe that this attitude has become more prevalent due to the Monday-holiday change. Bluntly stated, we now simply have long weekends and an added opportunity to take advantage of shopping sales. The action of Congress in changing these traditional dates detracts from the proper recognition of the historic ideals and principles that these 2 days represent.

I have now introduced legislation to restore Veterans Day and Memorial Day to their traditional dates, a step which I believe is important in once again conferring on these days the dignity they deserve.

Speaking of veterans, I would like to discuss another matter which I am sure all of us have had called to our attention by many veterans and their families, that is, the deduction in their pension checks due to the 20-percent social security increase last fall.

The three previous times there were increases in social security benefits, Congress adjusted the law so that our veterans would not be penalized in having their pensions decreased. It should be done again for, to our pensioners, any type of reduction in the paycheck is a critical matter, what with high living costs. The letters I have received on this issue are heart rending:

Could you please tell me why you give with one hand and take back with the other? It's like giving candy to a child and then taking it away from him.

Another letter reads:

We don't want charity, welfare or food stamps. It would be better to keep your raises because it's no big bargain.

And another:

This truly creates a hardship. We in our age group are unable to work in order to supplement our income. We are financially back to where we started prior to October.

It is estimated that over 1.3 million veterans and widows of veterans have

had a reduction in their veterans pensions because of the social security increase. Another 20,000-plus veterans are losing their veterans pensions altogether.

So as not to have this travesty repeated, and to remedy the present injustice, I have helped to introduce legislation to amend title 38 of the United States Code to protect recipients of veterans pensions from having the amount of such pensions reduced because of increases in social security benefits.

I hope that my colleagues will join in backing both the return of Veterans Day and Memorial Day to their traditional dates and legislation to restore full benefits to our veterans. These men have served our country faithfully and we, in turn, should demonstrate our appreciation by early and favorable consideration of these two measures.

CONTINUATION OF REPORT ON VETERANS BENEFITS LEGISLATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. KEMP) is recognized for 10 minutes.

Mr. KEMP. Mr. Speaker, yesterday in a special order I spoke on legislation which I have introduced to improve veterans' education benefits and I inserted a report prepared by the Veterans' Club of Canisius College, Buffalo, N.Y. I now include the appendices of that report and the text of my Veterans' Education Act of 1973:

APPENDIX 1, SEC. A

PUBLIC INSTITUTION IN-STATE RESIDENT

[Full-time undergraduate]

	School year 1945-46	School year 1971-72
1. Cost of education per year.	\$110.00	\$460.00
2. Cost of room and board.	\$437.66	\$983.00
3. Cost of goods (all items)		
1967 equals 100 percent.	\$53.9	\$121.3
4. Inflation of \$1 (1945 equals \$1).	\$1.00	\$2.25
5. G.I. bill subsistence allowance/month.	\$65.00	\$220.00
6. G.I. bill tuition allowance.	\$342.00	\$0
7. Total subsistence and tuition allowance.	\$927.00	\$1,980.00
8. Total subsistence and tuition allowance in 1971 dollars.	\$2,085.75	\$1,980.00
9. Subsistence allowance in 1971 dollars.	\$1,316.25	\$1,980.00
10. Tuition cost to student.	\$0	\$1,957.00
11. Room and board cost to student.	\$984.74	\$1,221.00
12. Money to veteran above room and board and tuition in 1971 dollars.	\$378.51	-\$1,198.00
13. Advantage to veteran of 1945.	\$1,529.51	*
14. Percentage increase in G.I. bill to provide parity.		77.2
15. Monthly subsistence should be.		\$389.84

¹ "Crisis in College Finance," Roger A. Freeman, Institute for Social Science Research, 1965, p. 94. Interpolation of cost in 1940 and 1950.

² Educational Statistical Digest, table 127, p. 95. Average of col. 3 and 4, 71-72.

³ Association of American Colleges Bulletin, 1948, vol. 34, p. 255.

⁴ Educational Statistical Digest, table 127, p. 95. Average of col. 7 and 8 plus average of col. 11 and 12 for public institutions.

⁵ Consumer Price Index.

⁶ Ibid.

⁷ G.I. bill for monthly subsistence in 1945 dollars for 1945.

⁸ Average tuition expenditure for each veteran based on average tuition cost.

PRIVATE INSTITUTION IN-STATE RESIDENT

[Full-time undergraduate]

	School year 1945-46	School year 1971-72
1. Cost of education per year.	\$342.00	\$1,957.00
2. Cost of room and board.	\$437.66	\$1,221.00
3. Cost of goods (all items)		
1967=100 percent.	\$53.9	\$121.3
4. Inflation of \$1.00 (1945= \$1.00).	1.00	2.25
5. G.I. bill subsistence allowance/month.	\$65.00	\$220.00
6. G.I. bill tuition allowance.	\$342.00	\$0
7. Total subsistence and tuition allowance.	\$927.00	\$1,980.00
8. Total subsistence and tuition allowance in 1971 dollars.	\$2,085.75	\$1,980.00
9. Subsistence allowance in 1971 dollars.	\$1,316.25	\$1,980.00
10. Tuition cost to student.	\$0	\$1,957.00
11. Room and board cost to student.	\$984.74	\$1,221.00
12. Money to veteran above room and board and tuition in 1971 dollars.	\$378.51	-\$1,198.00
13. Advantage to veteran of 1945.	\$1,529.51	*
14. Percentage increase in G.I. bill to provide parity.		77.2
15. Monthly subsistence should be.		\$389.84

APPENDIX 2, SEC. B

PRIVATE INSTITUTION OUT-OF-STATE RESIDENT

[Full-time undergraduate]

	School year 1945-46	School year 1971-72
1. Cost of education per year.	\$342.00	\$1,957.00
2. Cost of room and board.	\$437.66	\$1,221.00
3. Cost of goods (all items)		
1967=100 percent.	\$53.9	\$121.3
4. Inflation of \$1.00 (1945= \$1.00).	1.00	2.25
5. G.I. bill subsistence allowance/month.	\$65.00	\$220.00
6. G.I. bill tuition allowance.	\$342.00	\$0
7. Total subsistence and tuition allowance.	\$927.00	\$1,980.00
8. Total subsistence and tuition allowance in 1971 dollars.	\$2,085.75	\$1,980.00
9. Subsistence allowance in 1971 dollars.	\$1,316.25	\$1,980.00
10. Tuition cost to student.	\$0	\$1,957.00
11. Room and board cost to student.	\$984.74	\$1,221.00
12. Money to veteran above room and board and tuition in 1971 dollars.	\$378.51	-\$1,198.00
13. Advantage to veteran of 1945.	\$1,529.51	*
14. Percentage increase in G.I. bill to provide parity.		77.2
15. Monthly subsistence should be.		\$389.84

¹ "Crisis in College Finance," Roger A. Freeman, Institute for Social Science Research, 1965, p. 94. Interpolation of cost in 1940 and 1950.

² Educational Statistical Digest, table 127, p. 95. Average of col. 3 and 4, 71-72.

³ Association of American Colleges Bulletin, 1948, vol. 34, p. 255.

⁴ Educational Statistical Digest, table 127, p. 95. Average of col. 7 and 8 plus average of col. 11 and 12 for private institutions.

⁵ Consumer Price Index.

⁶ Ibid.

⁷ G.I. bill for monthly subsistence in 1945 dollars for 1945.

⁸ Average tuition expenditure for each veteran based on average tuition cost.

APPENDIX 2, SEC. A

PUBLIC INSTITUTION OUT-OF-STATE RESIDENT

[Full-time undergraduate]

	School year—	
	1945-46	1971-72
1. Cost of education per year.	\$110.00	\$1,345.32
2. Cost of room and board.	\$437.66	\$983.00
3. Cost of goods (all items)		
1967 equals 100 percent.	\$53.9	\$121.3
4. Inflation of \$1 (1945 equals \$1).	\$1.00	\$2.25
5. G.I. bill subsistence allowance/month.	\$65.00	\$220.00
6. G.I. bill tuition allowance.	\$110.00	\$0.00
7. Total subsistence and tuition allowance.	\$695.00	\$1,980.00
8. Total subsistence and tuition allowance in 1971 dollars.	\$1,563.75	\$1,980.00
9. Subsistence allowance in 1971 dollars.	\$1,316.00	\$1,980.00
10. Tuition cost to student.	0.00	\$1,345.32
11. Room and board cost to student.	984.74	983.00
12. Money to veteran above room and board and tuition in 1971 dollars.	331.26	-\$348.32
13. Advantage to veteran of 1945.	679.58	*
14. Percentage increase in G.I. bill to provide parity.		34.2
15. Monthly subsistence should be.		295.24

¹ "Crisis in College Finance," Roger A. Freeman, Institute for Social Science Research, 1965, p. 94. Interpolation of cost in 1940 and 1950.

² Educational Statistical Digest, table 127, p. 95. Average of col. 3 and 4, 71-72.

³ Association of American Colleges Bulletin, 1948, vol. 34, p. 255.

⁴ Educational Statistical Digest, table 127, p. 95. Average of col. 7 and 8 plus average of col. 11 and 12 for public institutions.

⁵ Consumer Price Index.

⁶ Ibid.

⁷ G.I. bill for monthly subsistence in 1945 dollars for 1945.

⁸ Average tuition expenditure for each veteran based on average tuition cost.

APPENDIX 3, SEC. A

PUBLIC INSTITUTION IN-STATE COMMUTER

[Full-time undergraduate]

	School year 1945-46	School year 1971-72
1. Cost of education per year.	\$110.00	\$460.00
2. Cost of room and board.	(*)	(*)
3. Cost of goods (all items)		
1967=100 percent.	\$53.9	\$121.3
4. Inflation of \$1.00 (1945=\$1.00).	1.00	2.25
5. G.I. bill subsistence allowance/month.	\$65.00	\$220.00
6. G.I. bill tuition allowance.	\$110.00	\$0.00
7. Total subsistence and tuition allowance.	\$695.00	\$1,980.00
8. Total subsistence and tuition allowance in 1971 dollars.	\$1,563.75	\$1,980.00
9. Subsistence allowance in 1971 dollars.	\$1,316.25	\$1,980.00
10. Tuition cost to student.	\$0.00	\$460.00
11. Room and board cost to student.	(*)	(*)
12. Money to veteran above room and board and tuition in 1971 dollars.	\$1,316.25	\$1,520.00
13. Advantage to veteran of 1945.	-\$203.75	*
14. Percentage decrease in G.I. bill to provide parity.		10.3
15. Monthly subsistence should be.		\$197.40

¹ "Crisis in College Finance," Roger A. Freeman, Institute for Social Science Research, 1965, p. 94. Interpolation of cost in 1940 and 1950.

² Educational Statistical Digest, table 127, p. 95. Average of col. 3 and 4, 71-72.

³ Not available.

⁴ Consumer Price Index.

⁵ Ibid.

⁶ G.I. bill for monthly subsistence in 1945 dollars for 1945.

⁷ Average tuition expenditure for each veteran based on average tuition cost. See footnote 1 above.

APPENDIX 3, SEC. B
PRIVATE INSTITUTION IN-STATE COMMUTER
[Full-time undergraduate]

	School year 1945-46	School year 1971-72
1. Cost of education per year.....	\$342.00	\$1,957.00
2. Cost of room and board.....	(2)	(2)
3. Cost of goods (all items) 1967-100 percent.....	53.9	121.3
4. Inflation of \$1.00 (1945-\$1.00).....	1.00	2.25
5. G.I. bill subsistence allowance/month.....	65.00	220.00
6. G.I. bill tuition allowance.....	342.00	0.00
7. Total subsistence and tuition allowance.....	927.00	1,980.00
8. Total subsistence and tuition allowance in 1971 dollars.....	2,085.00	1,980.00
9. Subsistence allowance in 1971 dollars.....	1,316.25	1,980.00
10. Tuition cost to student.....	0.00	1,957.00
11. Room and board cost to student.....	(3)	(3)
12. Money to veteran above room and board and tuition in 1971 dollars.....	1,316.00	23.00
13. Advantage to veteran of 1945.....	1,293.25	-----
14. Percentage increase in G.I. bill to provide parity.....	65.3	-----
15. Monthly subsistence should be.....	363.66	-----

¹ "Crisis in College Finance," Roger A. Freeman, Institute for Social Science Research, 1965, p. 94. Interpolation of cost in 1940 and 1950.

² Educational Statistical Digest, table 127, p. 95. Average of col. 3 and 4, 71-72.

³ Not available.

⁴ Consumer Price Index.

⁵ Ibid.

⁶ G.I. bill for monthly subsistence in 1945 dollars for 1945.

⁷ Average tuition expenditure for each veteran based on average tuition cost. See footnote 1 above.

H.R. 4811

To amend title 38, United States Code, to provide for the payment of tuition, in addition to educational assistance allowances, on behalf of veterans pursuing certain programs of education under chapter 34 of such title.

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 "Veterans Education Act of 1973".

SEC. 2. Sections 1671, 1674, and 1676 of title 38, United States Code, are each amended by inserting "tuition and" immediately before "educational assistance".

SEC. 3. Section 1681 of title 38, United States Code, is amended—

(1) by amending subsection (a) to read as follows:

"GENERAL

(a) The Administrator shall, in accordance with the applicable provisions of this section and section 1780 of this title, pay (1) on behalf of each eligible veteran who is pursuing a program of education under this chapter on a half-time or more basis his tuition, and (2) to each eligible veteran who is pursuing a program of education under this chapter an educational assistance allowance to meet, in part, the expenses of his subsistence and other educational costs.";

(2) by inserting "tuition and" immediately after "The" in subsection (b).

SEC. 4. (a) Subchapter IV of chapter 34 of title 38, United States Code, is amended by inserting immediately after section 1681 the following new section:

"§ 1681A. Tuition

(a) In the case of an eligible veteran who is pursuing a program of education under this chapter on a half time or more

basis, other than a program exclusively by correspondence or a program of flight training, the Administrator shall pay directly to the educational institution on behalf of such veteran the customary cost of tuition (including such laboratory, library, or other similar fees as are customarily charged, as well as the cost of books, supplies, equipment, and other necessary expenses, excluding board, lodging, other living expenses, and travel) which similarly circumstanced nonveterans enrolled in the same courses are required to pay.

(b) In no event shall the payment authorized by subsection (a) of this section exceed \$1,000 for an ordinary school year. If the educational institution has no customary cost of tuition, a fair and reasonable rate of payment for tuition, fees, or other charges for such course or courses shall be determined by the Administrator."

(b) The analysis of such chapter 34 is amended by inserting immediately after "1681. Educational assistance allowance." the following:

"1681A. Tuition."

SEC. 5. Sections 1677(b), 1682(b)(B), 1696(b)(2) and 1786(a)(2), of title 38, United States Code, are each amended by striking out "\$220" and inserting in lieu thereof "\$331".

SEC. 6. (a) Subsection (a) of section 1780 of title 38, United States Code, is amended—

(1) by striking out "Payment of educational assistance or subsistence allowances to eligible veterans or eligible persons" and inserting in lieu thereof the following: "Payment of tuition on behalf of, and educational assistance or subsistence allowances to, eligible veterans, and payment of educational assistance allowances to eligible persons";

(2) by inserting "1681A," immediately before 1682;" and

(3) by striking out "to any" at the beginning of paragraphs (1) and (2) and inserting in lieu thereof "to or on behalf of any".

(b) Subsection (d) of such section 1780 is amended by striking out "books," and "the initial installment of tuition".

(c) Subsection (e) of such section 1780 is amended—

(1) by amending the center heading for such subsection by inserting "Payment of Tuition and" immediately before "Prepayment"; and

(2) by inserting "payments of tuition on behalf of any eligible veteran and" immediately before "subsequent payments".

(d) Subsection (g) of subsection 1780 is amended by inserting "tuition and" immediately before "educational assistance allowance", and by inserting "for educational assistance" immediately after "lump sum payment".

(e) Subsection (h) of such section 1780 is amended by inserting "tuition or" immediately before "educational assistance".

(f) (1) The side heading for such section 1780 is amended by inserting "tuition and" immediately before "educational assistance".

(2) The analysis of subchapter II of chapter 36 of title 38, United States Code, is amended by striking out

"1780. Payment of educational or subsistence assistance allowances."

and inserting the following:

"1780. Payment of tuition and educational assistance or subsistence allowances."

SEC. 7. Section 1781 of title 38, United States Code, is amended by inserting "tuition or" immediately after "No".

SEC. 8. Section 1785 of title 38, United States Code, is amended by inserting "on behalf of or" immediately after "has been made".

SEC. 9. Section 1790 of title 38, United States Code, is amended—

(1) by inserting "tuition and" immediately before "educational assistance allowance" in subsection (b) thereof; and

(2) by inserting "who have tuition paid on their behalf or" immediately before "educational assistance" in subsection (c) thereof.

SEC. 10. Section 1793 of title 38, United States Code is amended by inserting "tuition on behalf of or" immediately before "an educational assistance allowance".

SEC. 11. The amendments made by this Act shall take effect September 1, 1973.

OPEN COMMITTEE MEETINGS
RESOLUTION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. O'NEILL) is recognized for 5 minutes.

Mr. O'NEILL. Mr. Speaker, the 93d Congress is dedicated to reform. And it is dedicated to making Congress a co-equal branch of the Federal Government, once again.

By passing House Resolution 259, the Open Meetings Resolution, the House of Representatives has taken a giant step forward toward restoring public confidence in the legislative process.

For too long, congressional deliberations have been conducted in a pervasive atmosphere of secrecy where uncertainty and rumor naturally flourish.

For too long, the emphasis in the Congress has been on closed-door meetings where important decisions of national concern have been made.

Both the Members of Congress and the American people have the right to know how decisions are reached, what alternatives were considered and discarded and why.

Mr. Speaker, it was more than 2 years ago that the Members of the House of Representatives passed the monumental Recorded Teller Amendment to the Legislative Reorganization Act of 1970, in which 20 Members could ask for a recorded vote on any amendment. Prior to the passage of this significant reform, a Member's vote on a crucial amendment was secret. The Recorded Teller Amendment has made the Members of the House more accountable to their constituents.

House Resolution 259, the open meetings resolution, is but another step in this whole reform process which is designed to make a Member more responsive to his constituency and to restore public confidence in the Congress.

In passing this resolution Congress has taken the lead to make openness the rule rather than the exception. Hearings and executive sessions can be closed only in situations where national security may be jeopardized or where a law or Rule of the House of Representatives has been violated. Any meeting, including a markup session, can be closed for any reason, provided no person other than Members and congressional staff are allowed to attend the closed session. Closing a meeting requires merely the support of a majority of the members of the committee present in a rollcall vote.

House Resolution 259 is a carefully

balanced proposal. And it is a progressive step which has created a presumption of open meetings while still providing the means for closing sessions when necessary. I heartily applaud the action taken by the Members of the House in endorsing this historically significant reform.

ROSTENKOWSKI LEGISLATION TO EASE GREAT LAKES FLOODING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. ROSTENKOWSKI) is recognized for 5 minutes.

Mr. ROSTENKOWSKI. Mr. Speaker, as a native Chicagoan, I was raised less than a mile from the shore of Lake Michigan, one of the five lakes that constitute the largest body of fresh water on the earth's surface and a source of essential water supply for over 40 million people throughout the midwest region. But the benefits of the Great Lakes go far beyond the basic water source—they are a source of food, transportation, power, economic activity and recreation for the people whose roots reach deeply into the surrounding territory.

Unfortunately, the beneficial relationship that so many of us have enjoyed with these lakes is presently endangered. Extremely high water levels on most of the Great Lakes now threaten hundreds of miles of valuable shoreline. November and December both saw damaging floods and now, as spring approaches, the waters continue to rise.

In addition, the record high levels on each of the lakes have caused extensive erosion and accompanying property damage on the surrounding shoreline. Lake Michigan and Lake Huron are projected to rise an additional 15 inches this year over the high level of 1972 which resulted in more than 100 million dollars damage to shoreline properties.

As a result of much consultation on this problem with local officials and the U.S. Army Corps of Engineers in Chicago, I am today introducing, with all the other members of the Chicago delegation, legislation which would increase the diversion of Lake Michigan into the Illinois Waterway. The aim of this legislation is to prevent additional erosion on the shoreline of the lake and to improve the quality of water in the Illinois Waterway, which includes the Chicago, Des Plaines and Illinois Rivers.

This legislation would authorize the State of Illinois and the Metropolitan Sanitary District of Greater Chicago, under the supervision of the Secretary of the Army, to increase diversion of water from Lake Michigan to 10,000 cubic feet per second, an increase of 6,800 over the 3,200 cubic-feet-per-second now provided by law. The supervision of the Secretary of the Army and the Corps of Engineers will provide that there would be no excess of water flowing through the Illinois Waterway.

In addition to providing much-needed relief from the present threat of flooding, this measure would also help resi-

dents of Chicago and the surrounding suburbs by greatly improving the quality of the water in the three affected rivers. Improved water quality will enable the city of Chicago to provide for additional park and recreational facilities along both the north and south branches of the Chicago River.

This additional diversion would be authorized for a 5-year period and would have to be approved by the United States and Canada. Within 5 years the Secretary of the Army would report to Congress, recommending whether to continue the increased diversion.

As the spring thaw will bring even higher levels to the record heights that we are presently confronted with, the urgency of this measure cannot be overstated. I hope that my colleagues on the House Committee on Public Works will consider this measure at an early date.

SYMPOSIUM ON THE ROLE OF CONGRESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. McFALL) is recognized for 5 minutes.

Mr. McFALL. Mr. Speaker, Senators BILL BROCK, Tennessee, and SAM ERVIN, North Carolina, were panelists at a recent symposium on The Role of Congress in Atlanta. Their insights are of such quality that I include them in today's RECORD. The panel moderator was Louis Banks, editorial director, Time, Inc.:

Mr. BANKS. Maybe one of the reasons why Congress has problems is that it is frequently caricatured. I think that long before Will Rogers came along the public entertainers had fun with Congress and Congressmen, and many times perhaps the press helped. And maybe on occasions it was justified.

But tonight we have as representatives of Congress two U.S. Senators who are as far from caricature as it is possible to be. Both somewhat conservative, both pillars in the Senate—one abuilding, one sturdily holding up the edifice in the best tradition of congressional legend.

Our first speaker is Senator William Brock, the Junior Senator from Tennessee. He is the younger. You have his biography. Soon after he took the measure of Senator Albert Gore in 1970 he told TIME's Atlanta Bureau: "If I can become the bridge between the people I know—that is the establishment, the well-to-do—and the disadvantaged, then I am performing a service that is very much needed. A politician should be right in the middle that way."

Senator Brock was given the duty of corralling the young vote for President Nixon, and he went at it with a kind of distinctive flare, and the results, you must admit, were remarkable. President Nixon came through with apparently a majority of the youth vote.

Our guest approached that, as all things, with a style and vigor uniquely his own. It is my great pleasure to introduce Senator Brock of Tennessee.

Sen. BROCK. You know sometimes I think TIME has a mean streak putting me on the platform with somebody who is as knowledgeable as Sam Ervin. But I do feel strongly on this subject. And, if I may, I'd just like to give you a couple of brief remarks which might lead to some further discussion.

First, let me say that I am grateful for the effort that Time Inc. is making because I

think this is one of the most crucial topics we have before us in this country. It is said time and again that congressional reform is a cause without a constituency. Perhaps we are going to create a constituency and I think that's good.

I listened to Dr. Huitt and I read his paper with a great deal of interest. I am in rather considerable disagreement with some of the points. But let me start out by agreeing.

I think not only the Congress but the Constitution and our system of government itself reflects perhaps the most remarkable institution known in the history of man. It is an institution that provides for the diffusion of power, for a balancing of emotion against intellect, but more than anything else it is an institution that provides for the maximum motivation of people to be concerned with, and involved in, their own future.

And that's the real strength of this nation of ours as far as I am concerned.

I am not sure that it is fair to debate now or at any point in these 200 years the weight of the Congress *viz-a-viz* the President because that is a constantly shifting thing. It depends in considerable degree, as Dr. Huitt pointed out, on the personality, the force of the President and upon the emotional climate of the Congress. So I won't try to criticize Congress tonight for being weak because I don't think it is, but I will criticize it for being wrong. I will criticize it for allowing a certain rigidity to set in. A rigidity that is not responsive to the body politic. And a rigidity which is terribly frightening in a country in that one branch of government, and only one branch, is really the people's response mechanism. And one branch that is the mechanism of reform in this society of ours.

If that institution itself is incapable of reform, then I think we've got a problem.

We have a system of government that the President has tried to address over the last three years. A system of almost an advocacy type of government in which we create agencies in the Executive Branch based upon pressure groups.

And it is very nice if you happen to be one of the groups that can name a member of the Cabinet. If you are a businessman you have your advocate in the Cabinet in the Secretary of Commerce. If you are a union man you have your advocate in the Secretary of Labor. If you are a farmer—and so on and on.

But people always seem to get left out of that process. There is always somebody who doesn't have a spokesman.

The President has tried in his reorganization plan to address that by asking that we shift this emphasis away from specific groups and toward our specific problems. Instead of a Department of Health, Education and Welfare administering the educational programs and a Department of Agriculture administering nutritional programs as if the two had no connection whatever, the President urges that we create a Department of Human Resources that would deal with the total human problem. And similarly with other Cabinet posts.

I look at the Congress maybe in the same light. I remember in 1969, when I was fortunate enough to lead a group of 22 members of Congress to 50 of our institutions of higher learning, not to talk to young people, but to listen to them. I guess it was one of the more remarkable exercises in our political history. There were 22 politicians who went to 50 college campuses and we didn't make a single speech.

We listened to perhaps poorly articulated expressions of enormous frustration on the part of young people. Frustration with their country, their Government, their institutions. And it was a frustration that may

have had its origin in large degree in the war in Viet Nam, but it went so much deeper than that because what I heard young people saying to me, even if they didn't put it exactly in these words, would be something like this: I'm really terrified because all of my life I've been taught that in this nation, if nowhere else, I'm supposed to have some say in where my country's going. And for some reason just in the last few months or years I'm getting the feeling maybe I've lost my voice, that people just aren't listening very much any more."

Whether you agree with that feeling on the part of some of these young people or not; whether or not you accept their premise or their argument, the fact that they feel it is important because they are not somebody else's children, they are ours. And they are a reflection of us.

So when we got back to the Congress and tried to prepare the report for the President and the Congress on some things that might be done, such as draft reform and an all-volunteer army and an 18-year-old vote, we did something else. We took the next two years to study the Government itself and to see if it really was responsive to that particular group of people.

We went into the Executive Branch and we asked them for a list of their programs dealing with young people and we found a rather remarkable thing. There weren't 30 programs or 40 programs, there were 500 programs that directly impacted on people under 25 years of age in the country. Five hundred different programs competing with each other, but not often complementing each other.

We asked the agencies for an evaluation of those programs and it was remarkable. It was almost as if the same man had dictated the same reports to the same secretary and it was typed on the same typewriter. They were all the same. "I've got a great program. I've only got two needs: more men and more money."

So we began to wonder just how we got into a situation where there are 500 different programs. We looked at manpower training programs. We found out how many different programs there were and how many different agencies were competing, each coming to the Congress, going to their respective committees and getting money. Each coming up with a magic solution to a particular problem.

When we looked at that we could turn around and look at the Congress because the Congress was granting all these requests. You see, the Congress was creating the programs, passing the legislation and appropriating the money. We couldn't understand why the Congress would create two directly competitive programs in the same agency, much less two or three in three or four different agencies, but that's what was happening.

The fact of the matter is that the Congress considers almost every bill as if it is a case unique and has no relationship to the whole. Sometimes it acts in its own wisdom; sometimes as a response to political pressure or emotional heat. But it is a response because Congress is a responsive body. It often acts, however, out of context.

Congress, to my knowledge, has never established a ranking of national needs. Congress has never established the relative need between the education community on the one side and environment on the other, or between the water pollution and the air pollution problems. We want to do it all, because that's popular. It's nice to go home with that kind of record of passing everything. But we've got to the point where that just won't cut the mustard any more.

We have inefficiency and we have inequity. We have a General Accounting Office that audits our programs in dollars and cents and it is a remarkably fine agency. But isn't it remarkable that with all the power and in-

terest we have in people in Washington we've got an agency of the Government that audits programs in terms of dollars and cents, but not an agency that audits our programs in terms of human beings. What impact do we have? Are we helping people or hurting them? Are we really doing something or are we adding to the problem?

I think there is a desperate need for the Congress to take an honest look at itself and say: "Maybe we do need some internal revision of our structure. Maybe it's a little bit late after 200 years for us to reward all positions of leadership and responsibility on the basis of one factor, seniority. Maybe we could coordinate our programs a little bit better by having a legislative budget instead of depending entirely on the President's budget. Maybe we need to staff up the Congress so that it can honestly, intellectually have the answers that the President has at his behest."

We don't have those answers. We don't have those facts. We are the people's branch. We are the responsive branch. And if that branch is not responsible, if it's incapable of internal reform, then I think we've got a problem, and I think we do.

Thank you very much.

MR. BANKS. Senator Brock, thank you very much.

Those of you who have ever browsed around the Capitol in Washington and dropped in on the Senior Senator from North Carolina have always come away, I'm sure, convinced that you have talked with one of the living legends of the Senate.

He has two great attributes of which the U.S. is in sad deficit. He has a lovely, warm sense of humor and a respect and love for law. And the two qualities taken together provide the meaning of "justice," a word too rarely heard in all our contemporary talk about "problems" and "positions."

Colleagues have reported that he has three rooms filled with books on constitutional law at home and a Senate office filled with law books. When his staff can't find him they look first in the Capitol Library and, indeed, he's usually there.

It must be clear from these brief remarks that Senator Ervin is uniquely qualified to speak about the role of Congress, not to mention the role of seniority in Congress, and it is our great honor and privilege to invite him to do so.

SEN. ERVIN. I believe we are operating under House Rules, which provides a five-minute rule, one that is pretty hard on a filibusterer.

Like Bill Brock I read with great interest Ralph Huitt's very fine paper on Congress, and I am so used to hearing outsiders cuss the Congress I found this paper very disarming because it expressed so many of the views I have. Now, I am used to Congress being criticized. I think that's an inevitable part of our political rights.

We have a little town called Valdese, N.C., eight miles from my home in Morganton and we have quite a remarkable character there: Francis Garu. He ran a textile plant.

On one occasion they printed Francis Garu's name on the ballot as a candidate for mayor without his consent. This cotton broker was in the textile plant trying to sell cotton to Mr. Garu and Mr. Francis was cussing. He said that they printed his name on the ballot as a candidate for mayor without his consent and if they elected him he wouldn't qualify.

Well, the cotton broker went out and came back in about six weeks and he remembered the conversation he had with Mr. Francis. The last time he was there and he said: "What did happen in the election?"

Mr. Francis says: "You know those fools went ahead and elected me mayor." The cotton broker said, "Well, did you qualify?"

He said, "I reckon I'm qualified. I've been sworn in and cussed out. If that doesn't qualify you for public office I don't know what does."

Well, it was a great refreshing experience when Ralph Huitt spoke words of praise for the Congress.

I would like to say that Congress does much better than the news media give it credit for on many occasions. I can illustrate this by telling you a story about two senators from Pennsylvania: Hugh Scott, Republican leader, and Joe Clark, a Democrat.

On one occasion we had the appropriations bill for defense, which carried an appropriation of about \$75 billions, and when the bill came up Joe made a motion to postpone consideration of the bill for a week to give the Senators an opportunity to find out what was in it.

He was making a little speech in favor of his motion and Hugh Scott was conversing very audibly with several people on the Republican side of the island, and it annoyed Joe.

So Joe said: "Mr. President, I wish my colleague would listen to what I have to say." And Hugh Scott said, "Well, Mr. President, I always listen to what my colleague has to say with alertness and caution."

And Joe Clark said: "Why, Mr. President, I don't understand why my colleague adds that word 'caution' to his statement, because those who keep track of such things say that my colleague and I vote alike about 63% of the time." And Hugh Scott said: "Mr. President, that's the most encouraging news I've received for a long time. I had no idea that my colleague voted in such an intelligent fashion as often as that."

So we act in a more intelligent manner more often than we get credit for.

Now I would like to emphasize the fact that our Constitution was not written to create an efficient Government. It was written to create an inefficient Government. Because you have, as Ralph Huitt said, a separation of the institutions of government. You have the Executive Branch, which participates to some extent in legislation. You have the Legislative Branch and you have the Judicial Branch. And these branches were set up to keep this nation free.

Now I would like to emphasize that there is a great difference between the Executive branch, which has only one head, and the Legislative branch, which has 535 heads. 435 Congressmen and 100 Senators.

Now I think it was created so that all of the people of this vast nation would have representation. We have people of diverse philosophies, people of different economic interests, and it is inevitable that a legislative body that represents those people would not be an efficient machine.

I hear a lot of people criticize the Congress because they say it is not efficient. And when I ask them why they say that, they say: "Because Congress didn't pass the law I thought they ought to pass."

Well, that doesn't prove that Congress is a derelict body. It proves perhaps that Congress in most cases has more wisdom than a man in his community.

Now I listened to my good friend Bill Brock criticize in a very gentle way the seniority system. Now since all of the color has gone out of my hair and I have been in the Senate for 18 years I am going to defend the seniority system. The seniority system in many respects is a bad system. The only thing that is worse than the seniority system is every alternative that has ever been proposed for it.

I think about the seniority system as illustrated by two Senators from Georgia. One of them was Dick Russell. I often said if I had the arbitrary power to appoint a President of the U.S., Dick Russell would have been my first and my last choice because he was the most admirably qualified man for that office, largely because of his seniority. And another Georgian who illustrated the advantage of seniority is Herman Talmadge.

Dick Russell knew more about national

events than perhaps any other man in the country, and I'm sure that Herman Talmadge knows more about the problems of agriculture than any other person by reason of his long service. However, I am going to make one complaint about Herman. In my young days I used to sow wild oats and raise Cain, and they never had an agriculture program and offered any price support or any encouragement for either one of those crops.

Now the committee system that Ralph Huitt discussed so well is the product of long experience in Congress. This Congress has existed more or less under its present rules since 1789. During this time empires have risen and fallen. Many countries that were then powerful have become weak or nonexistent. And, yet, the U.S. goes along continually and the Congress of the U.S. is undoubtedly the most powerful political legislative body on the face of the earth.

The thing about Congress is that we don't take the recommendations of Presidents very often. We did for Woodrow Wilson at first and then Franklin D. Roosevelt and Lyndon Johnson. And that's the security of the U.S.

You cannot expect 435 Congressmen and a 100 Senators to agree. They can't set priorities because everybody would set a different priority. For example, I would set a priority on moonshine liquor if I was running it because a lot of my constituents still make that up in the hills of North Carolina.

But it is true that Congress has abrogated a great many of its functions to the Executive Branch of the Government. Now Congress does that perhaps as a sort of protective measure.

Bill Brock knows that in the House, the Rules Committee has rather supreme power and most of the members of the House have abused the Rules Committee because it wouldn't report for floor action certain bills that they were interested in. But the truth of it is, the average member of the House in the moment of truth will say that this Rules Committee, which he cusses out, is the greatest benefactor for the members of the House because it won't let some fool legislation get out on the floor that ought to be killed.

So it is a great thing for the institution, because the House member can claim that he's for any kind of proposition there and he could get it passed if it wasn't for the Rules Committee.

Now the Executive Branch, like every branch of government, has a tendency to claim further powers and we have had some controversy during the last few years with the Executive Branch. We have had it on the question of impounding of funds and we have had quite a controversy with the Executive Branch on the question of executive privilege.

We have an expression in North Carolina that if you catch a person who wears wool shorts sometimes you can make him do right.

And we had quite a controversy between the Executive Branch of the Government on the question of Executive privilege. The executive likes to keep secrets about what is going on in the Executive Branch and they don't like to tell Congress about it. And, so, we had the nomination of Mr. Kleindienst to be the Attorney General and we wanted some information from Peter Flanigan about the ITT matter and they said: "He cannot testify. That's the executive privilege."

Well, it occurred to me we had the executive where the wool was short.

And, so, I just said: "I'm going to urge the Judiciary Committee and the Senate not to act on this nomination until Mr. Flanigan comes down here to testify." And Mr. Flanigan came down and testified.

So I think we need to recapture some of our powers, but I think we are really a powerful body and I don't think we will ever get where we can think with one mind.

Now it will be fine if Congress adopted all of my sound views on all propositions. But I am not optimistic enough to think they will

do that. And if they adopt a monolithic program like they have in Russia, if Congress could do that, they would destroy the very function that the Constitution intended to give Congress. They didn't intend Congress to be too efficient.

I'm a great believer in Congress. I don't think there is a thing in the Congress that needs reform except the same thing that needs reform in all of the people. The only thing we need to reform is people. If they reformed the people everything would work to perfection, but it would be a mighty dull and uninteresting world, wouldn't it?

And I'm glad that Ralph Huitt to a very large extent shares my views about Congress. He has been down there and worked with us.

I'll emphasize what Ralph said. The reason people criticize Congress is that they know what Congress is doing. Everything that Congress does is in the open. On every vote.

I started to say "of importance," but almost every vote of importance or unimportance we have a roll call vote on it. And sometimes I wish there were some way we could avoid some of them because some of these things are highly controversial, but you have to stand up and you have to be counted on one side or the other.

Not so with the Executive Branch of the Government. And, having served on the appellate court for six years, not so with the judges. I'll tell you this, having sat in on conferences with judges and seen them in operation and heard the kind of remarks they make, I'll say that people would criticize the courts just as much as they criticize the Congress if they knew what was going on in the courtroom, and the same thing about the Executive Branch.

A TRIBUTE TO HON. WILLIAM JENNINGS BRYAN DORN

The SPEAKER pro tempore, Under a previous order of the House, the gentleman from South Carolina (Mr. DAVIS) is recognized for 15 minutes.

Mr. DAVIS of South Carolina. Mr. Speaker, I would like to draw to the attention of my colleagues the yeoman work being done by the chairman of the Veterans Affairs Committee and the dean of the South Carolina delegation, the Honorable WILLIAM JENNINGS BRYAN DORN. He is without question the finest friend the veteran has today. He is also one of the most distinguished sons that South Carolina has ever produced. I have had the pleasure of knowing the chairman for almost all of my life and now have the distinction of serving with him in this august body.

He has toiled for the people of the Third District for a quarter of a century and although not quite as long, unquestionably just as diligently for servicemen of all ranks. He is a patriot of whom the Founding Fathers would have been proud, a statesman as worthy as his namesake, and a friend of unprecedented proportions. He is the unquestioned leader of the South Carolina delegation and can always be counted upon to give excellent advice on any problem. His grasp of national and international affairs is awesome and, I feel, best described in the following newspaper article from my First District. I would like to present it at this time for my colleagues' perusal:

[Excerpt from Charleston News & Courier]
DORN: VIETNAM VETERANS SPECIAL—DATELINE WASHINGTON

U.S. Rep. Bryan Dorn D-S.C., believes the Vietnam veteran is a special breed, different

from the men who fought before him in other wars.

But the new chairman of the House Veterans Affairs committee is confident that the Veterans Administration (VA) is meeting unique needs of America's latest combat returnee.

Dorn spoke in an interview just after release of a highly critical Ralph Nader report on the VA's response to what the Nader people see as an entirely different kind of returning soldier.

On the point of difference, they get some agreement from the new chairman.

"The Vietnam veteran is different in this respect," said Dorn, drawing deeply on a cigar and apparently as deeply into his thought on the matter. "And that is . . . He served in an undeclared war. Not only an undeclared war, but one in which . . . about which . . . there was much divisiveness."

That alone, believes Dorn, must give a man "a little bit of a complex." There was never any unanimity, he laments. "Psychologically the Vietnam veteran is in a different category. He wonders how he will be accepted. Will he be thought of as a square, for instance? . . . He's not sure he will be welcomed home with open arms. Will his friends be against him?"

After meeting and socializing with the nation's two largest veterans organizations, conventioning in Washington, Dorn said it is within these groups—American Legion and Veterans of Foreign Wars (VPW) that the Vietnam soldier will find his friends.

Nader's people, on the other hand, say these groups—filled with older men who remember popular wars—do not relate to this younger veteran and may actually be antagonistic towards him.

Dorn doesn't believe that.

"Our great veterans organizations", as he calls them repeatedly, are embarked on a strong recruitment campaign to attract their young comrades. They are also, according to Dorn, most effective in the countrywide education effort that tells Vietnam vets what benefits he has a right to from the VA.

The chairman does acknowledge with regret, the fact that the Vietnam soldier has responded neither to the organization nor, to some extent, the VA.

"He's not joining our standard, great national veterans organizations as he should", said Dorn. "Not to the extent that we had hoped."

The chairman is also disappointed that not enough Vietnam personnel are yet taking advantage of the GI education rights administered by the VA.

He sees positive economic benefits for them and the country if they did so. And, in another sense, he would like to see the Vietnam Veteran spend his time in school until the job climate gets better for him.

"There are still too many Vietnam veterans who can't get a job," he says flatly, and with obvious dislike.

For one explanation, he believes "all the demonstrations," the ugly public mood about Vietnam is somehow subconsciously affecting employers' attitudes toward the Vietnam veteran.

And, he agrees with the Nader criticism that inflated accounts of the new soldiers' tendency to violence is unjustified.

The Nader people contest the violence-prone theory. They say it is a judgment which is statistically unsupportable, but one which is gaining momentum from psychologists looking for hidden motives and from news media reports of violent crimes committed by Vietnam vets.

The publicity surrounding New Orleans sniper Mark Essex is one example cited by Dorn.

However, the Nader report itself gives some impetus to the reports of widespread drug use among Vietnam returnees. Furthermore, it contends that the VA set up its 40 drug

abuse clinics reluctantly and too hurriedly and, consequently, the units are failing their mission to rescue soldiers from the drug addiction.

Dorn denies that "hard core drug addiction" is any higher among Vietnam returnees than was alcoholism among men who returned from World War II.

He has confidence in the ability of the military's screening process to pinpoint addiction in the men it is prepared to discharge. And he believes in the way VA hospitals are treating the men referred to them from this screening process.

Nader challenges both.

But he gets support from Dorn—evidenced long before this latest Nader blast. Dorn agrees in many cases drug addiction incurred during Vietnam service should be classified as a "service-connected disability," thus meriting the highest priority for VA medical treatment.

Musing about the youth "subjected to that kind of atmosphere," Dorn said he would be in favor of declaring addiction a service-connected disability if, beyond question, a man's discharge was "otherwise honorable."

He is aware that drug addiction often leads to personality problems and actions that stain the discharge classification. He knows too the VA will not just treat anyone regardless of the origins of disability, who has a dishonorable discharge.

And he further knows that—before the Defense Department developed a more sympathetic attitude toward discovery of its addicts and their treatment without penalty—an undetermined number were discharged with dishonor by virtue of addiction alone—or from action which grew out of addiction.

Still,* Dorn sees the classification of discharge as a Defense Department and not a VA function.

VA could not act, he says, unless the affected man's record clearly shows the reason for the discharge. And it may never be able to act with a more generous attention to the addict it is now treating unless the President changes his mind about a bill he vetoed last session. That bill would have permitted the treatment of addiction, in some cases, as a service disability.

What Nader said he wanted the VA hospital system to become is a combat-oriented program which treats the injuries—physical and mental—of those people scarred by the war.

In the Nader view VA hospitals are now geriatric homes. They depress the young he says and they do not emphasize the medical specialties needed by the Vietnam victim—who is staying alive in greater numbers than the wounded in other wars but by virtue of that very fact and because of the high use of booby traps and the mines in Southeast Asia, is returning home more severely maimed.

Nader documents that a higher percentage of paraplegics, amputees and double amputees emerged from the Vietnam conflict than from the Korea War and World War II.

He says VA hospitals should be strengthened. He adds that with enactment of a national health insurance program, any VA patient who is not being treated for a service-connected injury should go to the new national programs. VA, he says, should concentrate on the combat wounded.

He cites figures—which Dorn verifies—that by far most of VA's hospital load involves care of those injured in car accidents or who are old and never saw war duty.

The veterans organizations see this proposal to absorb VA in a national health insurance plan as "the biggest single issue, the biggest threat to the VA" now present, according to one Hill source.

Dorn himself could never buy it because he, and those who agree with Nader, simply start off from an entirely different operating premise.

Nader believes the country owes its greatest responsibility to any man "who wore the uniform" even when one suggests that man did no more than obey the subscription laws.

TO ASSIST OWNERS OF SMALL AREAS OF FOREST LAND

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. STUCKEY) is recognized for 5 minutes.

Mr. STUCKEY. Mr. Speaker, today I am introducing legislation to assist the owners of small areas of forest land in the protection, development, and management of their land.

There is a strong need now for a co-operative Federal-private forest land-owner program.

Basically it is a matter of economics. The Nation's growing demands on forests and related land resources cannot be met by intensive management of Federal lands and industrial forests alone.

There are 309 million acres of non-industrial private forest land and 29 million acres of non-Federal public forest land. This represents 65 percent of the Nation's total forest resources available for timber, water, fish, wildlife, and outdoor recreational opportunities. Historically the level of protection and management of these forest lands has been low.

The situation in the south Georgia area has already become critical. My district—the Eighth District of Georgia—has more than 5 million acres of timberland out of a total of 7 million acres of land in the district. It has a potential for becoming a large wood producing center, and landowners need to begin now to do all they can to get full use of their forest land. However, the small forest land-owner often faces the same problems as the small farmer or businessman. He does not have the necessary capital.

Our natural resources are one of our greatest commodities and we should do all we can to protect and develop them.

THE FORT WORTH FIVE

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York (Ms. ABZUG) is recognized for 10 minutes.

Ms. ABZUG. Mr. Speaker, today, 9 months after Kenneth Tierney, Thomas Laffey, Mathias Reilly, Paschal Morahan, and Daniel Crawford were summoned to Fort Worth, Tex., to appear before a grand jury there, the Department of Justice finally came forward with a partial explanation of what their case is all about.

What the Department said in that partial explanation was that the investigation "could have been brought" in New York, where the five men reside, instead of down in Texas, far from their families, friends, jobs, and lawyers. This admission proves that the dragging of these men some 1,400 miles from home and their jailing there for nearly 5 months constitute nothing other than political harassment.

Assistant Attorney General A. William Olson also admitted that despite the fact that the grand jury was convened in Texas, not one witness from Texas has

been subpenaed to appear in the investigation.

Subcommittee No. 1 of the House Judiciary Committee, chaired by JOSHUA EILBERG, today held a hearing on my resolution of inquiry, House Resolution 220, which would require the Justice Department to provide the House with facts regarding the Fort Worth Five case. These facts will help us as Members of Congress to decide whether there have been abuses of the grand jury system, whether any corrective legislation is needed and, if so, what form it should take.

Included at the conclusion of my remarks are the text of House Resolution 220 and the text of my statement before Subcommittee No. 1:

H. RES. 220

Resolved, That the Attorney General be, and he is hereby directed to furnish the House of Representatives within ten days after the adoption of this resolution, with the following information:

1. The basis of the venue in the Northern District of Texas of the present grand jury investigation before which Kenneth Tierney, Thomas Laffey, Mathias Reilly, Paschal Morahan and Daniel Crawford have been summoned.

2. A listing of any other districts in which the said grand jury investigation might have been conducted, together with the basis of venue for each such district.

3. Whether the said grand jury investigation has been completed.

STATEMENT OF REPRESENTATIVE BELLA S. ABZUG ON HOUSE RESOLUTION 220, A RESOLUTION OF INQUIRY, BEFORE SUBCOMMITTEE NO. 1, HOUSE COMMITTEE ON THE JUDICIARY

Chairman Elberg, distinguished members of Subcommittee No. 1, I appreciate the opportunity to appear before you this morning to present my views on House Resolution 220, a resolution of inquiry which I introduced on February 19th of this year. I am pleased to note that eight of my colleagues—Jonathan Bingham, Hugh Carey, James Delaney, Edward Koch, Benjamin Rosenthal, James V. Stanton, Robert Tiernan and Lester Wolff—have joined in sponsoring this or similar resolutions. I ask that a copy of this resolution be included in the record at the conclusion of my opening statement if not already in the record at this point.

This resolution has only one purpose. It is intended to secure for the House of Representatives information—facts—which, considered together with other conduct and practices of the Department of Justice with respect to grand jury investigations, will help us as Members of Congress to decide whether there have been abuses of the grand jury system, whether any corrective legislation is needed and, if so, what form it should take. That is all we seek here, and I believe that this information is absolutely necessary to enable us to discharge our constitutional responsibility of representing the people of the United States.

The inquiries posed in my resolution relate specifically to the case of the "Fort Worth Five," a group of Irish-American residents of the New York area who were subpoenaed to appear last June 19th before a Fort Worth grand jury investigation into alleged procurement of weapons destined for use in Northern Ireland. The five men—Kenneth Tierney, Thomas Laffey, Mathias Reilly, Paschal Morahan and Daniel Crawford—invoked their Fifth Amendment rights against self-incrimination and declined to answer questions put to them by the grand jury. They were then offered grants of immunity from prosecution which, for reasons not at issue in this resolution, they believed insufficiently broad to protect their rights against self-incrimination.

Subsequently, the men were held in civil contempt of the grand jury on June 27, 1972 and jailed for three months before Justice William O. Douglas ordered bail granted pending the appeal of their case. The U.S. Court of Appeals for the Fifth Circuit affirmed the contempt citation and the U.S. Supreme Court decided in January of this year that it would not hear the case. Bail was thereupon revoked and the men returned to jail on January 29, 1973. They remain there at this time. They have thus far spent a total of four and one-half months in jail.

This resolution is not concerned with the question of Northern Ireland. That issue is within the province of the Committee on Foreign Affairs, which has in the past taken an active interest in the Irish situation and which I hope will continue to do so.

This resolution is not concerned with the question of the guilt, innocence or involvement of any individual with regard to any crime or alleged crime.

This resolution is not concerned with the questions of grants of immunity, the Self-Incrimination Clause of the Fifth Amendment, information gained by wiretapping, or any other issues which have been or might be raised in connection with this case. I do think that the entire question of our immunity statutes and their use by the Department of Justice merits a careful examination by Congress, even though that issue is not within the ambit of my resolution of inquiry.

Finally, this resolution is not intended to constitute any improper interference with the administration of justice. It does not seek to try this case in Congress. It requests only information which is directly and unquestionably relevant to basic questions of Due Process of Law to which witnesses are entitled, to the power and responsibility of Congress to inquire into and oversee the activities of the Department of Justice in executing the laws which Congress enacts, and the authority of Congress to legislate regarding the rights of witnesses before grand juries and grand jury procedures generally.

What we are trying to ascertain here is why the Department of Justice caused these men to be summoned before a grand jury some 1400 miles from their homes, their families, their friends and their lawyers, thus raising serious questions involving the right to due process of law under the Fifth Amendment and the right to counsel under the Sixth Amendment.

These five individuals are working people with wives and children who depend upon them for support. Kenneth Tierney is a nurse, Matthias Reilly a bus mechanic, Paschal Morahan a carpenter, Daniel Crawford a house painter and Thomas Laffey a real estate salesman. For one thing, they cannot afford the enormous expense of having their lawyers, who live and practice in New York City, shuttle back and forth to Fort Worth. More basically, they are far from the love and support of their friends and families. Their circumstances are a powerful argument for extending to the grand jury system the venue protections which the Constitution and the common law provide with respect to criminal trials.

There are some facts about this case of which we are already aware, and it is their disquieting import which leads me to seek further information by means of this resolution.

First, all five of these men are from the New York City area. I am informed that affidavits of each of the men have been submitted to this subcommittee in which each swears that he had never been in the State of Texas, spoken with anyone in the State of Texas or received any written communication from anyone in the State of Texas prior to being summoned before the Fort Worth grand jury. With the exception of a letter which Kenneth Tierney once wrote to

the late Lyndon B. Johnson, none of the five had ever written to anyone in Texas either.

Second, one of several investigations into the same subject matter being conducted by the Justice Department has been in progress for quite some time in the Southern District of New York. All five of these men live in that district or within a few miles of its borders.

Third, according to a *New York Times* article last June 25th, the reason for locating this particular investigation in Fort Worth was "the high regard in which Attorney General Kleindienst holds Mr. Mahon [at that time the United States Attorney for the Northern District and now a District Judge there] and [United States District] Judge Brewster." I ask that the text of this article appear in the record at the conclusion of my statement.

Fourth, the Department of Justice has indicated that none of these five men has ever been a criminal suspect, and the offers of immunity tend to bear this out.

The information for which House Resolution 220 calls would help us to fill in some of the gaps in the circumstances I have just noted. It would afford us a chance to view the matter clearly from the standpoint of the Department of Justice when it began this investigation. This will in turn aid us in making our own determination of whether the behavior of the Department in the case has included in its motivation political harassment, whether it has violated any law, and whether it indicates need for corrective or amendatory legislation.

When this case first arose last summer, I joined with numerous other Members of Congress in seeking information from the Department of Justice. After many requests were made, the Department finally agreed to have Assistant Attorney General A. William Olson brief interested Members. However, Mr. Olson cancelled out on about ten minutes' notice and the meeting was never rescheduled despite the repeated requests of interested Representatives.

Since that time, and continuing up to the present, many Members of Congress have made numerous requests for an explanation from the Department of Justice of why these men were taken to Texas when every indication we have is that they could have been called before the grand jury in New York. None of these inquiries has received a satisfactory response.

It is against this background that I have finally resorted to so formal an information-seeking device as a resolution of inquiry to find out what this case is all about.

This case is far from the first questionable use of the grand jury under the administration of Richard Nixon, John Mitchell and Richard Kleindienst, nor is this the first time that I have questioned the use of the grand jury under the stewardship of these men.

Early in 1971, I introduced a resolution asking for an investigation of the Federal Bureau of Investigation. One event which led me to propose it was the Harrisburg Case, in which a number of individuals prominent in the antiwar movement were accused of plotting to kidnap Henry Kissinger and blow up steam tunnels here in Washington. One question I raised in my statement in support of that resolution was, "How was Harrisburg chosen as the place of venue?" (Congressional Record, April 7, 1971, page 10127). It seemed apparent to me at that time that Harrisburg had been chosen because of its relatively rural, conservative setting, far from the friends and counsel of the defendants. I note that with the exception of two convictions for illegally passing letters in and out of a Federal correctional institution, no convictions for either substantive offense or for conspiracy were secured.

We had last summer the case of forty Vietnam veterans who were down in Miami to

make their views heard during the presidential nominating conventions being held there. Before they could begin their petitioning for a redress of grievances, they were hauled before a Federal grand jury at the other end of the State of Florida and effectively prevented from exercising their right of peaceful protest.

Leslie Bacon was picked up just a few blocks from where we sit for questioning in the March 1971 bombing of the Capitol Building, also within walking distance of this spot. Where was she taken before a grand jury? In Seattle, Washington, 3000 miles away. She, too, was never indicted.

The Justice Department claims that the Northern District of Texas is a proper locus of venue in that it is investigating criminal violations "occurring within the District." As a matter of law, this may be so. In an effort to find out whether it is so, the resolution before you ask for the "basis of the venue in the Northern District." Without this information, we have no way of finding out whether the legal requirements of venue have been satisfied here.

Even if the Department of Justice has some basis of venue here in a strict legal sense, we are left with the question of whether there were other locations, far more convenient to these five men and no less so for the Government, where this investigation might have taken place. It is to secure the answer to this question that my resolution asks for "a listing of any other districts in which the said grand jury investigation might have been conducted, together with the basis of venue for each such district."

House Resolution 281, a later version of this resolution of inquiry, varies this particular question slightly to dispose of a possible technical objection to the resolution on the ground that it seeks opinion rather than fact. This version seeks "a listing of any other districts which were considered by the Department of Justice as sites for the said grand jury investigation, together with the basis of venue for each such district."

Finally, even if there was at one time a reasonable basis for having taken these men to Fort Worth for questioning, that basis would no longer exist if the investigation there has been concluded. That is the reason for the third portion of my resolution, which asks whether the investigation has been completed.

The historic role and purpose of the grand jury was not to serve as an extension of the prosecutor, but as a barrier and a protection between the prosecutor and the private citizen. Its job is supposed to be the making of an independent weighing of the evidence presented by the prosecution and an independent determination as to whether there is sufficient ground to prosecute. That is why the Fifth Amendment provides that "No person shall be held to answer for a capital, or otherwise infamous crime, unless a presentment or indictment of a Grand Jury. . . ."

The significance of venue and the potential for its abuse by taking an individual far from his family, friends and counsel is also recognized in the Constitution. Article III, Section 2, Clause 3 provides that all criminal trials "shall be held in the State where the said Crimes have been committed."

These concepts are the basis of our liberty. The absence of such protection in the 13 colonies led to the stormy formation of the United States of America.

What kind of liberty have we when men charged with no crime are separated from the families whom they love and support and attorneys whose advice they need and taken 1400 miles away to be questioned when they could be questioned practically on their doorsteps?

What kind of Due Process of Law have we when such men are confined in an old, dark

jail with no exercise facilities and unpalatable food? I visited the Fort Worth Five when they were in the Tarrant County Jail and I there learned that they were being permitted no phone calls. I note that they have now been transferred to the Federal prison at Seagoville, Texas, where conditions are said to be somewhat better.

What kind of freedom have we when such men are not permitted to make telephone calls to their loved ones, or are permitted to make such calls once every two weeks for a period of five minutes?

I practiced law for many years before I came to Congress. I am quite familiar with the grand jury system and how it can be abused by a prosecutor. I have for some time been concerned by the misuse of the grand jury in cases such as this one, and the extreme and unconscionable deprivation of liberty which we have seen in this case, together with information about other recent cases with political overtones, make out a strong case for remedial legislation. In fact, it was the shocking circumstances of this case which impelled me to introduce at the last session of Congress a bill to establish for grand jury proceedings a *forum non conveniens* procedure similar to that presently available in civil cases. The bill has been introduced in this session as H.R. 4322 and referred to this subcommittee. It would provide for the transfer of a grand jury proceeding "for the convenience of witnesses, where the interest of justice so requires, . . . to any other district where it might properly have been convened.

This *forum non conveniens* proposal may not represent the best or only solution for this problem. It is, however, a serious suggestion which I hope will soon be joined by other such suggestions, so that you can delve into the general questions raised by the Fort Worth Five case and determine what changes or improvement may be in order with respect to our grand jury system.

In the meantime, we as representatives of the people of the United States have a responsibility to secure full knowledge about this and similarly suspicious cases. As a co-equal branch in our Federal system of government, we share with the other two branches the duty of seeing to it that the commands of the Constitution, including the command that no person in this country shall be "deprived of life, liberty, or property, without due process of law," are fully and strictly obeyed.

I thank you for your kind attention, and urge upon you the favorable reporting of House Resolution 220 to the full Judiciary Committee and the full House, so that we may learn the truth about the treatment of these five Americans.

AIR POLLUTION AND GASOLINE RATIONING, SOME OF THE OPTIONS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. DANIELSON) is recognized for 10 minutes.

Mr. DANIELSON. Mr. Speaker, we have always known that the cost of cleaning up our environment will be high, but we may never have realized just how high. Several weeks ago William D. Ruckelshaus, Director of the Environmental Protection Agency, made an official statement that, in southern California, in order to meet the air quality standards established by the Clean Air Act Amendments of 1970, it may be necessary to reduce the consumption of gasoline by 80 percent.

I do not agree that Mr. Ruckelshaus'

prediction is necessary, but there is much truth in what he says. If our automotive industry continues to drag its feet, if its management continues to be "on strike" and determined not to meet its responsibility under the law, then the ominous results which he predicts could, indeed, come about. But that situation can be avoided. According to press reports, at least three automobile engines have already been developed which not only meet, but exceed, the air quality standards for 1975. With a conscientious and determined effort, I am sure that other engines can be made to conform.

Such must be the case. Gasoline rationing by 80 percent in southern California is not acceptable as a solution; it would destroy the entire economy of southern California. This cannot be permitted to happen.

It is time, Mr. Speaker, to think very seriously about the implications of gasoline rationing and the alternatives available to us, for air pollution is not the only factor which could compel gasoline rationing. The critical fuel shortage, usually referred to as the "energy crisis," demands immediate steps to reduce our fuel consumption, for we in the United States are literally "running out of gas."

For the information of our colleagues, I insert in the RECORD a letter to Mr. Ruckelshaus, from Hon. Baxter Ward, member of the Los Angeles County Board of Supervisors, who clearly sets forth the problem and some of the options available to us. And I warn my colleagues from communities where air pollution is not yet acute, that very little time remains before, they, too, will be confronted with the problems described by Mr. Ward.

BOARD OF SUPERVISORS,
COUNTY OF LOS ANGELES,
Los Angeles, Calif., January 15, 1973.

MR. WILLIAM D. RUCKELSHAUS,
Director, Environmental Protection Agency,
Washington, D.C.

DEAR MR. RUCKELSHAUS: As you prepare to attend the hearings in Southern California on the subject of the possible heavy rationing of gasoline in Southern California, may I please make these observations:

(1) Probably between 70 to 80 percent of the miles driven here are work-related—travel to and from job, supplies being brought in, finished products moving to market, plus consumer travel to point of sale. The balance of our travel could be for social, recreational, and school purposes. This means that if you cut into more than 20 or 25 percent of our fuel supply, that you will drastically alter our economic picture here, and I believe that a serious localized depression would be the result.

(2) We could accept gasoline restrictions if we had actual alternatives. If you seriously wish to aid this area, will you please consider Federal assistance to our transportation limitations. We cannot afford at this time a Bond Issue for rapid transit in rail development that probably would not serve more than 100 miles of track anyway. But we do have available hundreds and hundreds of miles of track operated by three existing railroads here (Southern Pacific, Union Pacific, and Santa Fe). The assessed market value of all the Southern Pacific facilities in this County (hundreds of miles of track, huge yards, engines, cars, and all support facilities) is given at about \$140,000,000. That figure is roughly 1/20 of the most recent estimate to build a rapid transit rail corridor

here that would not be as extensive as existing Southern Pacific tracks.

Inasmuch as you want us to move now toward cleaner air, we need your help now in rapid transit development. Can the Federal government devise some means under which a local rapid transit authority could gain access as needed to the existing facilities of the Southern Pacific and/or other railroads here—on a payment basis that will insure no injury to the railroads, and probably a reasonable profit as well? Some of the routes will require additional double-tracking, but that is easy to accomplish along an already-owned right of way.

Your assistance in the utilization of existing rail facilities would be the greatest single help the Federal government could provide.

(3) On an outright grant basis, this County needs assistance in the development of a complete bus and feeder system on a grid layout plan that would assure people that there are routes and services to take from home to place of business, etc.

(4) We need swift Federal assistance in arranging for the removal of lead in gasoline. The Detroit-made anti-smog devices can operate successfully only on unleaded gasoline, and therefore a Federal standard should be developed to remove lead within 12 months—with the provision that any substitute compounds contain no potentially injurious substance that could be released into the air.

(5) The very composition of gasoline itself must be upgraded and substantially altered. No matter how efficient an engine or muffling system is, if the gasoline, in effect, is dirty going in, it will be dirty coming out. Refineries should be required by law to develop a pure form of gasoline, regardless of how many extra stages in the refining process this might require.

(6) Refineries themselves must be subjected to strict processing controls on a 24-hour basis—because there is evidence that a breakdown in a refining plant in Los Angeles County can cause a heavy smog blanket throughout the whole area on what otherwise had been forecast as a clear day.

We need your assistance, and we applaud the level of air standards you seek, but we believe that there are additional steps to be taken on behalf of those standards that will do a great deal to clear the air, not just here, but throughout the nation.

Sincerely,

BAXTER WARD.

NIXON CUTS THREATEN NEARLY 30 PROGRAMS AT UNC

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. FOUNTAIN) is recognized for 5 minutes.

Mr. FOUNTAIN. Mr. Speaker, an article in the Chapel Hill, N.C., Newspaper on March 9, 1973, provided a quick summary of some of the effects of the administration's proposed educational budgetary cutbacks on just one of the hundreds of institutions affected, and I would like to call it to the attention of my colleagues. I would also like to call attention to a letter illustrative of the confused situation facing one school in that same great university.

As I understand it, the figures quoted in the article do not necessarily reflect all of the effects of the proposed cuts, but do demonstrate the extent of the task being faced by North Carolina General Assembly in finding replacement funds from the State's tax revenues, if vital programs are to be retained.

Clearly, the Federal budget must be held in check, and we must work toward the end of deficit spending.

Clearly, all Federal programs, including those for defense, must give a little next year. We have no other choice if we are to put the dollar back on a sound basis and curb inflation.

However, the way the administration has ordered its priorities is open to question, and the Congress should revise them responsibly and in the best interests of the Nation.

The article concerning the situation at the University of North Carolina is as follows:

[From the Chapel Hill (N.C.) Newspaper, Mar. 9, 1973]

NIKON CUTS THREATEN NEARLY 30 PROGRAMS AT UNC

(By Steve Adams)

Nearly 30 vital programs of the University here are threatened by President Nixon's proposed budget cuts, Chancellor Ferebee Taylor said in a letter to UNC President William Friday this week.

Taylor asked Friday's assistance in finding \$5.5 million in the next biennium to continue programs which have been Federally funded in the past but are now in jeopardy.

For the biennium, the Division of Health Affairs will need \$4,878,000 and Academic Affairs will need \$716,000, according to the chancellor.

In the Division of Health Affairs, the School of Public Health will need almost \$2.3 million in alternative funds. The School of Medicine will need more than \$2 million, the School of Dentistry about \$57,000, the School of Nursing over \$200,000, the School of Pharmacy \$32,000, the Carolina Population Center \$155,000, the Office of Allied Health Sciences \$112,000 and the Institute of Speech and Hearing Sciences over \$21,000.

In the Division of Academic Affairs, The School of Social Work will need \$227,000, Clinical Psychology \$167,000, Quantitative Psychology \$185,000 and Social Psychology \$45,000.

The problem is most acute in the School of Public Health, which was granted \$751,029 in Federal funds for general purpose training support in 1972-74, Taylor said. Almost \$530,000 was used for teaching salaries, with the rest going mostly for graduate student support, according to the chancellor. The President's budget provides no funds for the School in fiscal 1974, the letter says.

The School of Public Health needs \$962,000 in 1973-74 and another \$1,325,000 in fiscal 1974, the Chancellor said.

Among the critical funding programs in public health, the letter says, is the Hill-Rhodes Law, passed in 1958, which supports faculty, staff and non-personnel costs to increase professional public health manpower in the U.S. The Hill-Rhodes Law provides general funds for public health education, much as per-student grants provide funds for the Schools of Medicine and Dentistry. More than \$1.1 million in alternate funds will be required in the next biennium to replace these funds, according to Taylor.

The School of Public Health also needs funds for continuing education and field service, which keeps public health personnel informed of new developments and provides short-term training in specialty and technical areas; for a public health laboratory practice program, which trains personnel to supervise diagnostic and inservice training activities of modern public health laboratories; and for its training program for non-physician health directors for local public health agencies. Funds are also being cut off for programs in dental public health practice, biostatistics training, special-purpose training and professional nursing.

The School of Medicine will lose 12 teaching grants in 1973-1974. The Medical School of Medicine needs about \$2 million in the next biennium to continue programs in neurology, otolaryngology, microbiology, basic residency in psychiatry, research in psychiatry, general practice in psychiatry and psychiatry for undergraduates. Funds are also needed for programs in pediatric cardiology, general practice residency, renal physiology and disease, pediatric physical therapy and physical therapy.

The School of Dentistry needs \$57,000 to continue its program in community dentistry. The program is aimed at teaching dental students how they can be most effective in their prospective communities.

Of several grants in the School of Nursing, one of special importance expires this year and is not being renewed. Twenty-eight students in the master of science in nursing program are supported by this grant for trainees in professional nursing. The School needs over \$200,000 for the biennium.

The Carolina Population Center needs \$155,000 for population studies.

In the Division of Academic Affairs, the Department of Psychology is the only department in the College of Arts and Sciences affected by Taylor's recommendations. The program in clinical psychology has a national reputation and has received training grants for the last 24 years, the letter says. The program needs \$167,000 for the biennium.

The Ph. D. program in quantitative psychology is internationally recognized. Training has been oriented toward applications in the mental health field and qualifies student for positions in research, investigating problems of human behavior, or in graduate teaching and research, according to the letter. The program needs \$185,000 for the biennium.

Social psychology will not be affected until 1974-75.

The School of Social Work needs \$227,000 to continue its special training programs in community services. Three grants in these programs expire this year and they are essential to the school, according to Taylor. Aimed at preparing students for policy formulation and management roles in social problem areas, these grants have provided traineeships for students and salaries for field instructors who give the students special training in community health services and in dealing with crime, delinquency, community psychiatric problems and corrections.

In addition, here is the text of a letter from the dean of the School of Pharmacy at the University of North Carolina to my colleague from North Carolina, Senator SAM J. ERVIN, JR., which adds more details about the financial uncertainty his school, in particular, is facing:

THE UNIVERSITY OF
NORTH CAROLINA,
SCHOOL OF PHARMACY,
Chapel Hill, March 9, 1973.

Hon. SAM J. ERVIN, JR.,
U.S. Senate,
Washington, D.C.

DEAR SENATOR ERVIN: For many years schools of pharmacy have strived mightily in the training of pharmacists to achieve the level of excellence made possible in the training of physicians, dentists, and other health professionals by the more adequate local support, supplemented greatly by Federal assistance, that have benefited schools of medicine, dentistry, and other health professional schools. Only in recent years have schools of pharmacy participated in the benefits of Federal support through student financial aids and Capitation (Institutional) Grants.

During the last three years, Capitation (Institutional) Grants have been made to schools of pharmacy to increase enrollments and to improve the quality of instruction of

pharmacy students. With regard to the quality of instruction, the 1972-73 and subsequent Capitation Grants were intended to "Provide, at schools of pharmacy, for increased emphasis on, and training in, clinical pharmacy, drug use and abuse, and where appropriate, clinical pharmacology"—specified as a mandatory project or schools of pharmacy in Section III of the NIH-1363-1 Application to Participate in the Health Professions Capitation Grant Program.

Our School of Pharmacy received and used almost completely the following Capitation (Institutional) Grants. The funds have been consumed in accordance with the purposes of the grants as indicated below.

1970-71	-----	\$305,954
1971-72	-----	280,821
1972-73	-----	407,809

These grants have made it possible for the School to enroll more students and to improve greatly the quality of instruction they are receiving.

3-year periods	Average enrollment in fall semester	Average percent increase	Average number of graduates	Average percent increase
1967-70	490.7	95.3	490.7	49.0
1970-73	572.7	16.7	141.0	48.0

These grants have been used particularly to develop a first-rate clinical pharmacy program and drug abuse education program (Item G, pp. 10-11, "Summary of Projects... Progress Report on Projects" from the School's 1973-1974 Capitation Grant application). The excellence of these programs is recognized throughout the country and, if you so desire, I shall furnish detailed information about them. Moreover, the Grants have also supported projects that are supportive to the "Clinical Pharmacy Training and Drug Abuse Education Programs".

The strong dependence of the School of Pharmacy and, particularly the School's clinical pharmacy program on Capitation Grant support is clearly evident in the attached summaries of 1972-73 expenditures and encumbrances for personnel and non-personnel items.

The Capitation Grant provided 32.7% of the salaries of the School's faculty and professional staff which includes, in particular, 72.7% of the salaries for the Division of Pharmacy Practice personnel (the principal responsibilities of most of whom reside in the clinical pharmacy program). In terms of positions—without the Capitation Grant, the School will lose 18.5 Full-Time Equivalents (38.1%) of its faculty and professional staff and this includes 11.5 FTE's (77.2%) of the faculty and professional staff of the Division of Pharmacy Practice (clinical pharmacy). The Capitation Grant also provides 28.8% of the School's classified personnel salaries (clerical, etc.) and, again, the Division of Pharmacy Practice will suffer most from a loss of Capitation Grant support.

A substantial part of the non-personnel expenditures and encumbrances in 1972-73 (47.8% of \$120,725) came from the Capitation Grant. However, most of these expenditures were for non-recurring items (equipment, renovation, etc.)

The imminent loss of student financial aids at our School of Pharmacy can be equated with support for 35 new students entering in the fall, 1973, and corresponding to \$35,532. Again, I shall be most willing to furnish details.

We have been led to expect Capitation Grant support in 1973-1974 up to 50% of the 1972-1973 level. If we actually receive an amount equivalent to 50% of the current year's Grant (\$407,809), we shall be able to sustain our clinical pharmacy program for

at least one year even though we shall have to retrench or phase out a number of other programs. During this period, we would make every effort to obtain support from other sources; realizing, however, that the School of Pharmacy will be in competition not only with other schools of pharmacy but also with other health professional schools that are also affected by loss of Federal support and which traditionally have been more generously supported than schools of pharmacy.

We urgently need this support and appeal to you for your help in our effort to deal with the very difficult situation in which the School is placed by the threatened loss of much of the Capitation Grant support in 1973-1974 and the total loss of such support thereafter. Please call upon me and my colleagues on the faculty of the School of Pharmacy for any further information you may desire regarding the School's financial distress that will inevitably result from decreased Federal support.

Very sincerely yours,

GEO. P. HAGER, Dean.

THE JOINT STUDY COMMITTEE ON BUDGET CONTROL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Tennessee (Mr. FULTON) is recognized for 5 minutes.

Mr. FULTON. Mr. Speaker, this morning I was afforded to appear and testify before the Joint Study Committee on Budget Control to outline my thinking as to what we might and should do to halt the establishment of funding priorities through executive fiat. In preparation of this material I was very ably assisted by Mr. Stephen Taffet of the University of Rochester who is spending a semester interning in my Washington congressional office.

Mr. Speaker, I include my testimony in the RECORD at this point:

INTRODUCTORY STATEMENT BEFORE JOINT STUDY COMMITTEE ON BUDGET CONTROL

Mr. Chairman, and members of this important Committee, I appreciate the opportunity to be here before you this morning. Because I realize your time is short and the list of those waiting to be heard is long, I would like to simply briefly summarize my testimony at this time and submit a full statement for the Record of these Hearings.

As you know, our constitutional branch of government is faced with a very grave challenge today. That challenge is whether or not we will continue to exercise our power over the public purse in the future as we have, or should have, in the past.

The Constitution is quite clear on this. We have the authority. What we are attempting to do here is to best determine just how we shall proceed about this task and what instrument, organization and equipment may be available to us to facilitate this mandatory undertaking.

In essence, my suggestions are three-fold:

1. We must establish our own Congressional budget control agency responsible to and staffed and appointed by the Congress.

2. We must consider institution of longer fiscal periods, and

3. We must better evaluate existing programs, not only at the Federal funding level but at the local grass-roots level where the money is or is not being spent wisely.

Gentlemen, as I said, my comments are outlined more specifically in a prepared statement which I respectfully request permission to place into the record of these hearings at this time.

I would like to express my appreciation to

Mr. Stephen Taffet of the University of Rochester who has been so helpful to me in researching this material. Again, my thanks to you for this opportunity to be with you this morning. Your time is limited, your responsibility is formidable, but your competence is equal to the task. Thank you.

JOINT STUDY COMMITTEE ON BUDGET CONTROL TESTIMONY—MARCH 13, 1973

Let me begin by saying that in some ways our announced purpose—reassertion of Congressional control over the budget process—has in part been accomplished. The formulation of this committee, its interim report and these hearings themselves, are truly significant steps in the direction of our goal. I say that because I believe that this Congress has just about had its fill of Executive intervention in provinces that are constitutionally the right of Congress. The existence of this committee should serve as an admonition to the President to be cautious of overzealous infringement on Congressional prerogatives.

We have all seen and probably felt some of the effects of allowing the Executive the privilege of budget formulation. I am most hopeful and confident that these proceedings and the suggestions of authorities with expertise far greater than my own in these matters will signal the enactment of legislation creating a Congressional institution for budget management.

What we seek will not be easily achieved. However, there is an overriding imperative to which I appeal: to the delegation of power of the purse to the Congress, as outlined in the Constitution. From the start of our deliberations, our interest in the Nation's well-being must be recognized. This is not a devious attempt to rob the President of any of his power. I view these proceedings and their goal very much in terms of rectifying a situation that is not now in this Nation's best fiscal interests.

The failure of Congress to arrest the erosion of legislative control over the budget has been a grave oversight. It has been compounded by several legislative devices that we unknowingly instituted ourselves. We have a constitutional mandate to lay and collect taxes and to provide for the defense and general welfare of this great Nation. Others in our government claim to be operating under mandates from the people. Let us not fail to remember that the ideals of our Constitution are a mandate of unassailable veracity. There are few if any who would wish to contest this point. Thus we must pledge ourselves to the construction of a mechanism that will restore to Congress fiscal policy and priority determination so that this duty can once again rest in the domain for which the Founding Fathers intended.

We, the Congress, are constitutionally entrusted with the fiscal decision making at its last resort, yet we are not equipped with an agency suitable to this task. Anyone who has ever viewed and studied the Federal budget knows of the sheer mind-boggling magnitude of the document. It is simply absurd to expect the average Member to sit down with the budget, read this voluminous literature without direction, and make an intelligent evaluation. Congress must have an integrating agency to serve its Members. Otherwise, we might just as well amend the Constitution, forfeiting all fiscal determination to the President.

The most striking flaw in the present system of Presidential formulation and Congressional review is the unity of the former and the disjunction of the latter. Granted that even to allow the President the privilege of formulation takes from the Congress the initial opportunity to build into the document legislative priorities. But having received a structured document that intrinsically represents priorities as established by the Administration, we then dismantle it in

the Appropriations Committee into thirteen separate authorizations. By doing so we automatically divest Congress of the opportunity to view the spending program as a whole. This approach was probably instituted initially for lack of a better review process. In any case, it leaves us at a severe disadvantage relative to the Executive.

The Executive possesses varied information resources—computer banks and manpower—to manage the budget process competently (from their point of view). These are the tools needed by Congress in order to balance the present disparity. Without them, Congress is at a distinct disadvantage in effectively questioning, or setting, budget priorities.

We tell ourselves that we really do oversee the funding of programs and the establishment of national priorities. However, I submit that the extent of vigilance has been to shuffle millions about in a multi-billion dollar scheme. There is an illusion of control, but in reality, we are failing to assert ourselves responsibly.

By the way of proposals, I believe there are several initiatives that Congress must take:

- 1) Establishment of a Congressional budget agency
- 2) Institution of longer term fiscal periods
- 3) Better evaluation of existing programs

1) My earlier remarks, I believe, have pointed out the imbalance of the present system and the need for a branch of the Congress that would provide the information and integration inputs that budget writing requires. This agency could be established as a joint committee with extensive staff authorization or as an independent, non-partisan Congressional arm, staffed with economists and fiscal authorities who would formulate budget policy and be available for the use of Members.

The creation of such an agency would provide Congress with its own estimates of revenue income in addition to those of the Office of Management and Budget. I am fully aware that after a certain level, information becomes marginally less useful and finally valueless. But in the present situation Congress reviews budgets in a virtual informational vacuum. This agency would relieve the information disparity, which will continue to widen unless Congress takes action to create its own resource mechanism.

The General Accounting Office has in the past provided information and cost accounts to Congress. Notwithstanding, Congress has never used GAO to its full potential. The Legislative Reorganization Act of 1945 detailed the expansion of the GAO into a full-fledged agency for Congressional expenditure analysis. Section 206 of the Act outlined the full range of responsibility the GAO was to have in keeping Members informed during the budget process. However, Congress has not invoked all of the GAO's duties that were assigned to it by the Reorganization Act.

While I have called for the creation of a new agency, the GAO might well be reorganized and expanded to fulfill the present Congressional need. In the course of its reorganization, I would strongly urge that the Comptroller General become a legislative appointee, rather than an Executive one, as he currently is. This would centralize the General Accounting Office under the wing of the Congress.

2) The institution of longer term fiscal periods would allow for greater care and preparation of each budget. Some budget measures must be considered yearly, but many expenditures can be appropriated up to three years in advance. Other continuing programs might require only five-year evaluation. The annual budget is certainly not rewritten from scratch each year, as many expenditures are carry-overs from previous years. The annual approach to fiscal affairs distorts evaluation of programs because the

spending appropriation review ignores the effectiveness of the program over time. The institution of longer term fiscal periods would permit program review with regard to trends that may be surfacing over a period of years.

Looking to the future, if the GAO or a comparable arm of the Congress were to be as beneficial as I think it could be, we might contemplate extending fiscal review from one year to two or three. At this time such a suggestion seems somewhat impractical, but, given time, a GAO-type agency might provide legislators with enough preliminary information to enable longer term planning. Economic trends and revenue-producing plans could be accounted for, and provisions made to accommodate national fiscal policy. In addition, if the Congress were to authorize more programs on a three year basis, the budget could be divided into three parts. Each part would be reviewed every third year, and the depth of examination would surpass in degree any that we are now capable of. The load of the budget review would be considerably lightened and Members would be better able to evaluate individual programs.

The careful scrutiny of Federal programs will solidify Congressional grasp on priority determination. There are a number of programs funded annually that should be reviewed for effectiveness and appropriateness of monies spent. In union with increased powers of fiscal policy, that its own budget agency would provide, increased regulatory review would restore substantially to Congress its power of the purse.

I have heard and read of some who would label this committee and its reform effort a "toothless tiger." We are in the position to be much tougher than that. I fervently hope that these proceedings will result in a condensation of ideas on the subject of Congressional reassessment and be the impetus behind constructive, practical legislation to develop in Congress the mechanisms and expertise which we lack, yet which we so vitally need. Thank you.

STATEMENT OF POSITION

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

Mr. CHAMBERLAIN. Mr. Speaker, it was my privilege to be a member of the House delegation to the recent meeting of the Interparliamentary Union, held in Helsinki, Finland. While attending this meeting I missed several votes in the House. I would like to have the RECORD reflect my position on these several issues. Had I been present I would have voted as follows:

On rollcall No. 8, I would have voted "yea."

On rollcall No. 9, I would have voted "yea."

On rollcall No. 10, I would have voted "yea."

On rollcall No. 11, I would have voted "yea."

On rollcall No. 14, I would have voted "nay."

On rollcall No. 15, I would have voted "yea."

On rollcall No. 16, I would have voted "yea."

On rollcall No. 17, I would have voted "nay."

In addition, Mr. Speaker, on February 21, it was necessary for me to be absent to attend a funeral. I would like the REC-

ORD to show that had I been present, I would have voted "yea" on rollcall No. 20.

OUTSTANDING INTERNATIONAL BUSINESS STUDENT

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, I am proud to call to the attention of our colleagues the recipient of the third annual Thomas E. Flynn Award of the University of Miami for the outstanding student of international business.

The recipient of this honor this year is Mr. Henry C. Clark of 6405 Santona Avenue, Coral Gables, a senior in the University of Miami School of Business Administration. In addition to his academic achievements, Mr. Clark is president of the International Association of Students in Economics and Business. He participated in an official trade mission to Jamaica last year and has been selected to work as an exchange student with a foreign company in either Japan or Germany following his graduation.

The Flynn award was established by a 1956 graduate of the University of Miami, Mr. Thomas E. Flynn, who established the international freight forwarders' firm of Thomas E. Flynn & Co. This award helps to encourage young people to develop the outstanding knowledge of international business which is vital to the long-term health of our economy in a highly competitive world.

Further information on the program is included in the following newspaper article which I wish to insert in the RECORD at this point:

STUDENT AWARDED

A UM senior has been named recipient of the third annual Thomas E. Flynn Award for the outstanding student of international business.

Henry C. Clark of 6405 Santona Ave., Coral Gables, Fla., will receive a personal plaque and his name will be engraved on the Business Administration's 25-year Flynn master plaque. Clark will also receive a trip to Tampa, Fla., in June to attend the annual convention of the Chamber of Commerce of the Americas.

The award is based on outstanding interest in international business and academic contributions. The program is coordinated by Dr. William G. Heuson, acting dean of the UM School of Business Administration, and Dr. John M. Dyer, professor of marketing.

The award was established by Thomas E. Flynn, president of Thomas E. Flynn & Co., international freight forwarders, of Miami, Fla. Flynn received his Bachelor of Business Administration degree from UM in 1956.

Clark is president of The International Association of Students in Economics and Business (AIESEC) and vice president of Alpha Kappa Psi, national business fraternity. He is also on the Dean's List with an academic average of 3.3 and has served as vice president and accountant for the Nov. 1972 Trade Mission to Jamaica.

He has been selected as an AIESEC exchange student to either Japan or Germany to work at a foreign company in marketing or accounting for 1½ years.

The award will be given at 3 p.m. Tuesday, Feb. 27, during "Career '73," career planning program, at Brockway Lecture Hall, Otto G. Richter Library.

THE WORLD MARKETING CHALLENGE

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, the devaluation of the dollar has heightened our national concern over our ability to compete in the markets of the world. I am confident that we can meet the challenge through the combined efforts of the many elements that make up a modern economy. One of these is the support which our educational institutions give to American business, and which is represented in my area by the outstanding School of Business Administration of the University of Miami.

Among the able and dedicated leaders of that school of business administration is Dr. John M. Dyer, an internationally known professor of marketing. He has recently completed a current bibliography of current writing on comparative marketing which are pertinent to the current international marketing challenge we face as a nation. I would like to bring this bibliography to the attention of our colleagues and to all who read this RECORD:

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RIGHTS-OF-WAY ACROSS PUBLIC LANDS

(Mr. MEEDS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MEEDS. Mr. Speaker, I am today introducing a bill identical to S. 1081 introduced in the Senate by Senator HENRY M. JACKSON. The bill deals with rights-of-way across public lands.

On February 9, in its decision in the case of the Wilderness Society, et al against Morton, et al., the Supreme Court interpreted the Mineral Lands Leasing Act as disallowing construction of oil and gas pipelines unless both construction and operation can take place in the space of 25 feet on each side of the line.

The decision means that at the same time as we find ourselves in the midst of an energy crisis, we cannot build pipelines necessary to alleviate the problem. All proposed and future pipelines and other rights-of-way are in jeopardy. In

order to resolve the dilemma, I introduced H.R. 4651.

The measure I am placing before the House today is identical to S. 1081. Although I have questions concerning a number of the bill's provisions, I am introducing it because I feel that the issues contained in the Senate measure should be before the House for consideration. Hopefully, the introduction of this measure will facilitate early and comprehensive action by the Committee on Interior and Insular Affairs concerning rights-of-way.

ASOTIN DAM PROJECT SHOULD BE RECONSIDERED

(Mr. SYMMS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SYMMS. Mr. Speaker, I am introducing this legislation today because there is very little justification for building Asotin Dam. The time has come when we must begin to put most of our emphasis on the development of new sources of power—such as advanced nuclear-powered and geothermal powered generating plants that can keep pace with the growing demands of our Nation. Conventional means of generating power can no longer be expected to keep up with the needs of our people.

Environmental surveys clearly indicate that any economic benefits from the Asotin project are heavily overshadowed by damage to the environment.

There will be enough times when we will be forced to make compromises between productivity and the environment. Let us not find ourselves moving ahead on construction when the facts point in another direction.

SERIOUS INEQUITIES IMPOSED ON NATIONAL GUARD TECHNICIANS

(Mr. BLACKBURN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BLACKBURN. Mr. Speaker, among the many matters of major concern to needs that of the serious inequities imposed on a group of the finest employees this Nation has ever had, that is, the National Guard technicians. I am, therefore, introducing a bill today to amend these inequities which deprive the Members of this fine organization of reasonable retirement income, adequate survivor benefits, and above poverty-level disability benefits.

Men and women, many of whom had been called out and served devotedly and unquestioningly in World War II, Korea, the Berlin crisis, and Vietnam, and stood ready to protect our homefront, providing 24-hour air defense coverage, flew cargo to overseas sites including Vietnam, and kept a strategic reserve force within days of possible combat involvement, were ill-served by legislation that gave them a mere 55-percent status for retirement and far less actual Federal employee status than that.

Necessary procedural changes should be effected by statute to provide formally

for their Federal appointment and supervision. Their resulting formal designation by State would entitle them to Civil Service Retirement Act credit and related Federal benefits, which is only their just due.

It was argued in the Senate Armed Services Committee hearing in 1967 that these employees were covered by Social Security benefits. Little recognition was given to the fact that the mandatory age of retirement is 62, and that benefits under the act cannot begin before age 62, and then only at a reduced amount.

We must erase the injustice to a group that have always contributed the maximum for many years, and who, at this time, are deemed eligible only for minimal social security, no State benefit, and partial civil service.

I feel that if the program does not improve drastically, with the next upturn in the economy, there will be a huge exodus. The productive ones will leave after the Department of Defense has spent thousands of dollars to train them for their technical skills only to be lost to private industry.

With your full support, we can today initiate a remedy of the imperfections of Public Law 90-486 (title 5, United States Code). I urge you to support my legislation which will grant to our dedicated, long-term employees sufficient funds to maintain dignity and reasonable life standards.

We cannot continue to penalize diligence, patriotism, and devotion, and reward these with token provision for declining years of life and health.

Please consider the importance of the legislation I am introducing, and know I welcome your support in rectifying a situation that will affect the lives of many of our highly deserving citizens.

NETWORK POLICING

(Mr. DEVINE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DEVINE. Mr. Speaker, last Friday, March 9, the CBS network had been scheduled to show the second of a series of drama productions by Joseph Papp. It was entitled "Sticks and Bones", a story about a returning Vietnam veteran, blinded by battle, and rebuffed by his anti-Vietnam family, finally resulting in suicide.

But something happened last week which led to the cancellation of "Sticks and Bones", something profound and illustrative of the growing awareness of local stations to their respective communities' interests.

Mr. Speaker, over 70 affiliate stations told CBS that they would not carry the production, that they considered the program to be one of bad taste and, therefore, not acceptable to their viewing audiences.

Now I have not seen this play. All that that I know about "Sticks and Bones" is what I have read in the newspapers and, therefore, I cannot adequately comment on the play's content. But, then again, this is not the issue here. The real issue here is whether or

not these licensees, these CBS affiliates, had the right to tell the CBS network that the Papp production would not be carried on their respective stations.

Mr. Speaker, we all know the networks are not licensed by the Federal Communications Commission. But the affiliate and independent stations are regulated by the FCC. These stations, therefore, constantly must insure that all programming reflects the interests and needs of the licensees' audiences. If not, as we have seen over the last several years, various community groups will register their complaints with the Commission. In short, the broadcaster, as a temporary permittee, a fiduciary if you will, is answerable to his community for the 3 years of his service.

On the other hand, the networks, as nonregulated entities, can contract for any type of program they desire, regardless of taste or decency. As a practical matter, the networks will send programs down the interconnection line which, for the most part, are acceptable to the local stations. Nevertheless, there have been times when, perhaps, a station or two have indicated to the networks that a certain program would not be shown.

Not so very long ago, in my district, a CBS affiliate station refused to carry an episode of "Maude." This decision was not hastily or easily made. It was made after extensive consultation with the community. Again, I will not comment on the pros and cons of that particular program. Rather I would point out that the local station had not only the right, but also the obligation to make this decision in this and any other case. I am happy to report the affiliate exercised this right.

This latest incident, however, involving "Sticks and Bones" illustrates the vast discontent of the CBS affiliates. This was not a case of involving a station or two. This incident involved over 70 affiliate stations, a little less than one-half of the total CBS affiliates, disgruntled with the CBS decision to contract for a program not in the best interests of the local stations' communities.

Now, we all hear of the cooperation of the networks and the respective affiliate boards. This is the way it should be. But I must ask at this point, how, if the CBS network in its continuing dialog with its affiliates, could have come up with a production that was rejected outright by over 70 affiliate stations. Herein lies the nub of the matter. Maybe the New York decisionmakers are out of step with the rest of the country.

Perhaps it is true, as many people in the business seem to think, that local station responsibility has been, in effect, a misnomer; that more and more, these stations feel hopeless in their attempts to effectively articulate views to the networks. There is a problem here, Mr. Speaker, and I am not certain how it is to be resolved. Perhaps, this latest incident may well be the beginning of real, increased local station responsibility and interaction with the networks. I would hope so, and I would hope that the Congress examines carefully this critical issue at a time when stations are asking the Congress for stability in the license renewal process.

The following articles are pertinent to this issue:

[From the Washington Evening Star and Daily News, March 8, 1973]

CBS AT FEET OF CLAY
(By Frank Getlein)

The cancellation by CBS of tomorrow night's long-scheduled showing of a television version of the prize-winning drama, "Sticks and Bones," represents—inadvertently or otherwise—the first major triumph of the White House policy toward ideas on commercial television as enunciated by Clay T. Whitehead, the President's telecommunications chief.

Whitehead has become nationally known in the last few months for his denunciations of what he has called "ideological plugola" on network shows.

He has consistently refused to offer a single example of what he means by that self-contradictory phrase, but it is a safe bet that "Sticks and Bones" would come under any definition that accorded with the overall White House view of the world.

The play, produced by Joseph Papp's New York Shakespeare Festival, is a bitter and not entirely successful drama of the return of a blinded Vietnam veteran to a family which, along with the parish priest, totally fails to understand or accept him, finally agreeing that his suicide is the best solution to the problem posed by his return to a world hardly aware of the war in Vietnam and unwilling to think about it.

It seems fair to guess that the point of view expressed in the play about the war in Vietnam and about veterans of that war and their reception by the American community is at variance with the White House view of those events and people.

Inasmuch as Whitehead has consistently refused to specify what he means by "ideological plugola," it is fair, too, to see "Sticks and Bones" as an example of what neither Whitehead nor his master want on television, to see it as "ideological plugola."

If these reasonable assumptions are indeed true, the cancellation of the show has worked out exactly according to the plan proposed by Whitehead in his landmark "plugola" speech for keeping ideas offensive to the administration off the air.

Whitehead, who has since affirmed his dedication to the First Amendment in theory, urged local television station owners to scrutinize more carefully the material they accept from the networks on the broadcasting of which much of their income depends.

Local stations, the telecommunications chief said, should be held responsible for all network "plugola" they carry and their responsibility should be a factor in FCC hearings on the renewal of the Federal licences under which television and radio stations operate.

Despite Whitehead's professed love for the First Amendment and his expressed belief that it applies to the broadcast media as well as to the products of the printing press, most comment on his speech construed his plan as an open threat to station owners: screen out network material unfavorable to the Nixon administration or risk losing your license.

Since, by and large, television station owners around the country are better known for their devotion to making money hand over fist than they are for caring two cents for the Bill of Rights in whole or in part, it was widely anticipated that Whitehead's threat, if it was a threat, would have no difficulty influencing those businessmen.

The "Sticks and Bones" cancellation runs precisely to the script outlined by Whitehead. CBS cancelled tomorrow night's showing of the play following the refusal of some 80 of the network's 184 affiliate stations to carry the play.

Broadcast networks are not in the habit of announcing such decisions by saying they

caved in to pressure. The CBS formula centered on the "abrasive" qualities the play might have for Americans currently preoccupied with the return of American prisoners of war.

Presumably, in the view of CBS executives, American television-watchers are capable of thinking only one thought about a subject at a time.

Since at this time viewers are supposedly thinking only how noble the prisoners are as they snappily salute the flag and thank the commander-in-chief—and how prudent, for that matter, with their pooled endorsement fee plan—the living-room audience is unable to face the thought that some Vietnam veterans, the wounded among them, have not received the warm welcome accorded the prisoners.

Again, it is not unreasonable to suppose that Whitehead and his master would share the view that TV-11 watchers should be undisturbed in their patriotic reflections.

There is a small irony in the fact that CBS has probably been the most outspoken of the networks against Whitehead's plans for cleansing the airwaves of "ideological plugola."

For a while there it looked as if a serious fight were shaping up between Frank Stanton, the network's highest spokesman for policy, and Whitehead.

On the basis of the "Sticks and Bones" decision, Stanton may go a round or two of shadow-boxing for the public record, but when the chips are down Whitehead will win, every time—by default.

As if to make the "ideological" nature of the network's collapse even clearer, Washington vice president Richard Jencks said that economic considerations were not involved.

Advertisers, he noted, get no guarantee on the number of stations carrying a program. "If anything," he said, "from an economic standpoint, we would have benefitted from keeping it on the air—clearly so."

Whitehead's triumph over the anti-war play is made even more ominous by two coincidental developments elsewhere in broadcasting.

On Sunday, NBC will present a play called "Duty Bound," dealing with the public issue of amnesty for young men who refused to serve in the Vietnam war. Cast in the form of a trial of one of them, the show manages to go through an entire hour without once using the word "Vietnam."

The author, Allan Sloane, who wrote the play under the sponsorship of the National Council of Churches, says that dropping the name and address of the war in question was demanded by NBC, which apparently has received the same message CBS has from Whitehead.

Meanwhile, in public broadcasting, television's last best hope, Henry Loomis, the other arm of the administration's effort to make television as bland as possible, chose the day after the CBS towel-throwing to withdraw financial support for the spectrum of public-issue programs his Corporation for Public Broadcasting has been financing.

Dumped programs include the William Buckley and Bill Moyers shows and "Washington Week in Review."

When Whitehead first unveiled the administration's campaign against "ideological plugola," it was widely assumed—in view of Whitehead's stern refusal ever to say what he was talking about—that the object of White House ire was chiefly the news programs.

Other administration spokesmen have at times seemed to take umbrage at Walter Cronkite's twinkle and David Brinkley's raised eyebrow. It now appears that fiction programs are as subject as the news to the "plugola" cleansing presided over by Whitehead.

[From Washington Evening Star and Daily News, March 9, 1973]

A WORD FROM LOCAL STATIONS

(By Richard Wilson)

Behind the subtle changes in tone which TV viewers may have noted in their favorite or unfavorite news and public affairs programs lies a great ferment in the broadcasting industry. Nothing illustrates the point more directly than the refusal of 69 of the 184 affiliates of the Columbia Broadcasting System to air a TV version of an award-winning Broadway play dramatizing an atypical return of a blinded Vietnam veteran to an uncaring world.

CBS consequently "postponed" the Joseph Papp-produced "Sticks And Bones" which ends with the veteran encased in a black plastic bag draped over a row of garbage cans. CBS's judgment was sound. The country is in no mood for this kind of propaganda-in-art while such healthy looking, dedicated and jubilant former prisoners of war are returning from Vietnam.

The concerted action of the affiliates, however, has a more profound meaning indicating that the assault upon the networks of Vice President Agnew and White House Communications Director Clay T. Whitehead is beginning to find its mark.

The average TV viewer cannot be expected to understand the relationship of locally owned radio-TV stations with the networks. As affiliates, these local stations are under no contractual, legal requirement to broadcast all programs supplied by the networks. Networks supply to the affiliates a variety of programs absorbing most of the local station time at no cost. In fact, the networks pay the local station a fixed percentage, usually about 30 percent of the Class A rate charged by the stations to their other clients.

The stations also may air spot commercials at scheduled station breaks and keep the revenue. There are certain expectations of the local stations. They are expected to broadcast most of the network programs and could find their affiliation cancelled if they did not do so, but there are also limitations on the networks' freedom of action. If they cancelled out station WXYZ there might be no other outlet to go to in a lucrative marketing area.

The affiliate-network relationship is a delicate one for the further reason that local stations are supposed to be responsive to the needs and interests of their own communities.

So, when more than one-third of the CBS affiliates say no to the network moguls it means something. And what bothers the network moguls is that this could be a surface indication that Vice President Agnew and Communications Director Whitehead have not so subtly influenced the conscious or unconscious attitudes of local station ownership and management without which the networks would wither.

Whitehead put it to the stations and the networks bluntly: The stations should exercise more discretion in the news programs they accept from the networks so as to continue in tune with the needs and interests of their own communities. Various network officials have rightly charged that through Agnew and Whitehead the Nixon administration is trying to reduce public trust and create a divisive issue between the networks and their affiliates. Exactly. And for the reason that the networks are putting over "ideological plugola" of which "Sticks And Bones" is certainly a prime example.

Those who wish for a sophisticated insight of this extremely subtle subject will find it in an article by Edward Jay Epstein in the New Yorker Magazine written as a result of several years' study.

Epstein said a large mouthful which bears careful reading and study at the conclusion

of his article: "As long as the requisites of network broadcasting remain essentially the same, network news can be expected to define American society by the problems of a few urban areas (that's where the camera crews are) rather than of the entire nation, by action rather than ideas, by dramatic protests rather than substantive contradictions, by "newsmakers" rather than economic and social structures, by a typical rather than atypical views and by synthetic national themes rather than disparate local events."

Those "synthetic national themes" are what bother Agnew and Whitehead and what bothered the local station managers who turned down "Sticks and Bones." The "disparate local events" (in other words, what actually happens) are often separately blown up into national themes which are not, in fact, typical of anything but are as atypical as a blind Vietnam veteran found on a garbage heap.

And now that the local stations have had their say the network moguls will tremble

[From Broadcasting, Mar. 12, 1973]

PAPP DUMPED AS AFFILIATES RISE AGAINST CBS SPECIAL

CBS-TV, faced with a massive revolt by affiliates, "postponed" last week its scheduled presentation of *Sticks and Bones*, a bitter allegorical drama about a blinded war veteran driven to suicide on his return home.

It was the first time in the memory of long-time observers that affiliates had forced the reversal of a network programming decision in such a fashion. But there was also growing speculation that CBS officials may not have been as much "forced" as it first appeared—that some of them, at least, were not displeased with the prospect of getting the show deferred if not dropped.

CBS-TV disclosed its decision after more than a third of the affiliates in the scheduled line-up, including many of the biggest, notified it they would not carry the program. CBS-TV President Robert D. Wood, explaining the decision, said "many of us, both at the network and among the stations, are now convinced" that the timing was bad, coinciding as it did with the return of former prisoners of war and other Vietnam war veterans.

The program, second in what was planned to be a series of productions by Joseph Papp's New York Shakespeare Festival over a four-year period, had been set for last Friday (March 9) at 9-11 p.m. EST. By the time Mr. Wood called it off, in a wire to affiliates last Tuesday afternoon, 69 affiliates had already said they would not clear the program. They represented 37.5% of the 184 affiliates who normally carry the CBS Friday-night movie in that time period, and every indication was that the total would have kept growing if Mr. Wood had not acted.

A number of affiliates who had not served notice that they would reject the program said later, when queried by *BROADCASTING*, that they would have refused to clear if CBS had not put it off. A smaller proportion said they were not sure what they would have done. And, although Mr. Wood's message spoke hopefully of scheduling it later "when the context of its showing will be less distressing and its possible application to actual events less immediate," most said they would not, or probably would not, carry it at any time.

If CBS does not present it by mid-September—that is, during the 1972-73 season—Mr. Papp's contract, it was learned, provides for the show to become his property.

For his part, Mr. Papp denounced the CBS decision as "a cowardly cop-out," accused the network of censorship in violation of the First Amendment and vowed he would produce nothing else under his CBS contract. "Hamlet" or "King Lear" was to have been next.

The TV version of *Sticks and Bones*, an award-winning Broadway and off-Broadway hit also produced by Mr. Papp, reportedly cost something over \$400,000. CBS sources said Mr. Papp had already been paid because, under the terms of his contract, CBS provided financing "up front."

Thus CBS stands to lose \$400,000-plus—which, for that matter, is almost what it would have lost even if the play had been presented on schedule: According to the best information available, only two 30-second commercials had been sold in the two-hour production. It was not clear, in fact, whether even those two had actually been sold or whether they represented time held by regular Friday-night movie advertisers who had not pulled out.

Clay T. Whitehead, director of the Office of Telecommunications Policy, who created a furor in asserting that affiliates should play a more aggressive role in dealing with their networks—they are responsible for everything they broadcast, he noted in his celebrated Indianapolis speech (Broadcasting, Jan. 1)—was quoted after a breakfast with Washington correspondents as describing the episode as "a good example of how the process ought to work."

An OTP spokesman, disclaiming knowledge of the program or of the CBS decision-making process, said: "The fact that the stations and the network could work together is a healthy thing."

Whether they had or had not planned to carry the show, broadcasters tended to reject—virtually without qualification—any suggestions that the affiliates' revolt had been stimulated by Mr. Whitehead's celebrated speech. One did suggest that "this could be the worst sort of pressure, where you react without realizing it's an influence at all," but even he felt others probably were right in thinking the rejections stemmed simply from dislike for the program, its timing or both.

There have been frequent private complaints among affiliates of all networks—and occasional public complaints—reflecting discontent with specific network programs or policies, particularly in news. CBS has been on the receiving end of its share of this sort of muttered dissatisfaction, most recently perhaps in the case of its showing of the "W.I. o's Afraid of Virginia Woolf?" movie and for its *Maude* series, which some affiliates dislike for themes or language or both. But nowhere has there been an uprising to rival the one against *Sticks and Bones*.

Mr. Wood in his message to stations described it thus: "Never has there been a greater or more serious and responsible sense of concern expressed by our affiliates about a projected program and the timing of its broadcast."

Among the 69 affiliates who had rejected the program before Mr. Wood's telegram went out were all 11 members of the board of the CBS-TV Affiliates Association.

Most of the stations questioned independently after the postponement agreed with Mr. Wood's assertion, in his telegram to them, that presenting the program at this time "might be unnecessarily abrasive to the feelings of millions of Americans whose lives or attention are at the moment emotionally dominated by the returning POW's and other veterans who have suffered the ravages of war."

They also tended to agree with his description of the drama as "a serious, concerned and powerful tragedy of some of the uglier aspects of human nature as revealed in a highly imaginative contemporary story," although some called it "the ultimate in morbidity," "sick" and "without purpose or point."

Edwin Pfeiffer of WPRI-TV Providence, R.I., chairman of the CBS-TV affiliates board, confirmed that he and all other members of the board had declined to carry the program

after seeing it in one or both of two closed-circuit screenings provided by the network.

He declined, he said, because he felt the program—and especially the veteran's suicide—would have "a most negative effect on the country." He was not sure he would clear it in the future, either, particularly because of the suicide which he thought "could conceivably appear to be an attractive alternative to some people who have a mental problem."

More than that, Mr. Pfeiffer said, the suicide scene was "such a sick scene that my secretary had to leave the room," and the play, over-all, though "a very powerful piece of drama," was also "a very unattractive piece of work" and so "negative" and "depressing" that "people could respond to it in a bad way."

Attitudes toward the program were lukewarm even among some stations that had planned to carry it.

James Ferguson, program director of WAGA-TV Atlanta, said his station had agreed to clear it because "in our judgment it could possibly have some value to others than ourselves." But, he said, "my personal opinion is it's something we could live without, particularly in the light of current events." He added, "It didn't tell me anything—it's certainly out of someone's imagination."

Dan Gold, station manager of WTOP-TV Washington, which also had planned to carry it, said he was prepared to present a "disclaimer" just before and early into the program cautioning that it might be "too mature for younger and particularly sensitive viewers." (CBS sources said they too had considered presenting a "disclaimer" and "probably would have," but the decision on postponement was reached first.)

Mr. Gold said WTOP's decision to carry the play was made in the context of "the needs and interests of this community," but he also noted that the needs and interests of other communities may be different, calling for different treatment by their broadcasters. Indeed, it was reported that WTOP-TV's sister station WJXT-TV Jacksonville, Fla., made a somewhat different assessment of its own: It reportedly planned to carry the program, also with a disclaimer, but to delay it to a later hour the same night.

There was a third closed-circuit feed of the program last Wednesday, and Mr. Wood urged affiliates to invite local newsmen and community leaders to see it "because we believe that this drama by David Rabe has great creative integrity and that the basis of our decision to postpone its broadcast ought to be fully and widely understood."

Among those who watched the screening in New York and Washington there was agreement that the drama was powerful and in many instances "rough"—and some who had also seen the stage version said they thought the TV adaptation was the rougher of the two.

It deals with the bitterness, tensions and both mental and physical violence in the relationships between the blinded veteran and his parents and younger brother. The suicide scene near the end is most violent, showing the family urging him to slash his wrist, the younger brother providing the razor, and, for a moment, the bled hand raised to the blinded eyes, while the family talks to the dying man, his father offering assurance that "we'll all be happier now."

But other scenes and themes seemed sure to draw criticism as well, among them the depiction of a Catholic priest and, especially in the current Washington mood against the advertising of over-the-counter drugs, its implicit linking of aspirin with the drug culture.

As for how they got themselves in this scheduling predicament in the first place, CBS sources said the play was taped at about the same time as Mr. Papp's *Much Ado About*

Nothing—presented to widespread critical acclaim on Feb. 2—and that the commitment to presentation last Friday was made before the Vietnam cease-fire was set and the return of POW's begun. Mr. Papp pegged the date at Jan. 24, three days before the cease-fire agreements were signed. But CBS sources said it went into production last summer, well before the White House reported peace was at hand.

The TV version was said to differ considerably from the stage production—and also, according to some sources, from the original TV scripts Mr. Papp submitted. One change, made by Mr. Papp himself, was in the names of the play's characters who on the stage was called Ozzie and Harriet and David and Ricky. Other than that, the chief differences in the TV adaptation were said to be its elimination of almost all of the original version's profanity and, after the tapes were delivered, deletion of shots in the suicide scene that showed the young soldier actually slashing his wrist.

Most of the affiliate revolt against the program seemed to have developed last week, according to CBS sources. They estimated that as of the preceding Friday (March 2) no more than a dozen stations had turned it down—perhaps, they said, because many had missed the only closed-circuit feed that had been presented at that point. A second closed-circuit showing was fed on Sunday and then, as one source put it, "an avalanche hit us." By early Tuesday afternoon rejections had reached "69, going on 100." Actually the final count was put at 71.

The affiliates board, all of whom were said to have rejected the program independently—they were not consulted as a group—is composed of officials of: WBTV-TV, Charlotte, N.C. (Charles Crutchfield); WAFB-TV, Baton Rouge (Tom Gibbons); WISH-TV, Indianapolis (Robert McConnell); WCPO-TV, Cincinnati (Robert Gordon); WMT-TV, Cedar Rapids, Iowa (Lew Van Nostrand); KTVH-TV, Wichita, Kans. (Dale Larsen); KLAS-TV, Las Vegas (Mark Smith); KUHT-TV, Joplin, Mo. (Melvin Caldwell); KTVA-TV, Anchorage (A. G. Hiebert); and KSL-TV, Salt Lake City (Arch Madsen) as well as WPRI-TV.

Other stations that rejected it reportedly include KOIN-TV, Portland, Oreg.; KDKA-TV, Pittsburgh; WMAR-TV, Baltimore; KRLD-TV, Dallas; KOOL-TV, Phoenix; KLZ-TV, Denver; WTEN-TV, Albany, N.Y.; WWI-TV, New Orleans; KWTV-TV, Oklahoma City; KOLN-TV, Lincoln, Nebr.; WCCO-TV, Minneapolis; KKT-TV, Colorado Springs; WDBJ-TV, Roanoke, Va.; KENS-TV, San Antonio, Tex.; KFDA-TV, Amarillo, Tex.; KFDM-TV, Beaumont, Tex.; WJW-TV, Cleveland; WJBK-TV, Detroit; WLAC-TV, Nashville; WTAR-TV, Norfolk, Va.; WFFM-TV, Greensboro, N.C.; WKYT-TV, Lexington, Ky.; WANE-TV, Fort Wayne, Ind.; WISN-TV, Mobile, Ala.; KSLA-TV, Shreveport, La.; KGGM-TV, Albuquerque, N.M.; WIBW-TV, Topeka, Kans.; WKZO-TV, Kalamazoo, Mich.; WTOL-TV, Toledo, Ohio; WDAU-TV, Scranton, Pa.; KDAL-TV, Duluth, Minn.; KCMO-TV, Kansas City, Mo.; WREC-TV, Memphis, and WJIM-TV, Lansing, Mich.

[From Television Digest, Mar. 12, 1973]

AFFILIATES VETO "STICKS & BONES"

Unprecedented outcry by affiliates forced CBS-TV to cancel scheduled March 9 showing of "Sticks & Bones"—fictional story of return of blinded war veteran—and debate immediately erupted over whether affiliates' response was motivated by attacks by OTP Dir. Clay Whitehead on alleged "ideological plugola" offered by networks. "Yes," screamed play's producer Joseph Papp, newspapers and some govt. officials critical of Administration. "Whitehead wasn't considered, had no impact," countered every CBS affiliate and other broadcast executives to whom we talked.

Show was canceled after it had been closed-circuited twice to affiliates—and after 69 of 180 had told CBS they wouldn't carry it (and we're told over 100 would have canceled if network hadn't acted). In telegram to affiliates announcing cancellation, CBS-TV Pres. Robert Wood said: "The play deals in compelling, allegorical terms with the callous reception of an American veteran returning blinded from war. [It] is a serious, concerned & powerful tragedy of some of the uglier aspects of human nature . . . In light of recent developments [return of Vietnam Pow's], its presentation on the air at this time might be abrasive to the feelings of millions of Americans . . . Never has there been a greater or more serious & responsible sense of concern expressed by our affiliates about a projected program and the timing of its broadcast."

Wood said "Sticks & Bones" would be rescheduled "when the context of its showing will be less distressing and its possible application to actual events less immediate." However, affiliates & CBS executives alike predicted it will never be shown. "It is inappropriate for TV at any time," one affiliate told us. "I wouldn't show the goddamn thing any time," added another. "It's just unfortunate that we all chose to react so strongly after Whitehead's attempt to intimidate networks through us." Added another prominent broadcaster:

"The country would have been absolutely outraged if CBS had aired that program . . . The media would have been in deep, deep difficulty." Edwin Pfeiffer, chmn. of CBS-TV Affiliates Board, replied "absolutely not" when asked if Whitehead's charges influenced him or other affiliates. He said all 11 members of Board independently decided not to carry program, and that Board brought "absolutely no pressure" on CBS. High-ranking CBS official said "we made the courageous & right decision to kill it . . . It's lamentable that 'Sticks & Bones' got as far as it did."

Papp called CBS action "cowardly cop-out," said he wouldn't honor a 4-year, \$7-million contract to provide CBS with 11 plays ("Sticks & Bones" was 2nd; "Much Ado About Nothing" the first). "It's frightening that this monster corporation, CBS, has decided to put its tail between its legs and back away from this program because some affiliates find it too strong stuff," Papp said. "They're accepting control by their affiliates, denying millions the right to see an important work of art. This is implicitly a First Amendment issue."

As might be expected, FCC Comr. Johnson blamed CBS action on White House intimidation, while Washington Star-News headlined story "CBS at Feet of Clay," called cancellation "the first major triumph of the White House policy toward ideas on commercial TV." Syndicated columnist Richard Wilson commented: "The concerted action of the affiliates [indicates] that the assault upon the networks of Vice President Agnew and White House Communications Dir. [sic] Clay T. Whitehead is beginning to find its mark . . . And now that the local stations have had their say, the network moguls will tremble."

Whitehead, however, commenting on CBS's action, said "this is a good example of how the process ought to work" with network responding to its affiliates. Another high-ranking govt. official, who has been critical of Whitehead's speech attacking networks, said that scheduling of "Sticks & Bones" in first place "is another indication of CBS's lack of awareness and being out of step with the public. This is the way to do it, for the affiliates to exert pressure . . . Children's TV is another example of where CBS is out of step. CBS has done nothing diverse for children—while ABC & NBC have, so that the government won't have to act . . . And on its news bias, CBS is out of step there too."

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. CHISHOLM (at the request of Mr. McFALL), for today through March 22, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders hereunto entered, was granted to:

(The following Members (at the request of Mr. HILLIS) to revise and extend their remarks and include extraneous matter):

Mr. ROBISON of New York for 10 minutes today.

Mr. MCKINNEY, for 5 minutes, today.

Mr. WHITEHURST, for 5 minutes, today.

Mr. ABDON, for 60 minutes, on March 14.

Mr. KEMP, for 10 minutes, today.

Mr. HOGAN, for 30 minutes, today.

(The following Members (at the request of Mr. ANDREWS of North Carolina), to revise and extend their remarks and include extraneous matter):

Mr. O'NEILL, for 5 minutes, today.

Mr. GONZALEZ, for 5 minutes, today.

Mr. ROSTENKOWSKI, for 5 minutes, today.

Mr. MURPHY of New York, for 5 minutes, today.

Mr. RODINO, for 5 minutes, today.

Mr. REUSS, for 10 minutes, today.

Mr. McFALL, for 5 minutes, today.

Mr. DAVIS of South Carolina, for 15 minutes, today.

Mr. STUCKEY, for 5 minutes, today.

Ms. ABZUG, for 10 minutes, today.

Mr. DANIELSON, for 10 minutes, today.

Mr. FOUNTAIN, for 5 minutes, today.

Mr. MOSS, for 5 minutes, today.

Mr. BENITEZ, for 60 minutes, on March 22.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. NEDZI and to include extraneous matter in two instances.

Mr. GROSS to insert remarks immediately preceding passage of H.R. 71.

Mr. STRATTON to revise and extend his remarks and include an address by the Secretary of the Army of the British Government notwithstanding the cost of \$467.50.

Mr. ECKHARDT and to include extraneous matter notwithstanding the fact it exceeds two pages of the CONGRESSIONAL RECORD and is estimated by the Public Printer to cost \$680.

(The following Members (at the request of Mr. HILLIS) and to include extraneous matter):

Mr. COHEN.

Mr. SCHERLE in 10 instances.

Mr. RONCALLO of New York.

Mr. PRITCHARD.

Mr. KING.

Mr. SMITH of New York.

Mr. QUIE.

Mr. HANRAHAN.

Mr. WHITEHURST.

Mr. SYMMS.

Mr. VANDER JAGT.

Mr. ARENDTS.

Mr. GILMAN.

Mr. DEL CLAWSON in two instances.

Mr. ZWACH.

Mr. WYMAN in two instances.

Mr. HEINZ.

Mr. KEATING.

Mr. HAMMERSCHMIDT.

Mr. HOGAN in three instances.

Mr. ROUSSELOT in two instances.

(The following Members (at the request of Mr. ANDREWS of North Carolina) and to include extraneous matter):

Mr. JONES of Oklahoma.

Mr. MOAKLEY in two instances.

Mr. SEIBERLING in 10 instances.

Mr. BADILLO.

Mr. WALDIE in five instances.

Mr. CARNEY of Ohio in three instances.

Mr. HANNA in four instances.

Mr. GONZALEZ in three instances.

Mr. RARICK in three instances.

Mr. BURTON.

Mr. VANIK in two instances.

Mr. MURPHY of New York in two instances.

Mr. EDWARDS of California.

Mr. BOLLING in two instances.

Mr. RODINO.

Mr. HUNGATE.

Mr. STUDDS in two instances.

Mr. JARMAN.

Mr. PEPPER in two instances.

Mr. DE LUGO.

Mr. WRIGHT.

Mr. HÉBERT in two instances.

Mr. DOMINICK V. DANIELS.

Mr. BURKE of Massachusetts in two instances.

Mr. KOCH in five instances.

Mr. JONES of Tennessee in six instances.

Mr. MOSS in two instances.

Mr. DRINAN in four instances.

Mr. O'NEILL.

ENROLLED JOINT RESOLUTION SIGNED

Mr. HAYS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a joint resolution of the House of the following title, which was thereupon signed by the Speaker:

H.J. Res. 334. Joint resolution to provide for the designation of the second full calendar week in March 1973 as "National Employ the Older Worker Week."

ADJOURNMENT

Mr. ANDREWS of North Carolina. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 55 minutes p.m.), the House adjourned until tomorrow, Wednesday, March 14, 1973, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BOLLING: Committee on Rules. House Resolution 279. Resolution to create a special committee to investigate campaign expenditures (Rept. No. 93-54). Referred to the House Calendar.

Mr. BOLLING: Committee on Rules. House Resolution 294. Resolution providing for the consideration of S. 583, an act to promote the separation of constitutional powers by securing to the Congress additional time in which to consider the Rules of Evidence for U.S. Courts and Magistrates, the Amendments to the Federal Rules of Civil Procedure and the Amendments to the Federal Rules of Criminal Procedure which the Supreme Court on November 20, 1972, ordered the Chief Justice to transmit to the Congress (Rept. No. 93-55). Referred to the House Calendar.

Mr. LONG of Louisiana: Committee on Rules. House Resolution 295. Resolution providing for the consideration of H.R. 2246, a bill to amend the Public Works and Economic Development Act of 1965 to extend the authorizations for a 1-year period. (Rept. No. 93-56). Referred to the House Calendar.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

571. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to Public Law 92-403; to the Committee on Foreign Affairs.

572. A letter from the Administrator, National Aeronautics and Space Administration; transmitting a report on the disposal of certain excess foreign property by NASA, pursuant to section 404(d) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 514); to the Committee on Government Operations.

573. A letter from the Secretary of Health, Education, and Welfare; transmitting a draft of proposed legislation to amend the Federal Food, Drug, and Cosmetic Act to require the disclosure of ingredients on the labels of all foods; to the Committee on Interstate and Foreign Commerce.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mrs. CHISHOLM (for herself, and Mr. HAWKINS):

H.R. 5478. A bill to preserve the Office of Economic Opportunity; to the Committee on Education and Labor.

By Mr. ASPIN:

H.R. 5479. A bill to amend title 37 of the United States Code in order to repeal the provisions providing personal money allowances for certain military officers; to the Committee on Armed Services.

By Mr. BIESTER:

H.R. 5480. A bill to protect collectors of antique glassware against the manufacture in the United States or the importation of limitations of such glassware; to the Committee on Interstate and Foreign Commerce.

By Mr. BLACKBURN:

H.R. 5481. A bill to amend title 5, United States Code, to correct certain inequities in the crediting of National Guard technician service in connection with civil service retirement, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BRAY:

H.R. 5482. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. BROYHILL of Virginia:

H.R. 5483. A bill to correct inequities in the crediting of sick leave of certain former commissioned officers of the Public Health Service who acquired competitive civil service status and transferred to classified positions in the Federal Water Pollution Control Administration subject to chapter 51 and subchapter III of chapter 53 of title 5, United States Code; to the Committee on Post Office and Civil Service.

By Mr. BROYHILL of North Carolina (for himself, Mr. ROONEY of Pennsylvania, Mr. ANDREWS of North Carolina, Mr. HAMMERSCHMIDT, Mr. HEINZ, and Mr. VEYSEY):

H.R. 5484. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. BROYHILL of Virginia:

H.R. 5485. A bill to provide that widows and children of the employees of the District of Columbia, and of members of the Metropolitan Police Reserve Corps of the District of Columbia, may receive annuities and participate in the Federal employee health insurance program, under certain conditions; to the Committee on Post Office and Civil Service.

By Mr. BROYHILL of Virginia (for himself, Mr. BOB WILSON, and Mr. GERALD R. FORD):

H.R. 5486. A bill to provide for the establishment of a memorial at the National Arboretum to Benjamin Boneval Latrobe; to the Committee on Public Works.

By Mr. BURKE of Florida:

H.R. 5487. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. BURTON:

H.R. 5488. A bill to establish a Congressional Office of the Budget Analysis and Program Evaluation; to provide participation by State and local officials and the general public in the departmental budgetmaking process; to provide investigations by the Comptroller General of impoundment reports; to provide legislative oversight and veto of impoundments; and for other purposes; to the Committee on Government Operations.

H.R. 5489. A bill to amend the act of June 27, 1960 (74 Stat. 220), relating to the preservation of historical and archeological data; to the Committee on Interior and Insular Affairs.

By Mr. CLARK:

H.R. 5490. A bill to amend the Railroad Retirement Act of 1937 to provide a full annuity for any individual (without regard to his age) who has completed 30 years of railroad service; to the Committee Interstate and Foreign Commerce.

By Mr. CONABLE:

H.R. 5491. A bill relating to the income tax treatment of charitable contributions of inventory and certain other ordinary income property; to the Committee on Ways and Means.

By Mr. DENT:

H.R. 5492. A bill to amend title 32, United States Code to provide that Army and Air Force National Guard technicians shall not be required to wear the military uniform while performing their duties in a civilian status; to the Committee on Armed Services.

H.R. 5493. A bill to increase the contribution of the Government to the costs of health

benefits for Federal employees, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 5494. A bill to amend the age and service requirements for immediate retirement under subchapter III of chapter 83 of title 5, United States Code, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 5495. A bill to amend title 5, United States Code, to correct certain inequities in the crediting of National Guard technician service in connection with civil service retirement, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DINGELL (for himself, and Mr. ROE):

H.R. 5496. A bill to authorize the Secretary of the Interior to assist the States in controlling damage caused by predatory animals; to establish a program of research concerning the control and conservation of predatory animals; to restrict the use of toxic chemicals as a method of predator control; and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. DORN:

H.R. 5497. A bill to amend certain provisions of Federal law relating to explosives; to the Committee on the Judiciary.

By Mr. DORN (for himself, Mr. Saylor, Mr. TEAGUE of Texas, Mr. HALEY, Mr. DULSKI, Mr. ROBERTS, Mr. SATTERFIELD, Mr. HELSTOSKI, Mr. EDWARDS of California, Mr. MONTGOMERY, Mr. CARNEY of Ohio, Mr. DANIELSON, Mrs. GRASSO, Mr. WOLFF, Mr. BRINKLEY, Mr. CHARLES WILSON of Texas, Mr. TEAGUE of California, Mrs. HECKLER of Massachusetts, Mr. HILLIS, Mr. WALSH, and Mr. BOWEN):

H.R. 5498. A bill relating to the authority of the Administrator of Veterans' Affairs to readjust the schedule of ratings for the disabilities of veterans; to the construction, alteration, and acquisition of hospitals and domiciliary facilities; to the closing of hospital and domiciliary facilities and regional offices; and to the transfer of real property under the jurisdiction or control of the Administrator of Veterans' Affairs; to the Committee on Veterans' Affairs.

By Mr. FLYNT:

H.R. 5499. A bill to authorize the Secretary of Agriculture to develop and carry out a forestry incentives program to encourage a higher level of forest resource protection, development, and management by small non-industrial private and non-Federal public forest landowners, and for other purposes; to the Committee on Agriculture.

H.R. 5500. A bill to amend the Federal Trade Commission Act (15 U.S.C. 41) to provide that under certain circumstances exclusive territorial arrangements shall not be deemed unlawful; to the Committee on Interstate and Foreign Commerce.

By Mr. GERALD R. FORD:

H.R. 5501. A bill to amend title 37, United States Code, to provide travel and transportation allowances for emergency leave and ordinary leave for compassionate reasons granted to servicemen stationed overseas; to the Committee on Armed Services.

By Mr. FORSYTHE:

H.R. 5502. A bill to amend the Internal Revenue Code of 1954 to permit an exemption of the first \$5,000 of retirement income received by a taxpayer under a public retirement system or any other system if the taxpayer is at least 65 years of age; to the Committee on Ways and Means.

By Mr. FULTON:

H.R. 5503. A bill to amend the Internal Revenue Code of 1954 to raise the limitation on used property taken into account for purposes of the investment credit from \$50,000 to \$150,000; to the Committee on Ways and Means.

By Mr. FUQUA:

H.R. 5504. A bill to amend title 10, United States Code, to restore the system of recompensation of retired pay for certain members and former members of the Armed Forces; to the Committee on Armed Services.

H.R. 5505. A bill to prohibit assaults on State law enforcement officers, firemen, and judicial officers; to the Committee on the Judiciary.

By Mr. GOODLING (for himself and Mr. FINDLEY):

H.R. 5506. A bill to amend the Agricultural Adjustment Act of 1933, as amended and re-enacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, to authorize marketing orders for apples; to the Committee on Agriculture.

By Mr. GRAY:

H.R. 5507. A bill to authorize the conveyance to the city of Salem, Ill., of a statue of William Jennings Bryan; to the Committee on House Administration.

By Mr. GROVER:

H.R. 5508. A bill to amend title 5, United States Code, to correct certain inequities in the crediting of National Guard technician service in connection with civil service retirement, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. GUDE:

H.R. 5509. A bill to provide for the acquisition and operation by the Washington Metropolitan Area Transit Authority of Washington National Airport, Dulles International Airport, and Friendship International Airport, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HANLEY:

H.R. 5510. A bill to permit officers and employees of the Federal Government to elect coverage under the old-age, survivors, and disability insurance system; to the Committee on Ways and Means.

By Mr. HASTINGS:

H.R. 5511. A bill to amend the Federal Food, Drug, and Cosmetic Act to establish a code system for the identification of prescription drugs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 5512. A bill to amend section 1(16) of the Interstate Commerce Act authorizing the Interstate Commerce Commission to continue rail transportation services; to the Committee on Interstate and Foreign Commerce.

By Mr. HILLIS (for himself, Mr. HECHLER of West Virginia, Mr. THONE, Mr. HUNT, Mr. ROSENTHAL, Mr. HUDNUT, Mr. JONES of North Carolina, Mr. WON PAT, Mr. FORSYTHE, Mr. COLLIER, Mr. CHARLES H. WILSON of California, Mr. SANDMAN, Mr. EILBERG, Mr. WHITEHURST, Mr. STEIGER of Arizona, Mr. ZWACH, and Mr. KETCHUM):

H.R. 5513. A bill to establish improved nationwide standards of mail service, require annual authorization of public service appropriations to the U.S. Postal Service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HILLIS (for himself, Mr. MOORHEAD of California, Mr. MOORHEAD of Pennsylvania, Mr. VEYSEY, Mr. DAVIS of South Carolina, Mr. FROEHLICH, Mr. ROY, Mr. ANDERSON of Illinois, Mr. HUNGATE, Mr. FRITCHARD, and Mr. OWENS):

H.R. 5514. A bill to establish improved nationwide standards of mail service, require annual authorization of public service appropriations to the U.S. Postal Service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. KETCHUM (for himself, Mr. ALEXANDER, Mr. BAFALIS, Mr. BROWN of California, Mr. BURGENER, Mr. CRONIN, Mr. DANIELSON, Mr. DAVIS of South Carolina, Mr. FISHER, Mr. HARRINGTON, Mr. JONES of North

Carolina, Mr. LEHMAN, Mr. MITCHELL of Maryland, Mr. MOORHEAD of California, Mr. PODELL, Mr. RAILSBACK, Mr. ROYAL, Mr. THONE, Mr. WRIGHT, Mr. YATRON, Mr. CONYERS, and Mrs. MINK):

H.R. 5515. A bill to amend the Internal Revenue Code of 1954 to provide that amounts paid to certain related individuals shall be allowable as a deduction under the provision permitting a deduction for dependent care services necessary for gainful employment; to the Committee on Ways and Means.

By Mr. KOCH (for himself and Mr. EILBERG):

H.R. 5516. A bill to restore to Federal civilian employees their rights to participate, as private citizens, in the political life of the Nation, to protect Federal civilian employees from improper political solicitations, and for other purposes; to the Committee on House Administration.

By Mr. LEHMAN:

H.R. 5517. A bill to provide increases in certain annuities payable under chapter 83 of title 5, United States Code, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 5518. A bill to amend chapter 83 of title 5, United States Code, to eliminate the survivorship reduction during periods of non-marriage of certain annuitants; to the Committee on Post Office and Civil Service.

By Mr. LUJAN:

H.R. 5519. A bill to authorize Federal cost sharing in promoting public safety through the elimination of hazardous open canals by converting them to closed conduits and by fencing; to the Committee on Interior and Insular Affairs.

By Mr. McCOLLISTER:

H.R. 5520. A bill to amend the Internal Revenue Code of 1954 to allow a credit against the individual income tax for tuition paid for the elementary or secondary education of dependents; to the Committee on Ways and Means.

H.R. 5521. A bill to amend the Internal Revenue Code of 1954 to provide a deduction for amounts expended by law enforcement officers and firemen for meals which they are required to eat while on duty; to the Committee on Ways and Means.

By Mr. MCKINNEY:

H.R. 5522. A bill to provide that, after January 1, 1973, Memorial Day be observed on May 30, of each year and Veterans Day be observed on the 11th of November of each year; to the Committee on the Judiciary.

By Mr. MATSUNAGA:

H.R. 5523. A bill to amend the Public Works and Economic Development Act of 1965 to extend the authorizations for a 1-year period; to the Committee on Public Works.

By Mr. MEEDS:

H.R. 5524. A bill to authorize the Secretary of the Interior to grant rights-of-way across Federal lands where the use of such rights-of-way is in the public interest and the applicant for the right-of-way demonstrates the financial and technical capability to use the right-of-way in a manner which will protect the environment; to the Committee on Interior and Insular Affairs.

By Mr. MELCHER:

H.R. 5525. A bill to declare that certain mineral interests are held by the United States in trust for the Chippewa Cree Tribe of the Rocky Boy's Reservation, Mont.; to the Committee on Interior and Insular Affairs.

By Mr. MITCHELL of New York:

H.R. 5526. A bill to amend the Public Works and Economic Development Act of 1965 to extend the authorizations for a 1-year period; to the Committee on Public Works.

By Mr. MOAKLEY:

H.R. 5527. A bill to extend the contiguous fishery zone of the United States to the 200-mile limit, and for other purposes; to the

Committee on Merchant Marine and Fisheries.

By Mr. MOORHEAD of California:

H.R. 5528. A bill to amend section 2 of the Internal Revenue Code of 1954 (relating to definitions of surviving spouse and head of household); to the Committee on Ways and Means.

By Mr. MOSS (for himself, Mr. ECKERHARDT, and Mr. HELSTOSKI):

H.R. 5529. A bill to amend the National Traffic and Motor Vehicle Safety Act of 1966 to authorize appropriations for the fiscal years 1974, 1975, and 1976, to provide for the recall of certain defective motor vehicles without charge to the owners thereof, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MURPHY of New York:

H.R. 5530. A bill to require the President to notify the Congress whenever he impounds funds, or authorizes the impounding of funds, and to provide a procedure under which the House of Representatives and the Senate may disapprove the President's action and require him to cease such impounding; to the Committee on Rules.

H.R. 5531. A bill to permit officers and employees of the Federal Government to elect coverage under the old-age, survivors, and disability insurance system; to the Committee on Ways and Means.

By Mr. MURPHY of New York (for himself and Mr. PODELL):

H.R. 5532. A bill to amend the Investment Advisors Act of 1940 to provide for regulation of persons rating municipal bonds; to the Committee on Interstate and Foreign Commerce.

By Mr. MURPHY of New York (for himself, Mr. HASTINGS, Mr. WILLIAMS, Mr. YATRON, Mrs. CHISHOLM, Mr. BRADEMAS, Mr. RIEGLE, Mr. PODELL, Mr. BADILLO, Mr. ROYAL, Mr. MOORHEAD of Pennsylvania, Mr. RUPPE, Mr. WOLFF, Mr. REES, Mr. OWENS, Mr. MAZZOLI, Mr. STUDDS, Mr. MATSUNAGA, Mr. FLOWERS, Miss HOLTZMAN, Mr. MCKINNEY, Mr. PRICE of Illinois, Mr. LENT, Mr. BROWN of California, and Mr. HARRINGTON):

H.R. 5533. A bill to provide for the humane care, treatment, habilitation and protection of the mentally retarded in residential facilities through the establishment of strict quality operation and control standards and the support of the implementation of such standards by Federal assistance, to establish State plans which require a survey of need for assistance to residential facilities to enable them to be in compliance with such standards, seek to minimize inappropriate admissions to residential facilities and develop strategies which stimulate the development of regional and community programs for the mentally retarded which include the integration of such residential facilities, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MURPHY of New York (for himself, Mr. HASTINGS, Mr. THOMPSON of New Jersey, Mr. ADDARBO, Mr. WALSH, Mr. ROE, Ms. ABZUG, Mr. ALEXANDER, Mr. CAREY of New York, Mr. CLARK, Mr. HANLEY, Mr. HARRINGTON, Mr. HECHLER of West Virginia, Mr. MITCHELL of Maryland, Mr. ROONEY of Pennsylvania, Mr. SYMINGTON, Mr. CHARLES WILSON of Texas, and Mr. VANIK):

H.R. 5534. A bill to provide for the humane care, treatment, habilitation and protection of the mentally retarded in residential facilities through the establishment of strict quality operation and control standards and the support of the implementation of such standards by Federal assistance, to establish State plans which require a survey of need for assistance to residential facilities to enable them to be in compliance with such standards.

standards, seek to minimize inappropriate admissions to residential facilities and develop strategies which stimulate the development of regional and community programs for the mentally retarded which include the integration of such residential facilities, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MURPHY of New York (for himself, Mr. HASTINGS, Mr. WON PAT, Mr. BINGHAM, Mr. EDWARDS of California, Mr. LEGGETT, Mr. HOWARD, Mr. TIERNAN, Mr. REID, Mr. DELANEY, Mr. LEHMAN, Mr. HAWKINS, Mr. PREYER, Mr. THONE, Mr. MOSS, Mr. CARNEY of Ohio, Mr. GONZALEZ, Mr. GILMAN, Mr. DULSKI, Mr. BRASCO, Mr. KOCH, Mr. FRASER, Mr. PIKE, Mr. EILBERG, and Mr. CORMAN):

H.R. 5535. A bill to provide for the humane care, treatment, habilitation and protection of the mentally retarded in residential facilities through the establishment of strict quality operation and control standards and the support of the implementation of such standards by Federal assistance, to establish State plans which require a survey of need for assistance to residential facilities to enable them to be in compliance with such standards, seek to minimize inappropriate admissions to residential facilities and develop strategies which stimulate the development of regional and community programs for the mentally retarded which include the integration of such residential facilities, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. NELSEN (by request):

H.R. 5536. A bill to amend the Rural Electrification Act of 1936, as amended, to provide adequate funds for rural electric and telephone systems at interest rates which will allow them to achieve the objectives of the act; to the Committee on Agriculture.

By Mr. PATTEN:

H.R. 5537. A bill to provide for the issuance of a special postage stamp in commemoration of the life and service of Dr. William Beaumont; to the Committee on Post Office and Civil Service.

By Mr. PEPPER (for himself, Mr. ASPIN, Mr. BRASCO, Mr. BUCHANAN, Mr. DORN, Mr. EILBERG, Mrs. HECKLER of Massachusetts, Mr. KEMP, Mr. MURPHY of New York, Mr. MURPHY of Illinois, Mr. PODELL, Mr. QUILLEN, Mr. ROE, Mr. WRIGHT, Mr. WON PAT, and Mr. YATRON):

H.R. 5538. A bill to amend the Internal Revenue Code of 1954 to provide that the first \$5,000 of compensation paid to law enforcement officers shall not be subject to the income tax; to the Committee on Ways and Means.

By Mr. PODELL:

H.R. 5539. A bill to amend section 6002 of title 18 of the United States Code to provide transactional immunity for witnesses compelled to testify after refusal on the basis of the privilege against self-incrimination; to the Committee on the Judiciary.

By Mr. RODINO:

H.R. 5540. A bill to prohibit the making of clad strip from which slugs can be cut for use in coin operated machines and to prohibit misrepresentation as to proof and uncirculated coins; to the Committee on the Judiciary.

By Mr. ROBISON of New York:

H.R. 5541. A bill to provide for a rural water survey, to create a Rural Water Council, to provide incentive grants for rural water supply projects, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ROSTENKOWSKI (for himself, Mr. KLUCZYNSKI, Mr. YATES, Mr. ANNUNZIO, Mr. MURPHY of Illinois, and Mr. METCALFE):

H.R. 5542. A bill to authorize the State of Illinois and the Metropolitan Sanitary Dis-

trict of Greater Chicago, under the direction of the Secretary of the Army, to increase the diversion of water from Lake Michigan into the Illinois Waterway in order to control and eliminate water erosion on the shoreline of Lake Michigan and to improve the quality of the water in the Illinois Waterway; to the Committee on Public Works.

By Mr. ROY (for himself, Mrs. SULLIVAN, Mr. BELL, Mr. BROWN of California, Mr. BURTON, Mr. CORMAN, Mr. DANIELSON, Mr. FRASER, Mrs. GRASSO, Ms. HOLTZMAN, Mr. LENT, Mr. ROSENTHAL, Mr. TIERNAN, and Mr. WOLFF):

H.R. 5543. A bill to establish a Consumer Savings Disclosure Act in order to provide for uniform and full disclosure of information with respect to the computation and payment of earnings on certain savings deposits; to the Committee on Banking and Currency.

By Mr. SHOUP:

H.R. 5544. A bill to designate the Spanish Peaks Wilderness, Gallatin National Forest, in the State of Montana; to the Committee on Interior and Insular Affairs.

H.R. 5545. A bill to amend title 5, United States Code, to correct certain inequities in the crediting of National Guard technician service in connection with civil service retirement, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. STAGGERS (for himself and Mr. DEVINE) (by request):

H.R. 5546. A bill to amend the Communications Act of 1934 to provide that licenses for the operation of a broadcast station shall be issued for a term of 5 years, and to establish orderly procedures for the consideration of applications for the renewal of such licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. STRATTON:

H.R. 5547. A bill to amend the Public Works and Economic Development Act of 1965 to extend the authorizations for a 1-year period; to the Committee on Public Works.

By Mr. SYMMS:

H.R. 5548. A bill to terminate the authorization of the Asotin Dam, Snake River, Idaho and Washington; to the Committee on Public Works.

By Mr. UDALL:

H.R. 5549. A bill to amend the Mineral Leasing Act, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ULLMAN (for himself, Mr. CLARK, Mr. DAVIS of South Carolina, Mr. DERWINSKI, Mrs. GREEN of Oregon, Mr. HASTINGS, Mr. HELSTOSKI, Mr. HEDNUT, Mr. LEHMAN, Mr. MADEN, Mr. TIERNAN, Mr. WON PAT, Mr. YATRON, and Mr. YOUNG of Illinois):

H.R. 5550. A bill to establish new program of health care delivery and comprehensive health care benefits (including catastrophic coverage), to be available to aged persons, and to employed, unemployed, and low-income individuals, at a cost related to their income; to the Committee on Ways and Means.

By Mr. WALDIE:

H.R. 5551. A bill to amend the Education of the Handicapped Act to provide for comprehensive education programs for severely and profoundly mentally retarded children; to the Committee on Education and Labor.

H.R. 5552. A bill to assist the States in developing a plan for the provision of comprehensive services to persons affected by mental retardation and other developmental disabilities originating in childhood, to assist the States in the provision of such services in accordance with such plan, to assist in the construction of facilities to provide the services needed to carry out such plan, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 5553. A bill to amend the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 to provide grants for costs of initiating services

in community mental retardation facilities; to the Committee on Interstate and Foreign Commerce.

H.R. 5554. A bill to provide for the humane care, treatment, habilitation and protection of the mentally retarded in residential facilities through the establishment of strict quality operation and control standards and the support of the implementation of such standards by Federal assistance, to establish State plans which require a survey of need for assistance to residential facilities to enable them to be in compliance with such standards, seek to minimize inappropriate admissions to residential facilities and develop strategies which stimulate the development of regional and community programs for the mentally retarded which include the integration of such residential facilities, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 5555. A bill to amend title 5, United States Code, to allow credit for civil service retirement purposes for time spent by Japanese-Americans in World War II internment camps; to the Committee on Post Office and Civil Service.

H.R. 5556. A bill to provide adequate mental health care and psychiatric care to all Americans; to the Committee on Ways and Means.

H.R. 5557. A bill to amend title XIV (and title XVI) of the Social Security Act to permit aid to the permanently and totally disabled to be paid, under approved State plans with Federal matching, to individuals in institutions for the mentally retarded; to the Committee on Ways and Means.

By Mr. WALDIE (for himself, Mr. ROUSSELOT, Mr. WHITE, and Mr. CHARLES H. WILSON of California):

H.R. 5558. A bill to include inspectors of the Immigration and Naturalization Service or the Bureau of Customs within the provisions of section 8336(c) of title 5, United States Code, relating to the retirement of certain employees engaged in hazardous occupations, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. WILLIAMS:

H.R. 5559. A bill to amend title 5, United States Code, to correct certain inequities in the crediting of National Guard technician service in connection with civil service retirement, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. YOUNG of Florida:

H.R. 5560. A bill to amend chapter 44 of title 18 of the United States Code (respecting firearms) to penalize the use of firearms in the commission of any felony and to increase the penalties in certain related existing provisions; to the Committee on the Judiciary.

By Mr. ZWACH:

H.R. 5561. A bill to extend to all unmarried individuals the full tax benefits of income splitting now enjoyed by married individuals filing joint returns; to the Committee on Ways and Means.

By Mr. BROYHILL of Virginia (for himself, Mr. RHODES, and Mr. STEIGER of Arizona):

H.J. Res. 421. Joint resolution authorizing the President to proclaim the last complete calendar week in April of each year as "National Secretaries' Week" and to proclaim Wednesday of such week as "National Secretaries' Day"; to the Committee on the Judiciary.

By Mr. BURKE of Massachusetts (for himself, Mr. MCKINNEY, and Mr. RANGEL):

H.J. Res. 422. Joint resolution to authorize the emergency importation of oil into the United States; to the Committee on Ways and Means.

By Mr. DOMINICK V. DANIELS:

H.J. Res. 423. Joint resolution proposing an amendment to the Constitution of the United States guaranteeing the right to life

to the unborn, the ill, the aged, or the incapacitated; to the Committee on the Judiciary.

By Mr. EDWARDS of California:

H.J. Res. 424. Joint resolution proposing an amendment to the Constitution of the United States providing that the term of office of Members of the U.S. House of Representatives shall be 4 years; to the Committee on the Judiciary.

By Mr. MARAZITI (for himself, Mr. PETTIS, Mr. COLLIER, Mr. WON PAT, Mr. VESEY, and Mr. ROY):

H.J. Res. 425. Joint resolution designating a "National Day of Recognition and Prayer" to honor those Americans killed in the Vietnam conflict; to the Committee on the Judiciary.

By Mr. SMITH of New York:

H.J. Res. 426. Joint resolution requesting the President to issue a proclamation designating the week of April 23, 1973, as "Nicolaus Copernicus Week" marking the quinquecentennial of his birth; to the Committee on the Judiciary.

By Mr. WHITEHURST:

H.J. Res. 427. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. KOCH (for himself and Mr. BINGHAM):

H. Con. Res. 151. Concurrent resolution expressing the sense of the Congress with respect to the treatment of Jews in Iraq and Syria; to the Committee on Foreign Affairs.

By Mr. DIGGS:

H. Res. 293. Resolution to provide funds for the expenses of the investigations and studies authorized by House Resolution 162; to the Committee on House Administration.

By Mr. FRASER (for himself, Mr. BIESTER, Mr. BURKE of Florida, Mr. FOLEY, Mr. REID, and Mr. WINN):

H. Res. 296. Resolution on U.S. oceans policy at the Law of the Sea Conference; to the Committee on Foreign Affairs.

By Mr. KEATING:

H. Res. 297. Resolution to provide for an investigation by the Committee on House Administration of an alarm system for the Capitol Building and Congressional office buildings; to the Committee on Rules.

By Mr. KOCH:

H. Res. 298. Resolution creating a select committee to conduct an investigation and study on Indian Affairs; to the Committee on Rules.

By Mr. PEPPER:

H. Res. 299. Resolution to provide funds for the Select Committee on Crime for studies

EXTENSIONS OF REMARKS

and investigations authorized by House Resolution 256; to the Committee on House Administration.

By Mr. PODELL:

H. Res. 300. Resolution authorizing and directing the Committee on the Judiciary to conduct an investigation and study of the conduct and practices of the U.S. Department of Justice and the Federal judiciary with respect to grand jury investigations; to the Committee on Rules.

By Mr. THOMPSON of New Jersey:

H. Res. 301. Resolution providing funds for the Committee on Rules; to the Committee on House Administration.

H. Res. 302. Resolution to provide funds for the expenses of the investigation and study authorized by House Resolution 72; to the Committee on House Administration.

H. Res. 303. Resolution to provide funds for the expenses of the investigation and study authorized by House Resolution 182; to the Committee on House Administration.

H. Res. 304. Resolution to provide funds for the expenses of the investigations and studies authorized by House Resolution 163; to the Committee on House Administration.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

81. By the SPEAKER: Memorial of the Legislature of the State of New York, relative to the treatment of Soviet Jews and the granting of most-favored-nation status to the U.S.S.R.; to the Committee on Foreign Affairs.

82. Also, memorial of the Legislature of the Commonwealth of Virginia, requesting Congress to propose an amendment to the Constitution of the United States relating to tenure of Federal justices and judges; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BROYHILL of Virginia (by request):

H.R. 5562. A bill for the relief of David B. Smith; to the Committee on the Judiciary.

By Mr. FISHER:

H.R. 5563. A bill for the relief of Isaac Salinas; to the Committee on the Judiciary.

By Mrs. HANSEN of Washington:

H.R. 5564. A bill to incorporate in the District of Columbia the American Ex-Prisoners of War; to the Committee on the District of Columbia.

By Mr. JOHNSON of Pennsylvania:

H.R. 5565. A bill for the relief of Comdr. Howard A. Weltner, U.S. Naval Reserve; to the Committee on the Judiciary.

By Mr. LEHMAN:

H.R. 5566. A bill for the relief of Harry Slutsky and Lillian Slutsky; to the Committee on the Judiciary.

H.R. 5567. A bill for the relief of Marta Leocada Gamboas Suarez; to the Committee on the Judiciary.

By Mr. LENT:

H.R. 5568. A bill for the relief of Mauro Zaino, his wife, Maria Zaino, and their daughter, Carmela Zaino; to the Committee on the Judiciary.

By Mr. MCKINNEY:

H.R. 5569. A bill for the relief of Iolanda C. Masotta; to the Committee on the Judiciary.

H.R. 5570. A bill for the relief of James Vincent Melia, his wife Eugenia Melia, and their children, Serafina Melia, Rocco Fernando Melia, and Nicola Melia; to the Committee on the Judiciary.

H.R. 5571. A bill for the relief of Michelangelo Morelli; to the Committee on the Judiciary.

By Mr. MITCHELL of New York:

H.R. 5572. A bill relating to the date on which the Glove Manufacturers Pension Trust is deemed to have qualified for purposes of the Internal Revenue Code of 1954; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

61. By the SPEAKER: Petition of the Common Council, Poughkeepsie, N.Y., relative to funding of the rehabilitation loan program under section 312 of the Housing Act; to the Committee on Banking and Currency.

62. Also, petition of James E. Steele, et al., Huntsville, Ala., relative to protection for law enforcement officers sued for damages in Federal court resulting from the performance of their duties; to the Committee on the Judiciary.

63. Also, petition of Jerry Heft, Leavenworth, Kans., relative to conditions in the Leavenworth Penitentiary; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

JAMES I. LOEB COMMENTS ON THE MANSFIELD-AIKEN AMENDMENT TO THE CONSTITUTION

HON. RICHARD BOLLING

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 13, 1973

Mr. BOLLING. Mr. Speaker, on March 13, 1972, just 1 year ago today, Senator MANSFIELD, on behalf of himself and Senator AIKEN, introduced in the Senate, Senate Joint Resolution 215, "proposing an amendment to the Constitution of the United States relating to the nomination of individuals for election to the offices of the President and Vice President of the United States." The amendment calls for a national presidential primary. Because so many of us have had a feeling of

unreality and even inequity in the way we have been nominating our presidential candidates, the Mansfield-Aiken proposal received wide and largely favorable attention. But, so far as I know, nothing much has happened with the proposal since its introduction, probably because we were all so occupied with the 1972 nomination and election process.

Recently I asked an old friend, James I. Loeb, who has long been a student of American politics, to give me his informal views on the Mansfield-Aiken proposal. Jim Loeb has been a newspaper publisher and editor, a political activist, a White House consultant, and a diplomat, having served as U.S. Ambassador to Peru and then to Guinea. I think his memorandum contains some ideas that are not only interesting, but constructive and realistic. It follows:

JAMES I. LOEB COMMENTS

Perhaps the most significant aspect of the proposal made last year by Senators Mansfield and Aiken for a Constitutional Amendment providing for a national presidential primary is that it is bi-partisan.

Since the one-sided results of the presidential election became clear early in the evening of November 7th last, the Democrats have been licking their wounds while the Republicans have been licking their chops. But if the Republicans enjoyed the plight of the Democrats last November, they should be foresighted enough to realize that they will be in the same rocky boat in 1976 since neither party will have an incumbent President eligible to succeed himself.

Furthermore, and rather ironically, the new state laws establishing more primaries and new regulations in the nonprimary states will affect Republicans as well as Democrats, even if all the specific party rules do not. Hence both parties should be equally inter-