Kuras, Anothy Theophil
Loughridge, Everett Allen
Luketz, Ronald George
McElhenny, James Patrick, Jr.
Owens, James Franklin
Poulin, Francis Alfred
Richards, John Charles
Royston, Leighton Marion
Shafer, Lee Edward
Sherry, James Francis
Sinclair, Lonnie Delton
Smith, John Lester
Twilde, Richard Wayne
Wallace, Charles Simpson, Jr.
Wiest, Philip John
Wiles, James Lowell
Williston, John Dee, Jr.

SUPPLY CORPS

Arensmeyer, Harold J., Jr.
Knight, Curtis Durwood
McCrory, Richard Charles
Moore, Robin Henry Sheridan

CHAPLAIN CORPS

Allen, John Dale
Cronin, James Edward
Goodwin, Norman
Greco, Evan Joseph
Harper, Cecil Duncan, Jr.
Holwager, Philip Joseph
Koeneman, Alvin Berthold
Libera, Angelo Joseph
Moor, James Wallace
Quinn, Robert John

MEDICAL SERVICE CORPS

Delaney, Helen Frances.

NURSE CORPS

Porter, Julia H.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 11, 1976:

IN THE JUDICIARY

Ralph B. Guy, Jr., of Michigan, to be U.S. district judge for the eastern district of Michigan.

Laughlin E. Waters, of California, to be U.S. district judge for the central district of California.

HOUSE OF REPRESENTATIVES—*Tuesday, May 11, 1976*

The House met at 12 o'clock noon.

Rabbi Israel Shorr, Congregation Beth-el, Brooklyn, N.Y., offered the following prayer:

Lord and Host of All Creation: Those assembled in this solemn place, the Members of Congress invoke Thy presence to abide with them in their deliberations of enacting laws that will affect the fate and state of the present and the future. By Your indwelling, truth will prevail. Avoiding You, truth yields to falsehood and the best to the worst. Eternal One, enlighten them on how to blend the ideal with the real, that the pressures of the immediate should not obscure the design of the American vision; that the pragmatic goals should not clip the wings of their prophetic zeal. May our faith in righteousness be so persuasive that we should not have to resort to power to convince others. 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 PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Roddy, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On May 5, 1976:

H.R. 8235, an act to authorize appropriations for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes.

On May 7, 1976:

H.R. 12226, an act to amend further the Peace Corps Act.

On May 11, 1976:

H.R. 10230, an act to establish a science and technology policy for the United States, to provide for scientific and technological advice and assistance to the President, to provide a comprehensive survey of ways and means for improving the Federal effort in scientific research and information handling, and in the use thereof, to amend the National Science Foundation Act of 1950, and for other purposes.

MESSAGE FROM THE SENATE

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

H.R. 2776. An act for the relief of Candido Badua;

H.R. 4038. An act for the relief of Jennifer Ann Blum;

H.R. 5227. An act for the relief of Frank M. Russell;

H.R. 8863. An act for the relief of Randy E. Crismundo;

H. Con. Res. 536. Concurrent resolution to authorize the printing as a House document "Our Flag," and to provide for additional copies;

H. Con. Res. 537. Concurrent resolution to provide for the printing as a House document of the Constitution and the Declaration of Independence;

H. Con. Res. 539. Concurrent resolution to print as a House document the Constitution of the United States; and

H. Con. Res. 540. Concurrent resolution to print as a House document "How Our Laws Are Made."

The message also announced that the Senate had passed with an amendment in which the concurrence of the House is requested, a concurrent resolution of the House of the following title:

H. Con. Res. 538. Concurrent resolution providing for the printing as a House document of the Constitution of the United States (pocket-size edition).

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

S. 1404. An act for the relief of Mrs. Kyong Chu Stout;

S. 2318. An act for the relief of Doctor Crispin E. See;

S.J. Res. 49. Joint resolution to amend the joint resolution entitled "Joint resolution to codify and emphasize existing rules and customs pertaining to the display and use of the flag of the United States of America; and

S. Con. Res. 113. Concurrent resolution authorizing the printing of additional copies of the committee print entitled "Soviet Space Programs, 1971–1975".

The message also announced that Mr. PEARSON be a conferee, on the part of the Senate, on the bill (H.R. 9771) entitled "An Act to amend the Airport and Airway Development Act of 1970," vice Mr. BAKER, excused.

RABBI ISRAEL SHORR

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

Mr. SOLARZ. Mr. Speaker, this morning we had the pleasure of having the opening prayer delivered by one of my good friends and constituents, Rabbi Dr. Israel Shorr, of Brooklyn.

As some of our colleagues may know, I have the privilege of representing the community of Boro Park, which is the largest orthodox Jewish community in the world today, and Rabbi Shorr who just delivered our invocation is the distinguished rabbi and inspirational leader of Congregation Beth-el of Boro Park, which is the largest orthodox congregation in the largest orthodox Jewish community in the world.

Rabbi Shorr is a man of rare intellect. Trained and educated under the famous and great scholars of pre-World War II Poland and Hungary, he is not only a renowned scholar in rabbinical studies, but is also a respected theologian in the related field of the philosophy of religion. Rabbi Shorr's scholarly brilliance is known far and wide and he has lectured in many colleges and academies in the fields of Jewish philosophy and history.

Besides being a man of great intelligence, Rabbi Shorr is a person of inspiring initiative. After coming to the United States he saw the need to gain a better command of the English language. He, therefore, attended night school and went on to further his education at Columbia University, where he earned his B.S., M.A., and Ph. D. in English literature. As someone who was also a Ph. D. candidate at Columbia University, I can testify to the impressiveness of Rabbi Shorr's secular academic achievements.

Along with his many duties as rabbi of one of the largest synagogues in Brooklyn, Rabbi Shorr served and continues to serve many institutions of Torah learning, Zionist and philanthropic organizations, and numerous causes that promote and preserve Judaism. He is the former president, and current national vice president of Hapole Mizrachi Organizations of America.

He also serves as president of the De-

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partment of Education and Culture of Torah and Religion of Mizrachi in America, and for many years has served as chaplain of the New York Department of Sanitation. He is also head of the Hebrew Board of Education of the Hebrew Institute of Boro Park and was recently elected as one of the presidents of the Boro Park Board of Rabbis.

He is, Mr. Speaker, a good and great man, and in this Bicentennial Year I take great pride and pleasure in commending him to our colleagues this afternoon.

STABLE PESO

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

Mr. DE LA GARZA. Mr. Speaker, I respectfully ask the indulgence of my colleagues in the House of Representatives for a few moments to discuss an issue of great importance to my area of Texas and to our neighbors south of the Rio Grande. There has been some speculation in the media about a possible devaluation of the Mexican peso. Living on the border as I do, I do not find this to be factual. I have visited in my area for the past several weeks, I have read some of the articles, and I have personally visited with high officials of the Mexican Government on this subject. I find that such is not the case. Mexico, like most countries of the world—including ours, has had a problem of balance of payments; this is becoming favorable to Mexico. There is also a problem of inflation, as it is with us; the trend in both our countries is down.

The usual problems related to this issue such as unemployment and the long list of ailments that a country suffers in the present-day world are still there, in Mexico, the same as in our country. The question before us at this time is that of the stability of the peso; the facts all point to stability. We wish Mexico well with all its problems and should and will assist them wherever possible because it is to our mutual benefit, not only in our commercial links, but because of our love, admiration, and respect of the people of Mexico.

In the border country, things are going well on both sides of the river—problems we have—but we work daily to solve them each side on its own, and together where they are common to both countries.

Mr. Speaker, I can assure our friends in Mexico, from my most humble position in this Government, that, to my knowledge, there is no participation of anyone in the Government of the United States of America, in any way whatsoever, in any speculation, public or private, concerning the stability of the peso.

I thank my colleagues for your indulgence and would invite all of you to come to my area of south Texas, visit us for a while, then continue into Mexico to visit with our friends south of the border.

PERMISSION FOR THE COMMITTEE ON INTERNATIONAL RELATIONS TO SIT TODAY DURING HOUSE SESSION UNDER 5-MINUTE RULE

Mr. MORGAN. Mr. Speaker, I ask unanimous consent that the Committee on International Relations be permitted to sit this afternoon while the House is proceeding under the 5-minute rule.

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

There was no objection.

APPOINTMENT AS MEMBERS OF DELEGATION TO ATTEND PRESENTATION OF MAGNA CARTA TO THE UNITED STATES

The SPEAKER. Pursuant to the provisions of section 1(b)(1), Senate Concurrent Resolution 98, 94th Congress, the Chair appoints as members of the delegation to attend the presentation of the Magna Carta to the United States by the United Kingdom the following Members on the part of the House to serve with himself: The gentleman from Massachusetts (Mr. O'NEILL), the gentleman from Arizona (Mr. RHODES), the gentleman from Pennsylvania (Mr. MORGAN), the gentleman from Ohio (Mr. HAYS), the gentleman from New Jersey (Mr. RODINO), the gentleman from Michigan (Mr. CEDERBERG), the gentleman from Georgia (Mr. LANDRUM), the gentleman from Illinois (Mr. DERWINSKI), the gentleman from Alabama (Mr. EDWARDS), the gentleman from Indiana (Mr. HAMILTON), the gentleman from Virginia (Mr. BUTLER), and the gentlewoman from Louisiana (Mrs. BOGGS).

CALL OF THE HOUSE

Mr. CHARLES H. WILSON of California. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. O'NEILL. 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. 258]

Abzug	Green	Riegle
Anderson, Ill.	Hansen	Rosenthal
AuCoin	Hayes, Ind.	Sarbanes
Bell	Hébert	Scheuer
Bowen	Hechler, W. Va.	Shuster
Broomfield	Helstoski	Slack
Buchanan	Henderson	Smith, Nebr.
Byron	Hinshaw	Spellman
Chisholm	Jarman	Stanton, James V.
Clausen, Don H.	Karth	Stephens
Conlan	Leggett	Sullivan
Conyers	Litton	Symms
Derrick	Macdonald	Teague
Dickinson	Michel	Thompson
Diggs	Mikva	Udall
Edwards, Calif.	Milford	Ullman
Eilberg	Mollohan	Vander Jagt
Esch	Moorhead, Pa.	Vanik
Foley	Neal	Waggonner
Ford, Mich.	Nix	Waxman
Fraser	Railsback	Wiggins
Frenzel	Randall	Wydler
Giaimo	Rees	Young, Alaska
	Rhodes	

The SPEAKER pro tempore (Mr. ALLEN). On this rollcall 362 Members have recorded their presence by electronic device, a quorum.

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

STATUS REPORT ON THE FISCAL YEAR 1976 CONGRESSIONAL BUDGET

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

Mr. ADAMS. Mr. Speaker, on behalf of the House Committee on the Budget I rise to inform my colleagues about the status of the fiscal year 1976 congressional budget. This report reflects last week's action of the Senate to sustain the Presidential veto on H.R. 9803—increase funding for child care services. Our scorekeeping system reserves funding for the amounts included in bills which clear Congress and await favorable action by the President. Since the attempt to override the measure in the Senate failed, we now have to release the amounts previously reserved for this measure.

This report is part of the routine notification to the House about where Congress stands in relation to the budget authority and outlays ceiling and revenue floor adopted in House Concurrent Resolution 466 for this fiscal year. With regard to these figures, as of close of business on Friday, May 7, 1976, the current level of spending stood as follows:

STATUS OF FISCAL YEAR 1976 CONGRESSIONAL BUDGE REFLECTING COMPLETED ACTION AS OF MAY 7, 1976

[In millions of dollars]

	Budget authority	Outlays	Revenues
Appropriate level	408,000	374,900	300,800
Current level	402,128	371,605	301,100
Amount remaining	5,872	3,295	300

A complete analysis of the various items included in the current level may be found in today's Extensions of Remarks.

I must remind my colleagues in the House that three major spending bills yet remain to be approved by Congress: appropriations for the 1976 spring supplemental which is now pending before the Senate; the conference report on the 1976 foreign assistance appropriation bill; and the 1976 appropriations for the District of Columbia.

In addition to these bills, the pressures of changing economic conditions continue to make the budget vulnerable to increased spending.

In summary, Mr. Speaker, I must warn my colleagues that the current level of spending leaves little room for new legislation of either the President or of Congress which was not contemplated in this years' budget resolution.

Thank you.

TOM IORIO, DEPUTY SERGEANT AT ARMS, RECEIVES JOHN W. Mc CORMACK AWARD OF EXCELLENCE

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

Mr. ADDABBO. Mr. Speaker, this morning, Tom Iorio, the Deputy Sergeant at Arms, was honored as the recipient of his year's John W. McCormack Award of Excellence. I can think of no one more deserving of this award, and there could be no more popular choice than Tom Iorio.

There is not a Member serving in this House from either side of the aisle who has not learned to appreciate the value of Tom Iorio to the House, to the membership, and to the country which he serves.

I am very proud to call Tom Iorio my friend, and all of us from New York take pleasure in the honor coming to him.

As an example of the high esteem with which Tom is regarded, I wish to include a letter of warmest congratulations from President Gerald R. Ford. Also I include in the RECORD an article from the April 25 Long Island Daily Press. That article summarizes better than I how people feel about Tom Iorio and what he has meant to us all during his 31 years of service to the House of Representatives.

THE WHITE HOUSE,
May 10, 1976.

Mr. D. THOMAS IORIO,
Pair Clerk to the Majority Office of the Sergeant at Arms, House of Representatives Washington, D.C.

DEAR TOM: My warmest congratulations to you on being named the winner of the John W. McCormack Annual Award of Excellence.

I share the admiration which my former colleagues express for your dedication to the highest standards of public service. Although I cannot be on hand personally, I welcome the opportunity to send you my very best wishes on this well-deserved recognition.

Sincerely,

JERRY FORD.

[From the Long Island Press, Apr. 25, 1976]

CONGRESS THANKS A VALUED AIDE

(By Dick Seelmeyer)

WASHINGTON.—Tom Iorio left his beloved Brooklyn 31 years ago to go to work for the House of Representatives. Today, as he nears his 75th birthday, many New Yorkers serving in Congress will tell you that Iorio is as close to being an indispensable man as there is.

New Yorkers have known that for years, what makes it news is that next month Iorio will pick up two of the most coveted awards that can be given to people who work for the House, the John W. McCormack Award of Excelence, and the annual Man of the Year award from the Doormen's Society.

If Iorio was Brooklyn when he got to Washington, he soon became New York to those who needed has advice and guidance. In 1945, Brooklyn was the strong delegation among New Yorkers. Today, the state delegation's strength lies with Queens, and delegation chairman James Delaney of Astoria, and vice chairman Jose Addabbo of Ozone Park rely on Iorio as much or more as did Brooklyn's late John Rooney.

Known best for the congressional New York trip that he puts together on behalf of the city delegation every two years, Iorio, the House Deputy sergeant at arms, is a fount of information about legislation, current and past, parliamentary procedures and whatever else a Congressman needs to know when he steps onto the floor.

Iorio is the man congressmen talk to when they want to know how the leadership would like them to vote on a measure. He is the man that the leadership talks to when they want to know how the members feel about a pending piece of legislation.

Most members of Congress have busy schedules and cannot sit on the floor listening to all the debate on every bill. They run between office and meetings and the floor for votes all day long. And so someone like Tom Iorio, who stays on the floor from opening bell to the closing whack of the gavel, often knows more about legislation than do the members who can cast their vote.

Delaney observes of Iorio that, "he is a big help to all of us, Republican or Democrat, because his word is always good. He tells you the facts about bills, not what his opinion is. You soon learn who can be trusted and who can't. Everyone trusts Tom."

Addabbo adds, "I don't know of anyone who doesn't hold Tom in the highest esteem, and he has earned twice over every bit of respect that he gets."

A couple of years ago, the New York delegation sought to convince Iorio to stand for election as sergeant at arms of the House, a position of great authority. He turned them down. The opportunity came 10 years too late, he said.

It is that ability to render unemotional judgments that has made Iorio one of the keenest political people in Washington.

In his last race for Congress against former House member Allard Lowenstein, the late John Rooney invited Iorio over for a talk about the race.

"If you don't change your ways," Iorio told Rooney, a man of explosive temper, "you'll lose. Al Lowenstein is a good and tough campaigner and you are out of touch with people."

As Iorio had anticipated, Rooney blew up and yelled a lot. When he finally calmed down, he asked "what would you suggest?"

One by one, Iorio ticked off his suggestions, watching Rooney's bald pate turn more and more red. "I'm not doing that," Rooney declared hotly.

"Then lose," he was told. Eventually and grudgingly, Rooney gave in. Iorio took a leave of absence from his job and personally worked one especially tough district that Rooney had lost consistently for years. He made Rooney sit down and talk for the first time in years with the community's black leaders and to their amazement and to Rooney's, each found they had goals and aspirations more in common than not.

Rooney won the district by the largest margin ever and that district turned out to be the edge that gave Rooney the narrow primary win that sent him back to Congress.

The following January, Speaker Carl Albert ran into Rooney and congratulated him on his win. "Hell, Carl," came back Rooney's reply, "I didn't win that race. Tom Iorio did."

Iorio will only be the sixth person to win the McCormack which is the highest honor that can be given to a House of Representatives employe.

He will be proud of it. More than 10,000 other House employes were considered for the prize. But two earlier awards remain closest to his heart. In 1968, the republic of Italy presented him the title of Cavaliere Ufficiale in the Order of Merit, and two years ago, Italy presented him with the highest civilian award given to a foreign national, the title of commendatore.

"I have had the most interesting life a man could ask for," he summed up one day last week. "Clara and I have enjoyed every minute of everything."

It is a long way from the courts of Brooklyn where he started to the highest awards that the Congress and a foreign nation can bestow, but Iorio has moved serenely to conquor every challenge facing him.

Years ago, during Prohibition, Tom Iorio smuggled his wedding champagne off the train under his bride's billowing skirts, laughing happily because life was young and fresh and certain to offer adventure. Now he has six grandchildren and when they crowd around he tells them to smile because their lives are young and fresh and certain to offer adventure. If anybody knows, he tells them, Grampa does.

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

Mr. ADDABBO. I yield to the gentleman from New York (Mr. WOLFF).

Mr. WOLFF. I thank the gentleman for yielding.

Mr. Speaker, I rise to offer hearty congratulations to Mr. Tom Iorio, who has been selected as this year's recipient of the John McCormack Award for outstanding service to the House of Representatives.

I am truly delighted that Tom has been chosen for this award, and I can think of no more deserving recipient. As pair clerk to the majority for over 30 years, Tom has well and faithfully served the House. The tribute that is being paid to him is one that he richly deserves.

I am also proud that this award is going to a fellow New Yorker. Tom was born on the East Side of New York, and his career has been marked by dedicated involvement on the local and community levels as well as national. He has served as Deputy Sheriff of King County in Brooklyn, N.Y.; He has been the recipient of the title of Cavaliere Ufficiale in the Order of Merit of Italy and in 1974 he earned the title of "Commendatore" in the Star of Solidarity of Italy.

Mr. Speaker, it gives me great pleasure to join my colleagues in extending sincere congratulations to Tom Iorio and my personal thanks for all the assistance he has rendered over the years. He has helped to make my job a little easier.

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

Mr. ADDABBO. I yield to the gentleman from Massachusetts (Mr. BURKE).

Mr. BURKE of Massachusetts. Mr. Speaker, as the oldest Member of the Massachusetts congressional delegation, I wish to associate myself with the remarks of the gentleman in the well on this great honor that has been conferred upon our friend, Tom Iorio, who is one of "God's great noblemen."

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

Mr. ADDABBO. I yield to the gentleman from Florida (Mr. ROGERS).

Mr. ROGERS. Mr. Speaker, I share the gentleman's feeling, and I know all of the Members of the House join in the expression of the same viewpoint. Tom Iorio has done a tremendous job for the House of Representatives. We all owe him a debt of gratitude for his dedicated service to the Congress.

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

Mr. ADDABBO. I yield to the gentleman from New Jersey (Mr. RODINO).

Mr. RODINO. Mr. Speaker, when I came to the House as a new Member in 1949, a man named Tom Iorio took the time to be helpful and kind to me. I remember well the many thoughtful kindnesses done for me over the years by Tom and his lovely wife, Clara. I know that many other Members here have similar warm memories of this gracious couple.

It was not surprising to me, therefore, that Tom Iorio was chosen as the staff member who has done the most for the Congress. It is an award justly deserved by Tom, who has served the House faithfully and well for 31 years and earned the respect, admiration, and friendship of all its Members.

Before Tom was appointed the Deputy Sergeant of Arms in charge of pairs, he was a deputy sheriff in Kings County, Brooklyn. He grew up in the area of Brooklyn affectionately known as Little Italy and his ties to his community and his heritage are deep and strong.

The Government of Italy honored Tom in 1971 and again in 1974 with high honors reserved for those who have made significant contributions to public service.

Mr. Speaker, Tom Iorio is a fine gentleman and a wonderful human being. I respect him for his service to the House and his country, and I admire him as a decent and kind man who has endeared himself to all who know him.

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

Mr. ADDABBO. I yield to the gentleman from New Jersey (Mr. MINISH).

Mr. MINISH. Mr. Speaker, I join in the remarks of the gentleman from New York (Mr. ADDABBO).

Mr. Speaker, I rise to pay tribute at this time to my good friend, Tom Iorio. I am extremely pleased to note that Tom today received the John W. McCormack Outstanding House Employee Award for 1976.

As one who is proud to call Tom Iorio a friend, I can personally attest that this award is a well-deserved honor to an outstanding gentleman and employee of the House.

Tom, who was born on the East side of New York City, has accumulated over 30 years of service to the House of Representatives and its Members. He has been Democratic pair clerk of the House since February 1945, but his service to the Government, particularly the Congress, goes far beyond what might be indicated by his formal title. Tom is always ready and willing to assist Members and their staff in ways too numerous to mention. As a new Member of Congress in the early 1960's, I received much assistance and advice from Tom, then already a veteran employee, for which I shall always be grateful.

I congratulate Tom Iorio on this most signal honor. May the best days of his past be the worst days of his future.

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

Mr. ADDABBO. I yield to the gentleman from Illinois (Mr. McCLORY).

Mr. McCLORY. I thank the gentleman for yielding.

Mr. Speaker, I want to join in the remarks that have been made regarding Tom Iorio. This award to him is very much deserved.

Tom Iorio is much more than a Deputy Sergeant at Arms and majority pair clerk. He is a friend to virtually every Member of this House. Tom Iorio renders service and assistance to all of us without any partisan distinction. He undertakes special projects such as the biannual New York trip—where his skills are of special importance.

Mr. Speaker, this annual award to a congressional employee based upon excellence was never more appropriately granted than in the case of this year's award to Tom Iorio.

Mr. Speaker, I am pleased to add this brief salute to Tom Iorio—and to extend to him my congratulations and my personal good wishes.

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

Mr. ADDABBO. I yield to the gentleman from Missouri (Mr. BOLLING).

Mr. BOLLING. Mr. Speaker, I would like to joint the gentleman from New York (Mr. ADDABBO) in his remarks.

Mr. Speaker, I know of no employee of the House of Representatives in my service here who has been as helpful to the Members as Tom Iorio. He is a person we will miss very deeply, and I am delighted our former Speaker was here to give the award.

Mr. Speaker, it seems to be an entirely appropriate occasion, and I am delighted the gentleman from New York brought this to the attention of the House.

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

Mr. ADDABBO. I yield to the gentleman from New Jersey (Mr. PATTEN).

Mr. PATTEN. Mr. Speaker, it was a great pleasure to attend the award at 10 o'clock this morning when former Speaker McCormack gave Tom Iorio this award. It was beautiful, and we enjoyed every minute of it.

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

Mr. ADDABBO. I yield to the gentleman from West Virginia (Mr. STAGGERS).

Mr. STAGGERS. Mr. Speaker, I join with what my colleagues have said, and I would like to say further that Tom Iorio is a fine human being, one of my closest friends since I have been in Congress, a great employee, and a great American. So I join in what all of the rest of the Members say, and I will further point out that this is a well-deserved reward to Tom Iorio.

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

Mr. ADDABBO. I yield to the gentleman from Hawaii (Mr. MATSUNAGA).

Mr. MATSUNAGA. Mr. Speaker, I, too, wish to join the rest of the Members and congratulate Tom Iorio. He is indeed a servant of the servants of the people.

Mr. DOMINICK V. DANIELS. Mr. Speaker, will the gentleman yield?

Mr. ADDABBO. I yield to the gentleman from New Jersey (Mr. DOMINICK V. DANIELS).

Mr. DOMINICK V. DANIELS. Mr. Speaker, I wish to associate myself with the remarks of the gentleman from New York (Mr. ADDABBO) in paying tribute to one of our very able and distinguished employees of the House of Representatives, Tom Iorio, who is leaving the service of the House of Representatives after 31 years of service.

Our constituents know little of Tom Iorio's service. He is never in the public spotlight. His position of pair clerk is little understood except for a relatively few persons familiar with the unique parliamentary practice of this body. Yet without him—and hundreds of other staff people—I do not believe that this body could function.

For 31 years Tom Iorio has rendered service with distinction, integrity, and honor to the House and therefore to his country as well. He is one of the very few associated with the House who approach being indispensable. I do not know to whom next year's freshmen will turn for advice and counsel, but his absence will surely make their beginnings more difficult. Certainly my own career in the House would have been more difficult had he not been here.

I wish him good health, a long life and many, many years of joy and happiness.

Mrs. SPELLMAN. Mr. Speaker, will the gentleman yield?

Mr. ADDABBO. I yield to the gentlewoman from Maryland (Mrs. SPELLMAN).

Mrs. SPELLMAN. Mr. Speaker, I, too, would like to join in the remarks of the gentleman from New York (Mr. ADDABBO) regarding this award to Tom Iorio. Tom has been a really good friend to me. As a new Member of the House of Representatives, I have been able to turn to him time and time again for assistance of one kind or another. I have marveled at his knowledge, at his ability to remember every request, and at his unfailing and unflagging good humor. If ever anyone deserved an award it is Tom Iorio. I am delighted to join in congratulating the gentleman.

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

Mr. ADDABBO. I yield to the gentleman from New York (Mr. HANLEY).

Mr. HANLEY. Mr. Speaker, I, too, want to associate myself with the remarks that have already been offered in Tom's behalf. His dedication and great service is so well known to all of us.

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

Mr. ADDABBO. I yield to the gentleman from Texas (Mr. PICKLE).

Mr. PICKLE. Mr. Speaker, it is not often that a man from the Deep South and Southeast can be taken in with such love and affection as shown by Tom Iorio. He has shown it to all of us, and I am grateful for his service. He has been helpful and accommodating in a hundred ways—almost every day. The first face—and the last we see each legislative day—is Tom Iorio. He starts the day for us, and helps all the time. And he has done it for years. We all owe him a great vote of thanks.

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

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

Mr. FASCELL. Mr. Speaker, I thank the gentleman for yielding.

I wish also to add my commendations to Tom Iorio. He has been extremely loyal to all Members of the House and has performed his duties very capably. He loves the House of Representatives.

I am delighted to join with his many friends in paying tribute to Tom Iorio.

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

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

Mr. CARNEY. Mr. Speaker, I want to take this opportunity to say a few words about one of the oldest and best employees of the U.S. House of Representatives. I am referring to Mr. D. Thomas Iorio. Tom has served as Assistant Sergeant at Arms—pair clerk to the majority—since 1945.

Today another honor was added to the many honors already bestowed on Tom Iorio; he was named the sixth recipient of the John W. McCormack Award for Excellence. This award is presented annually to the outstanding employee of the U.S. House of Representatives. A more deserving person could not have been chosen.

Tom was born on the East Side of New York. He became a member of the Kings County Democratic organization of Brooklyn, N.Y., and served as deputy sheriff of Kings County from 1937 to 1942. He was nominated for a position with the office of the Sergeant at Arms by the Honorable Eugene J. Keogh, former Congressman from New York.

In 1952, the Anfuso American Legion Post gave Tom its "Man of the Year Award." In 1968, he was awarded the title of Cavaliere Ufficiale in the Order of Merit by the Government of Italy. Then, in 1974, Tom received the title of Commendatore in the Star of Solidarity of Italy, which is the highest honor given to a foreign national. He is also an honorary member of the Doormen's Society.

Tom Iorio is a religious man and a good family man. He attends St. Bernadette's Roman Catholic Church in Silver Spring, Md., and he is a member of the Holy Name Society of that church. Married to the former Clara LaPorta, he has two grown children—a son, Carmine, and a daughter, Mrs. Connie Furlong, and six grandchildren.

Mr. Speaker, Tom Iorio has innumerable friends on both sides of the aisle; he is liked and respected by everyone. He is always helpful and friendly, especially to the newer Members, and he always goes out of his way to assist Members and their staffs with any problems they might have. I am proud to call him a friend and an adviser. Congratulations, Tom, on receiving the John W. McCormack Award, and best wishes for continued good health and success.

GENERAL LEAVE

Mr. ADDABBO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of the tribute of the House of Representatives to Tom Iorio.

The SPEAKER pro tempore (Mr. O'NEILL). Is there objection to the request of the gentleman from New York?

There was no objection.

PERMISSION FOR COMMITTEE ON EDUCATION AND LABOR TO HAVE UNTIL MIDNIGHT, FRIDAY, MAY 14, 1976, TO FILE REPORT ON H.R. 13555

Mr. DOMINICK V. DANIELS. Mr. Speaker, I ask unanimous consent that the Committee on Education and Labor may have until midnight on Friday, May 14, 1976, to file a report to accompany H.R. 13555, a bill to amend the Federal Metal and Nonmetallic Mine Safety Act and to transfer certain functions relating to coal mine health and safety under the Federal Coal Mine Health and Safety Act of 1969.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

PARTICIPATION BY OPTOMETRISTS IN PROFESSIONAL STANDARDS REVIEW ORGANIZATIONS

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

Mr. PICKLE. Mr. Speaker, I am today introducing a bill that would amend the Social Security Act to allow optometrists to participate in professional standards review organizations.

Public law 92-603, the social security amendments, provided for PSRO's to review health care financed by titles V, XVIII, and XIX of the Social Security Act. As originally passed, the review board only included M.D.'s and D.O.'s. Thus, other health professions are not presently represented. I do not think that it was intended to exclude optometrists, but we did not make this clear. The proposed bill is more in the nature of a clarifying amendment.

As the act stands, a profession not familiar with another profession may be setting criteria for that other profession. This was not intended.

Optometrists are a vital segment of our health care delivery systems and for that reason they should be included in the PSRO's. It is for this reason that I am introducing the attached bill today that has a distinquished list of cosponsors, including Mr. MENDEL DAVIS, Mr. JOHN MCCOLLISTER, Mr. BILL STANTON, Ms. MARTHA KEYS, Mr. JOHN JENRETTE, Mr. ABNER MIKVA, Mr. ALVIN BALDUS, Mr. JOHN HAMMERSCHMIDT, Mr. GARNER E. SHRIVER, Mr. CARROLL HUBBARD, Mr. EDWARD R. ROYBAL, Mr. BERKLEY BEDELL, Mr. GILLIS LONG, Mr. EDWARD W. PATTISON, Mr. GLENN ENGLISH, Mr. JOHN MURPHY, Mr. WILLIAM M. BRODHEAD, and Mr. JOHN SLACK.

ADMINISTRATION DIGGING A NEW DITCH OVER PANAMA CANAL

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

Mr. SNYDER. Mr. Speaker, I have discovered that another administration figure, who now wants to give away the Canal Zone, vigorously opposed any such action when Lyndon Johnson proposed giving away our great ditch through the Isthmus of Panama.

On April 13, with the previous consent of the Panama Canal Subcommittee, I made public the exchange between myself and Ambassador Ellsworth Bunker over current treaty negotiations. In that exchange, I recalled President Ford's vehement denunciation of the Johnson draft treaty with Panama in 1967.

Now I have learned that the President's campaign chairman, the Honorable Rogers Morton, who currently says the Canal Zone is Panamanian territory, at that time supported a tough sovereignty resolution in Congress.

Then a Maryland Congressman, Rogers Morton cosponsored House Concurrent Resolution 389, introduced June 28, 1967. The resolved clause of that resolution read:

> That it is the sense of the Congress that the Government of the United States maintain and protect its sovereign rights and jurisdiction over said canal and that the United States Government in no way forfeit, cede, negotiate, or transfer any of these sovereign rights or jurisdiction to any other sovereign nation or international organization.

Such opposition forced Johnson to pigeonhole the treaty.

It has already been pointed out in press reports that Senator BARRY GOLDWATER, who now criticizes Ronald Reagan's "keep the canal" posture as not being based on the facts, also sponsored Senate resolution 97 a year ago. The Goldwater posture is mindboggling in view of this whereas clause in that measure:

> Whereas the present negotiations under a February 7, 1974, statement of "principles of agreement" by United States Secretary of State Henry A. Kissinger and Panamanian Foreign Minister Juan A. Tack constitute a clear and present danger to the hemispheric security and the successful operation of the canal by the United States under its treaty obligations; . . .

In view of the majority sentiment of the American people for keeping the canal since they consider it completely ours, and in view of the fully recognized disgust of the public with Washington politicians, I fear that the President and his men are just digging a new ditch—a political one for themselves.

PERMISSION FOR COMMITTEE ON RULES TO FILE CERTAIN PRIVILEGED REPORTS

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

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

Mr. ROUSSELOT. Mr. Speaker, reserving the right to object, may I ask the gentleman, to what bills do these special reports pertain?

Mr. BOLLING. Mr. Speaker, if the

gentleman will yield, the Committee on Rules has been meeting this morning and will meet this afternoon, and we expect to report out rules on the State Department Authorization Act for fiscal year 1977, the Housing Authorization Act of 1976, and the Local Public Works Capital Development and Investment Act of 1976.

Mr. ROUSSELOT. Mr. Speaker, further reserving the right to object, if those reports were not filed, what would be the consequence?

Mr. BOLLING. If they were not filed under this unanimous-consent request, the House would have to stay in session until they are filed, because the bills or at least some of them are scheduled for consideration in the immediate future.

Mr. ROUSSELOT. Mr. Speaker, I thank the gentleman, and I withdraw my reservation of objection.

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

There was no objection.

AUTHORIZING ADDITIONAL APPROPRIATIONS FOR NOISE CONTROL ACT OF 1972

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 5272) to amend the Noise Control Act of 1972 to authorize additional appropriations, with Senate amendments thereto, and disagree to the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 7, after "1976," insert: "and"

Page 1, lines 8 and 9, strike out "1976, and $2,420,000 for the fiscal year ending September 30, 1977."." and insert: "1976.".

Page 2, line 3, after "1976," insert: "and"

Page 2, lines 4 and 5, strike out "and $12,199,000 for the fiscal year ending September 30, 1977;"

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

Mr. ROUSSELOT. Mr. Speaker, reserving the right to object, will the gentleman tell us, has this action been agreed to by the minority side?

Mr. STAGGERS. Mr. Speaker, if the gentleman will yield, let me make this explanation: very briefly, this bill passed the House with authorizations for funding the Noise Control Act of 1972 for the fiscal year 1976, the transition period ending September 30, 1976, and for the fiscal year 1977.

The Senate amendments struck out of the House passed bill the funding authorizations for the fiscal year 1977.

The Senate did not disagree with the House passed bill with respect to the level of funding for fiscal year 1976 or 1977. The Senate action occurred on December 1, 1975, and at that time the Senate did object to any funding for the fiscal year 1977.

Previous authorizations under the Noise Control Act of 1972 expired on June 30, 1975. Activities under the act were continued under the continuing resolution—Public Law 94–41—until the enactment of the Environmental Protection Agency's regular appropriations bill—Public Law 94–116. This bill is necessary to provide authorizations for the appropriated funds.

In view of the fact that we are approaching the end of fiscal year 1976, it is my understanding that the Senate is willing to reconsider its position on authorizing funds for fiscal year 1977.

I am making this unanimous-consent request to give the Senate an opportunity to reconsider its previous amendments. If this is done, the bill can be immediately cleared for signature by the President. If not, the Senate is free to request a conference with the House.

Mr. ROUSSELOT. Mr. Speaker, further reserving the right to object, do I understand that the minority has agreed to this action?

Mr. STAGGERS. Yes, the minority has agreed to this all the way along.

Mr. ROUSSELOT. The minority has agreed also to this unanimous consent request?

Mr. STAGGERS. Yes. Even the minority leader has agreed.

Mr. ROUSSELOT. Mr. Speaker, I thank the gentleman, and I withdraw my reservation of objection.

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

There was no objection.

VOCATIONAL EDUCATION AND NATIONAL INSTITUTE OF EDUCATION AMENDMENTS OF 1976

Mr. PERKINS. Mr. Speaker, pursuant to House Resolution 1179 agreed to on May 10, 1976, 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. 12835—to amend the Vocational Education Act of 1963, and for other purposes.

The SPEAKER pro tempore (Mr. O'NEILL). The question is on the motion offered by the gentleman from Kentucky (Mr. PERKINS).

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. 12835, with Mr. SISK in the chair.

The Clerk read the title of the bill.

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

The CHAIRMAN. Under the rule, the gentleman from Kentucky (Mr. PERKINS) 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 Kentucky (Mr. PERKINS).

Mr. PERKINS. Mr. Chairman, we bring before the Committee of the Whole House today one of the most important bills that has been brought before this body this year.

If we look back on the accomplishments of vocational education up to 1962, prior to the passage of the 1963 act, we were spending $254 million a year. That is at the local, State, and Federal level. The figures were $48 million at the Federal level, $89 million at the State level, and $117 million at the local level. At that time the benefits were going to 4 million students, but in two-thirds of our high schools and in many colleges there were no programs at all.

Mr. Chairman, I do want to state that we learned a lesson that paid off tremendously as a result of World War II. Because of the veterans' program during and immediately following World War II, we provided for an expenditure of $297 million to authorize special vocational educational programs which trained 7.5 million people during World War II and immediately thereafter at a 5-year cost of $297 million. I think we all recall those days; certainly many of the older Members of this Chamber do. That evidence is all in the record when we were studying the 1963 act.

Mr. Chairman, H.R. 12835 extends for several more years certain expiring Federal education programs and amends these programs to better focus the funds.

The bill has been reported unanimously by the Committee on Education and Labor.

Mr. Chairman, I certainly want to pay tribute to the entire Subcommittee on Elementary and Secondary Education and to the gentleman from Indiana (Mr. BRADEMAS) and his subcommittee and to the gentleman from Minnesota (Mr. QUIE), all of whom have worked hand-in-glove with both subcommittees in bringing the National Institute of Education bill to the floor and the vocational education bill to the floor.

The first title amends the Vocational Education Act. The gentleman from Indiana (Mr. BRADEMAS) will handle the National Institute of Education. That is the second title.

The third title contains various technical amendments and miscellaneous amendments to Federal education laws.

VOCATIONAL EDUCATION

As regards vocational education, the Subcommittee on Elementary, Secondary, and Vocational Education conducted 46 days of hearings on that legislation and found that tremendous progress has been achieved within the last decade.

This progress can best be seen by looking at a few statistics:

In 1965 there were 2,800,000 students enrolled in high school vocational programs. Today, 7,000,000 high school students are in vocational programs.

In 1965 there were 227,000 students in postsecondary vocationary programs. Today, there are 1,500,000.

In 1965 we spent a total of $600 million, from all sources, on vocational education. Today, we spend about $3.5 billion.

In 1965 there were only 405 area vocational schools in the whole country. Today, there are over 2,200 such schools.

In 1965 there were only 109,000 vocational teachers in the country. Today, there are over 266,200 teachers.

Without a doubt tremendous progress has been made. Millions of people are spending more useful lives today because of the commitment we made when we

enacted the Vocational Education Act of 1963.

It is estimated that about 25 percent of students who enter elementary school will drop out before graduation from high school, and of those who graduate 40 percent will seek immediate employment after high school. Only 20 percent of our students go on to college.

So, almost 8 out of 10 students could benefit from vocational education in high school. And even those who go on to college could well use some vocational training. We are not reaching all those today.

About 47 percent of our high school students are in vocational programs. We have come far since 1965 when that percentage was only 24 percent, but we have a long way to go until we serve all those who can benefit from vocational education.

In some of the poorer States there is even a greater need for vocational education, but unfortunately these States do not have the resources to provide this training. They must rely more than other States on aid from the Federal Government.

For instance, in Alabama only 52 percent of students who enter first grade graduate from high school and only 12 percent of these students obtain a college degree. Alabama students clearly need vocational education, but the State is one of the poorest and has a great need for Federal aid.

For all these reasons, the committee bill proposes to increase the authorization of appropriations for the Vocational Education Act from approximately $980 million in the present fiscal year to $1,450 million in fiscal year 1982. We believe that there are few better ways for the Federal Government to spend its funds than to provide its citizens with adequate job skills.

The committee did not believe, however, that simply providing more money was the complete answer to providing the best programs possible. Consequently, the committee bill, also requires a number of administrative improvements in the programs.

First, the States are required to provide better planning for the use of Federal funds. The State board of vocational education will have to involve the State higher education and manpower agencies in writing their State plans. The State boards will also have to specify exactly how they are going to use their funds and why they decided on such uses of funds.

Second, the States will have to issue annual accountability reports showing the degree to which they have achieved their State plans. These reports will have to show where the funds are being spent within State and how that funding is related to the need for jobs within the State.

Next, the States will have to submit better data on their programs. And, the Federal Government is required to provide better data to the States showing present and future job demand.

Lastly, each State is required to evaluate each local program assisted with Federal funds within the 3 years of the State plan. Each program imparting job skills will have to be evaluated in terms of the placement of its graduates and in terms of their employers' opinions of their training.

While writing in these new standards requiring greater accountability, the committee bill gives each State greater flexibility in being able to mount programs by consolidating almost all of the categorical programs into a block grant to each State. The only programs which are left categorical are the homemaking education and bilingual training programs.

The committee has adopted these amendments because we want to help vocational education direct its attention more toward those job areas where there will be a future demand. Unfortunately, today in some cases schools are not offering enough courses in those job areas.

For instance, in Kentucky there are very few courses being offered by the vocational schools in coal mining technology or in other areas related to coal mining. Yet, the future of Kentucky, and eastern Kentucky especially, will increasingly be tied to coal mining.

According to the Bituminous Coal Operators Association, the demand for coal by 1985 will be as high as 1.2 billion tons annually. However, there is a shortage of trained mining personnel right now, and this shortage will become even worse. as large numbers of older miners retire. Between now and 1985, more than 150,000 new coal miners will have to be added to the industry.

Although there are a few mining programs in Kentucky vocational schools and colleges, they are not producing nearly enough students to meet this need. For example, the Pikeville College mining technology program, one of the largest in Kentucky, located right in the middle of the coal-producing area, trains only half as many mine foremen as are needed yearly in Kentucky.

Programs that were in existence a few decades ago dwindled and died as coal was replaced by gas and oil, and have not been reinstituted. At the same time, mining companies are beginning to look toward vocational schools now more than ever before.

As George Evans of National Mines told the committee in a hearing we conducted in Lexington on February 21, 1976:

> Many coal companies make extensive use of vocational schools and community colleges in Kentucky. If they are to continue to do so, expansion of the mining courses and specialized training programs offered is imperative.

The problem is not that young people do not want to go into the mines. More young people than ever are enrolling in mining training as a way to obtain a job that is in demand and pays well.

More funds, however, must be directed to properly train those who desire to become miners.

Most of the workers must be skilled in a variety of jobs. Most of the skills used in one type of mine are not interchangeable with those in other types of mines. There is also the need for all persons to be trained in safety, and many to be trained in environmental skills.

The State board of vocational education in Kentucky and local schools must make much greater efforts than they are making now to offer such programs. Some of the other coal producing States have made a concerted effort to fund these programs and with great success. They are far ahead of Kentucky.

Dr. Clarence Burdette, director of vocational education in West Virginia, testified in Lexington that—

> The increase in the number of vocational education programs for the training of people in coal mining and related skills has been phenomenal. We are presently offering a total of 52 vocational education programs of one type or another in mining occupations. The mining industry looks almost totally to vocational education to meet its needs for trained personnel.

I would like this type of effort to be made in Kentucky, and in all the coal producing States. Mining has the potential to provide a decent living to many young people, and our State vocational boards should not deprive them of this opportunity.

Mr. Chairman, I have cited my own State as but one example of how vocational education must be encouraged to update its course offerings and to direct its efforts to fields where the jobs will be in the future. We hope that the amendments contained in the committee bill will assist States in this task.

The committee bill also contains amendments dealing with sex stereotyping and sex discrimination. The committee conducted separate hearings on this issue, and the amendments which appear in the committee bill result from those hearings. These amendments will require States to initiate policies and programs to eliminate any sex stereotyping or sex discrimination which exists in their vocational programs.

The committee bill amends the consumer and homemaking education program by changing the title and by reserving 25 percent of the new appropriations to the Commissioner. These amendments also encourage the participation of both men and women and encourage courses in family resource management and life skills.

Finally, I would like to pay tribute to the fine work which is being done by the various vocational youth organizations. I have always been impressed by the contributions made by the Future Farmers of America and now the newer youth organizations are following in their footsteps. I hope that these organizations will continue to remain strong and vibrant.

In summary, I believe that the committee's amendments to the Vocational Education Act are overall a balanced piece of legislation. They seek to give the States more flexibility in operating their programs through consolidation of the categorical programs.

But, they also seek greater accountability from the States in their uses of Federal funds and greater efforts towards areas of future job needs.

NATIONAL INSTITUTE OF EDUCATION

Regarding the second title of the bill, those provisions extend the authoriza-

tion of appropriations for the National Institute of Education for 3 additional years. Those amendments also require the National Institute to concentrate its resources on certain national priorities, including the improvement of student achievement in reading and mathematics.

Those amendment also extend the authority of the Institute to fund activities though the research laboratories and centers. I would like to mention at this point that I have been particularly impressed with the degree to which the laboratories have made various research results available to local school districts in my home State of Kentucky. I hope that the laboratories will continue this fine work and improve on it even further.

Since Congressman JOHN BRADEMAS is chairman of the subcommittee which has responsibility for the National Institute of Education, I will yield to him to describe in greater detail the provisions of title II of the bill.

MISCELLANEOUS AMENDMENTS

Regarding the third title of the bill, those provisions contain technical amendments to the Education Amendments of 1974 and various miscellaneous amendments. The most important of the miscellaneous amendments restore section 2 impact aid school districts to full payments of entitlements and authorize appropriations to hold States harmless under title IV of the Elementary and Secondary Education Act to the amount they received under the categorical programs during fiscal 1974.

Another miscellaneous amendment permits States to retain funds under title IV of ESEA for State level guidance, counseling and testing activities

Those activities had been funded previously under Title III of the Elementary and Secondary Education Act and will now be able to be funded in an amount up to 2 percent of a State's grant under part B of title IV of the Elementary and Secondary Education Act. I would like to make clear that the activities which can be funded under this authority include all of those which could have been funded for guidance, counseling and testing under title III.

The other major amendments in title III deal with maintenance of effort and with Federal paperwork problems. The maintenance of effort requirements in various laws are relaxed to help school districts with declining enrollments and to provide for a 1-year waiver of those provisions in exceptional circumstances. The paperwork amendments require that the National Center for Education Statistics to become a coordinating body for all paperwork in Federal education programs in order to eliminate excessive detail and redundant requests.

Mr. Chairman, I believe that the committee has brought to the floor a good bill. And, I would urge my colleagues to support it.

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

Mr. PERKINS. I yield to the gentlewoman from New Jersey.

Mrs. FENWICK. Mr. Chairman, I thank the gentleman from Kentucky for yielding.

I am happy to see the increase in funds for the handicapped and disadvantaged. I was hoping perhaps that the matching provision would not be applied to those funds in order to enable expenditures to be made in those areas.

Mr. PERKINS. That is correct.

Mrs. FENWICK. But I understand that the matching formula has been adopted and there is no hope of changing it.

However, I would like to ask one thing, Mr. Chairman, if I may. I understand, as the gentleman says, the present appropriation is $565 million.

Mr. PERKINS. That is correct.

Mrs. FENWICK. Mr. Chairman, since the birth rate has not been increasing, why are we jumping from $565 million to $720 million, to $973 million, to $1.1 billion, to $1.3 billion, and then to $1.5 billion? That is triple what we have today.

Mr. PERKINS. Mr. Chairman, let me answer the gentlewoman by stating that our present appropriation is $565 million for the fiscal year 1976 and $720 million for the fiscal year 1977, and it will go to $973 million for 1978. We think that the gradual increase in the authorization is very realistic. We are hopeful that the Appropriations Committee, because we are only taking care of less than 50 percent who need the training, will go along with those authorizations. They are realistic figures and that is the best we knew to do.

Mrs. FENWICK. How do those figures get arrived at, Mr. Chairman?

Mr. PERKINS. They were arrived at by the committee's best judgment. We discussed them in committee, we discussed what we have spent in the past, we looked at the growth since 1963, and the expenditure since 1963, and we projected accordingly in the future up to 1981.

Mrs. FENWICK. And the census figures have been used to see how many children of that age could be involved?

Mr. PERKINS. Yes. We have taken that into consideration.

Mrs. FENWICK. I would like to see that.

I thank the chairman.

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

Mr. Chairman, I rise in support of H.R. 12835, which for the most part represents an extension and rewriting of the Vocational Education Act of 1963. It was reported from our committee without a dissenting vote, which is in the tradition of bipartisan support for vocational education.

That does not mean that there were no issues of consequence represented by this bill. On the contrary, the bill makes some important changes in the existing act, some of which I would like briefly to discuss, although it does not attempt to restructure State administration of vocational programs. It does make significant progress toward tying more closely together such related programs as vocational education, vocational rehabilitation, and manpower training under the Comprehensive Employment and Training Act. It also vastly simplifies the State administrative requirements under vocational education and consolidates a considerable number of separate authorizations into a single State grant. Thus it attempts to focus the evaluation and reporting requirements of the State on the essential items by which we can measure progress under the act, and to give States and localities far more flexibility in tailoring program funds to meet needs which vary and change from place to place and time to time.

There was unhappiness in some quarters with certain features of this bill, just as there was with the 1963 act and the 1968 amendments. No doubt we can work out the objections during the amendment stage.

The dual role of homemaker and breadwinner has become prevalent for both men and women. The bill seeks to build on this foundation of performance.

In these days when the limited ability of the Federal Government to bring about genuine change through ambitious social programs is more and more recognized, it is both useful and satisfying to be able to report a success spurred by Federal legislation. The Federal Vocational Education Act, although it provides less than 20 percent of the funds for public vocational education, has proved to be an effective change agent—one which has helped bring about vast and constructive changes in vocational education.

In 1962 when our committee started working on a totally new approach to vocational education we found a program which had changed little in 45 years and largely reflected the needs of pre-World War II America. Only about 4 million young people and adults were enrolled in vocational programs, largely at the secondary school level and nearly two-thirds in home economics and narrowly defined on-the-farm agriculture courses. Thus there was virtually no relation to the employment needs of the 1960's.

We tried to turn that around in dramatic ways. First, we insisted that with the exception of home economics—and that exception was hotly debated—all vocational training must be aimed at employment. Second, we eliminated the narrow categories of training—such as agriculture, trades and industry, and distributive occupations—for which funds were allotted to the States and opened the act up to all occupations, including specifically the office occupations, which required less than a baccalaureate degree for job entry. We redefined vocational agriculture to include all agriculturally related occupations which we today describe as agribusiness, and we provided for the appointment of a national advisory committee to oversee the administration of the act and report back to the President and to Congress.

By 1967 when we began to think about revising the 1963 act, dramatic changes had occurred in vocational education which had brought it into closer alinement with job opportunities and the needs of people for training in job skills. Federal funding had increased from $51.4 million in 1962 to $273.4 million in

1967; total support had increased from $284 million to over $1,000,000,000. Enrollments had jumped from 4 million to over 7 million, with large increases at the postsecondary level where training in the medical and engineering technologies is largely centered. Some attention was beginning to be given to the special needs of handicapped and disadvantaged citizens.

However, there were still grave shortcomings highlighted by the National Advisory Council on Vocational Education and by extensive congressional hearings. Nearly 50 percent of enrollments still were concentrated in home economics and agriculture, with only 5.5 percent in technical and health occupations. Despite approximately 1 million students dropping out each year before high school graduation, only 137,000 students were enrolled in 1967 in special vocational programs for the handicapped and disadvantaged. Thus our committee report on H.R. 18366, of the 90th Congress, which became the Vocational Education Amendments of 1968, agreed with the conclusion of the National Advisory Council that "the 1963 act has fallen short of fulfilling its two major purposes: First, preparing the students for the world of work; and second, giving particular attention to those with special needs."

Thus in the 1968 amendments we required that a minimum of 10 percent of the total Federal funds be spent for special help for handicapped students and 15 percent for disadvantaged students in order to permit them to successfully complete regular vocational programs. Special emphasis was given to postsecondary programs by requiring that at least 15 percent of Federal funds be spent at this level. We put the National Advisory Council on a permanent basis and at the same time required each State to establish a State advisory council on vocational education to help oversee the operation of the programs. We also gave special emphasis to special vocational programs such as work-study and cooperative education. By a variety of methods we sought to tie vocational education closer to the practical world of work, to the needs of people of all ages, and to the wider community represented by the citizens of each State. To a gratifying extent—despite all that remains to be done—these efforts have succeeded.

A major key to those successes may very well be the heightened degree of citizen involvement in the programs through the advisory councils. I think this is creative Federal action in opening up to effective citizen involvement educational programs which often tended to resemble closed shops or closely held corporations in their operation.

The present bill, H.R. 12835, further strengthens these advisory councils by requiring their active participation in devising State plans, and in requiring that a majority of their membership be noneducators.

In fiscal 1976 Congress appropriated $562.3 million for the vocational education programs embodied in H.R. 12835. Total Federal, State and local support for these programs is around $4,000,000,000 and enrollments in secondary, postsecondary, and adult programs is between 15 and 16 million, of which about 1,800,000 are at the postsecondary level. About 44 percent of all community college students are enrolled in occupational programs, compared to only 13 percent in 1969. Excluding homemaking courses, about one-third of all secondary school students are enrolled in vocational courses, compared to less than 12 percent in 1965.

By 1974 over 234,000 handicapped students were enrolled in special vocational programs and over 1,600,000 disadvantaged students were in special programs.

Fully as significant as increased financial support and increased enrollments is the tremendous increase in the number, variety, and quality of course offerings in vocational education at all levels. These are fully documented in the committee report on this bill. Still, there are needs not being met. Fully 46 percent of vocational students in our Nation's rural areas are in schools with five or less vocational programs, and 14 percent of urban vocational students are in such schools.

H.R. 12835 is designed to help continue this progress toward meeting the needs of all our citizens for vocational education. To assure adequate attention to the needs of handicapped and disadvantaged persons it increases the minimum of Federal funds for disadvantaged to 25 percent of the total, and requires 50–50 matching with State and local funds of Federal funds for both these purposes. It focuses attention upon program evaluation and requires a followup of persons who leave or complete vocational programs to check job placement and employment success, and a followup with employers to check job performance. It enlarges the participation in the planning process to assure that all educational viewpoints and resources are considered. It consolidates all categorical grant programs, while retaining the conditions applicable to such programs, into a single grant—with the exceptions of homemaking and consumer education and bilingual vocational programs which are left as separate categories. It folds into the Vocational Education Act the provisions of part F—vocational programs—of the Education Professions Development Act. The total impact of the bill is to make possible a more rational, more flexible, and more effective administration of vocational education at local, State, and Federal levels.

As I said at the outset, this bill makes a start at bringing together vocational education and manpower training under CETA. There would be cross representation in each State on the Governor's State Manpower Services Council and the State Advisory Council on Vocational Education, with each of them including in their respective reports an estimate of how well programs of vocational education, manpower training, and vocational rehabilitation are coordinated within that State to meet the total training and employment needs. The vocational people would comment on the State manpower plan under CETA, and the State manpower people would review and comment on the vocational education plan. At the Federal level there is crossmembership required on the National Advisory Council on Vocational Education and the National Commission on Manpower Policy under CETA.

A National Occupational Information Coordinating Committee is established involving the participation of the Bureau of Labor Statistics and the Employment and Training Administration in the Department of Labor and the Commissioner of Education in HEW to develop a common occupational information system utilized by both Departments and to improve coordination at national and State levels in the use of program data and employment data. This is a beginning toward achieving objectives long sought by those of us who have over the years proposed establishment of a new cabinet-level Department of Education and Manpower.

H.R. 12835 is designed to build solidly upon past successes and to help meet criticisms levelled in the General Accounting Office report on the administration of these programs, as well as to meet needs demonstrated in the course of the exhaustive hearings conducted by the Subcommittee on Elementary, Secondary, and Vocational Education.

Finally—and this has tended to characterize vocational education bills reported by our committee—the authorization figures are well within the limits of reasonable expectations for appropriations. In fact, the authorizations for fiscal 1977 and 1978 are both below the total authorization of $980.15 million for these programs for fiscal 1976, and they slowly escalate to $1,475,500,000 in fiscal 1981. This would permit a continuation of steady growth in Federal funding if our general economic and budgetary situation permits it. In view of the fact that the U.S. Department of Labor projects that for the decade 1974–85 less than 20 percent of all jobs will require a baccalaureate or higher degree for entry—which means that almost all the remaining 80 percent will require some type of vocational preparation—this is a very modest bill.

Mr. Chairman, except for some technical and clarifying amendments which I shall offer, and perfecting amendments offered by certain other members of the committee, I fully support this bill and congratulate Chairman PERKINS, who heads the subcommittee as well as the full committee, for his arduous and dedicated work in bringing this bill to the floor. I want to thank him, and other Members on both sides of the aisle, for the cooperation which has marked our consideration of this legislation at every stage.

Title II of H.R. 12835 extends the authorization of the National Institute of Education through 1979. The authorization is extended at lower levels than provided for in the original act creating NIE, which was passed in 1972. The 1972 legislation authorized a total of $550 million over a 3-year period. The bill before us today authorizes $360 million for the 3-year period ending in 1979.

Although NIE has had its share of

problems in the last several years, I personally am quite supportive of the work being carried out in the agency and know from conversations with a good many of my colleagues that they are also impressed with the caliber and the quality of work which has been instituted by NIE.

I am particularly impressed with the leadership which Harold Hodgkinson has brought to that agency in the 12 months since he became director of NIE. Dr. Hodgkinson has brought a high degree of sensitivity to problems of the education community as well as a high degree of professionalism to the work which has been instituted since his arrival.

I fully realize that research in an area of social policy is much more controversial, and to some more threatening, than work carried out in such pure areas of endeavor as science, medicine, and agriculture. Be that as it may, it is equally true that the most pressing problems facing this Nation, and indeed almost all nations, are problems related to social policy. We may not always agree with the results of the work in social policy areas, but it is tremendously important that that work be done and that we learn and benefit from what is discovered.

I suspect that almost every Member of this House is concerned about a number of educational issues, including the decline in test scores, the degree of functional illiteracy, and the problems of disruption, which plague schools in almost every part of the country. We cannot ignore these problems nor can we solve them by just adding dollars, an approach which was tried 10 years ago and did not meet the expectations of those who supported that concept. We must make an investment in discovering more about what works and what does not work, what is really happening and what is not happening. The amount of money being spent on education research is small indeed when compared to the magnitude of the problems which must be examined. NIE both merits and deserves the support of this body.

During the several days of hearings which the Subcommittee on Select Education held on the reauthorization of NIE, a number of topics of vital interest were discussed; and I personally learned a great deal from what emerged from those hearings. One of the questions asked of Dr. Hodgkinson during the hearing was to identify for the committee the most promising programs or activities which NIE has undertaken which the Institute feels have significant value for the future of American education. The Institute's response, I believe, is excellent; and, with the permission of the chairman, I would like to include that in the RECORD at this point:

EXCERPTS OF TESTIMONY GIVEN BY DR. HAROLD HODGKINSON, DIRECTOR, NATIONAL INSTITUTE OF EDUCATION, BEFORE THE SUBCOMMITTEE ON SELECT EDUCATION

1. Bilingual and Bicultural Education: The NIE Bilingual-Bicultural Program is directed at providing assistance to school districts affected by the *Lau Decision*. This program combines long-term research and curriculum development projects with surveys, policy analysis and information dissemination activities—the latter activities are designed to provide short-term results. Illustrations of these two approaches include:

The Alaskan Reading and Language Development Programs, developed and field tested by the Northwest Regional Laboratory in Portland, Oregon. Started in 1973, the Alaskan Reading Program has been tested with about 6,000 Native Americans living in Alaska. The materials are designed to bring the children up to proficiency levels in English through the use of vocabulary and cultural concepts familiar to Native American children. The children are gradually exposed to words and stories from the "outside world" in a manner that will preserve their sense of personal integrity and cultural worth.

The Bilingual Early Childhood Program is designed to orient Spanish-speaking children to the strengths of their Hispanic heritage and the richness of their language. The program is based on the pluralistic theory that a child may remain predominantly Spanish-speaking during the process of achieving in English. Under development for several years now by the Southwest Educational Development Laboratory in Austin, Texas, and scheduled for full publication and distribution in January 1977, over 40,000 students and teachers have been involved in the program's field testing. Although the materials have been available on a very limited basis, over $300,000 worth of materials have already been purchased by school. . . .

2. Experience-based Career Education (EBCE): The Experience-based Career Education (EBCE) program is designed to develop and test an educational alternative for those students who for a variety of reasons are dissatisfied with standard high school programs. The result of the 4-year experiment has been a program widely acclaimed by participants and parents alike. In 1974–75 more than 1,000 students and 400 employers in four cities have participated in the program. Evaluations indicate that students demonstrate higher or equal academic achievement and view their experience as considerably more useful than do students in standard programs. Furthermore, 50 percent of the students went on to college, the same as the national average. Students participate in a career-oriented program that includes work in basic skills—English and mathematics—and work in the community. In one model, career development has two parts—exploration and specialization. In the exploration phase, the student selects an area of interest and acquires a variety of experience in that area. For example, if a student selects "law and justice" for a 12-week period, he or she will work one or two days a week in the police station, in the district attorney's office, and at the city prison. For the next 12 weeks, the student selects another exploration area such as health and works in a community health center or in a hospital job.

At the end of the period, the student may have developed a special interest in becoming a medical technician. One such student has become the youngest certified emergency medical technician in the country.

A joint NIE-OE dissemination panel has reviewed EBCE in the four schools and judged it an exemplary project worthy of support. In addition to NIE support the Office of Education's Division of Occupational and Adult Education expects to provide $6 million for vocational educators in schools around the country to adopt or adapt EBCE for each of the next three years. EBCE-like programs will be started in schools in at least 42 states. By 1978, we expect EBCE to be a viable alternative for any high school in the Nation interested in a career-oriented alternative for its students.

3. *Improving Dissemination and Utilization of Educational R&D:* The results of educational research and development (R&D) have been far less helpful to schools than they might be. Information on these results has not generally been put into forms useful to teachers and administrators. . . . NIE is taking a variety of approaches to this centrally important problem:

a. With the aim of improving the quality of information on the results of educational R&D and speeding and broadening its flow to user, NIE began in 1975 the Dissemination Capacity Building Program in 10 State Educational Agencies. . . . This new program allows field agencies to provide information search, retrieval and interpretation services to teachers and administrators in response to their needs and problems. . . . In FY 1976, in addition to continuing the ten projects begun in FY 75, a similar number of new State projects will begin. The goal of this program over the next five years is to build a responsive dissemination capacity in every State in the Nation with an interest in improving its services to teachers and administrators.

b. Two other programs are concerned with ways in which local schools deal with their problems, making use of the results of educational R&D. . . .

The first program aims at building the problem solving capacity of schools through a combination of systematic field research into innovative schools and the communication of the research findings to other school people. Initiated in 1974, this program awarded grants to agencies working with 33 schools serving 37,000 students in major urban areas across the Nation. In rural areas effective problem-solving processes have been developed over the past three years in Utah and Arizona with diverse Native America and white populations. Both the urban and rural approaches begin with the assumption that research can help schools that want to help themselves and then proceeds to relate the *processes* of research and development to the realities faced by educators. It rejects the "top-down" assumption underlying so many research efforts that solutions can be developed by one group of people in a laboratory situation, packaged and marketed by yet another group, and used effectively by teachers and administrators in entirely new situations. . . .

The second program will be initiated by NIE in 1976 and is designed to achieve a better understanding of how to increase the utilization of research and development products. . . . About six competitive awards will be made to State education agencies and regional school service agencies (e.g. Boards of Cooperative Educational Services, Regional Educational Service Agencies, etc.) serving about 150 local education agencies. . . . The Institute is entering into a three-year commitment with these groups, providing the incentives to create alliances of universities, research and development organizations and State agencies that will bring research and development products and technical assistance into the school buildings.

Central to this approach is the assumption that the effective utilization of such products begins with the problem as defined by the teachers and administrator and proceeds by offering a range of validated products to solve the problem. No single research and development product will be advocated in this program, and teachers and administrators will be trained and assisted in selecting and implementing the product best suited to their problem and constraints. . . . This program adopts a user-oriented perspective and aims at solving local problems through the use of any appropriate research and development product. . . .

4. *Issues of Occupational Sterotyping:* The disproportionate number of women in low-paying, low-status careers is well documented. NIE has sought to address this problem by analyzing the processes that result in women choosing lower status, "fe-

male" occupations, and by identifying ways to counter these processes.

NIE's women's programs are built upon recent research which has refuted many popular beliefs regarding women's affinity for certain jobs. For example, women are not more likely than men to be concerned with social companionship nor have higher absentee rates. Furthermore, the women who are positive about their work and child care situations pass these positive feelings to their children. Unfortunately, until recently, career guidance and counseling materials and programs have perpetuated occupational sterotyping. The NIE-funded Educational Products Information Exchange (EPIE) Project analyzed the sex orientation of over 1,000 pieces of currently available curriculum materials. They concluded (from the materials examined that women were presented with less than half the occupational choices of men. This occupational underrepresentation was compounded by different treatment regarding grooming and family responsibilities.

In response to its findings, NIE initiated several projects to counter occupational stereotyping. It developed a set of guidelines for career interest inventories which offered concrete methods of evaluating standardized counseling materials. . . . NIE also supported development of a self-administered learning kit to help counselors identify and eliminate sex stereotyping from their career guidance materials. In addition, NIE sponsored a three-part counseling series "Women at Work" for use by career counselors, women counselees, and researchers. . . .

NIE's '76 and '77 programs will continue to address problems of occupational stereotyping in two ways. First, children's television will be utilized to expand career aspirations of children, particularly girls and minorities, consistent with what we have learned about importance of childhood and parental attitudes in the career development process. Second, basic research on economic returns to women from education will be initiated along with the development of models of sex role learning with strategies to overcome them.

5. *Providing choices to parents and students:* Research does not show us the one "right" way to teach children. To the contrary we find that different students learn best in different ways. In cities across the Nation, the Institute has developed, in cooperation with school districts, models of parent choice systems that have expanded the range of alternatives available to disadvantaged students. At the same time their models have allowed teachers a degree of freedom and flexibility not commonly found in the public schools. Underlying these major field experiments is a common recognition of the legitimacy of parental and student demands for educational programs that are relevant and available. . . . For example:

In Minneapolis, Minnesota, the Southeast Alternative Education Project has used NIE funds to develop five different model schools in direct response to parental wishes. Parents and their children have the choice of attending any one of four elementary schools, ranging from a free school that emphasizes creativity and community studies to a traditional school with a strong emphasis upon basic skills, and three "schools-within-a-school" at the secondary level. These choices have been so attractive that approximately 40 percent of the parents have sent their children to school outside of their immediate neighborhood. The Minneapolis Project has become a lighthouse district to other urban schools seeking ways to better serve diverse populations; and, most importantly, it is now being diffused throughout the district with state and local money as the NIE experimental support is withdrawn.

In San Jose, California, over 9,000 school children have a choice of 55 different programs in eight elementary and four middle schools. Some school buildings offer as many as ten programs to meet the range of needs in the neighborhood. Nevertheless, between 10 and 15 percent of the parents choose to have their children bused to programs in schools outside of their neighborhood. The parental support for the project, determined by a third-party evaluator, remains enthusiastic: 94 percent supported the concept and practice of choice; 88 percent agreed that the schools will improve because of parental choice; and 73 percent believe that their child was receiving a "very good" or "good" education. . . . A survey of the teachers' views revealed that: 60 percent felt that their influence on school policy had increased; 66 percent believed that the project has a positive impact upon the students; and 69 percent were pleased with their experience in the project . . .

6. *School Finance Reform:* The School Finance Program is aimed at conducting applied research and delivering more reliable information and technical assistance to State Legislators, Governors, and educational policy makers such as State Board members and Chief State School Officers. . . . Major emphasis is devoted to meeting the unique needs of State policy makers as they examine various models of school finance reform or adapt new principles such as municipal over-burden indexes.

There are two major components to this program. In the first, activities are aimed at State-wide finance change. The National Conference of State Legislators is under contract to review and evaluate the progress of several finance models as they were implemented in ten States. Preliminary findings were presented to over 200 State Legislators in four regional seminars this summer. Using these findings and the responses of the Legislators, the National Conference of State Legislators will soon enter into a more comprehensive phase of information dissemination and technical assistance to their members. . . . The Finance Program is also working with the Education Commission of the States. . . .

The second component of this program will explore the nature and extent of the problem of with-in school district inequality. This problem is fairly recent, having been first raised in the 1967 *Hobson* v. *Hansen* case and subsequently having been found to be typical of majority of school districts receiving ESEA Title I funds. Through a contract with the Urban Coalition, school districts in California and Florida will experiment with a school-by-school budgeting system that is based solely upon pupil enrollment and that provides great discretion to the building principals and teachers. Finally, a field study is being conducted into the economic, educational and social consequences of rural consolidation. Beginning with a reanalysis of the original Conant data that led to his support for large schools and rural district consolidation, this study will then examine the actual outcomes of rural school consolidation in New England, the Midwest and the South. . . .

7. *Technology and Education:* Modern communications and information processing technology [particularly television and computers] are having fundamental effects of great importance for education. . . .

NIE expects to be responding to the opportunities presented by these technologies in a number of ways. . . . Some . . . examples include:

The University of Mid-America open-learning program operated by a consortium of five universities in four states (Nebraska, Kansas, Missouri, and Iowa) is now in its first full year of operation. The program offers eight courses to both credit and non-credit students throughout this region who otherwise might not have access or gain admission to traditional postsecondary institutions. As an experiment in using mass communications technology to equalize educational opportunity, the program relies upon T.V. programming, with scheduling information and supplemental materials carried in ten major newspapers.

The Educational Satellite Project, ATS–6, was maintained and expanded by the Institute from 1972 to 1975 and greatly increased the outreach capability of education institutions in three rural and sparsely populated regions of the nation. The research knowledge produced and the "demonstration" effect of the project have directly contributed to two new ventures, a joint USA-Canada satellite and the Public Service Satellite Consortium designed to promote and facilitate the social and educational uses of satellites. The uses of the satellite have been impressive. In Alaska, about 1,800 Native Americans living in isolated villages received language development and health instruction along with cultural and community service programs. In Appalachia, 1,200 teachers in eight states received graduate credit from 15 universities after participating in satellite transmitted in-service training courses. Finally in the Rocky Mountain region, junior high students in 56 rural towns in eight states received career education instruction; and a variety of other courses were viewed by an additional 2,500 students and 1,000 adults.

The development of new television materials for use in home and school is an important part of the Institute's strategy. At the Appalachia Educational Laboratory, a highly popular pre-school T.V. program has been developed and pilot tested. Building upon the programming and instructional concepts that have been successful in Sesame Street and the Electric Company, the Appalachia pre-school program has adapted these approaches to the culture and language of the children in the region. These programs have been beamed into some of the most remote and inaccessible spots in Appalachia. When used in combination with trained home visitors who "circuit ride" the territory, they have proved successful in helping to prepare children for school.

The Education and Work Program will soon begin the development of commercial-quality T.V. packages aimed at increasing career awareness among elementary school children. These materials are based upon earlier research which indicated that children between the ages of nine to thirteen were most susceptible to career information and that such information was most effective when reinforced by parents. The materials will be designed for home viewing as well as for instruction in the schools.

Exploring the changes in school mathematics demanded by and made possible by the hand-held calculator.

Investigating the usefulness of computer assisted instruction in, for example, beginning reading where the complexity of the tasks makes it particularly useful for diagnosis and remediation of difficulties experienced by individual students. . . .

8. *Educational Measurement:* Research and development has produced a sophisticated technology for measuring the aptitudes and achievement of students in a variety of subjects and tasks. However, much remains to be done. Most existing achievement tests are designed principally, to allow individual students or groups of students to be ranked with respect to one another. . . . The tests are designed to be usable in any school, they tend to emphasize questions that are appropriate to the common elements of a wide variety of curricula. . . . These achievement tests . . . are not well suited to a number of other important purposes:

a. Measuring the full body of knowledge students have learned and thus providing a fair basis for assessing the achievement of students and schools and fitting well with "competency-based" education.

b. Measuring the effectiveness of particular curricula.

c. Diagnosing troubles and strengths that individual students have as a means of helping them improve.

e. Measuring achievement in subject matter independently of the student's verbal facility or cultural background.

There is great interest among educators, policymakers, test developers, curriculum developers, and others in developing new measures serving the purposes described above. . . . NIE will be providing national leadership in this area by such activities as:

a. Bringing together interested parties to examine the current state of knowledge and lay out research needs. This has been done already in the areas of Declining Test Scores and Test Bias.

b. Supporting research designed to help develop better tests, to make better use of tests that have been developed, and to avoid inappropriate use of tests.

c. Supporting the development of improved methods for conducting educational research that makes use of test results.

9. *Competency-based Education (CBE):* Recent studies have pointed out a serious problem of functional illiteracy in students graduating from secondary schools. In response to this, at least six states are moving toward competency-based high school graduation. . . . Seventeen states have mandated support for competency-based teacher certification standards and approaches. . . .

Competency-based education is the term that has come to identify this national movement that is seeking to tie the award of educational credentials to demonstrated attainment of competencies. The movement has emerged so rapidly that there is little available information regarding how it works; its cost, its problems, or its potential for improving education. In light of the potential national importance of CBE, NIE is undertaking several major research and development activities directed at problems associated with identifying and assessing competencies, administering, and financing of CBE programs, and community effects and public policy implications. . . . Findings will be put in forms useful to educational policy makers as well as to practitioners. . . . Specifically, NIE will carry out research [in] three major issues of CBE:

. . . [C]ompetency-based high school graduation as is currently being implemented in the State of Oregon. Here NIE is playing a dual role. It is supporting technical assistance to school districts to define those competencies expected of students and to assist school administrators and teachers in developing methods of providing those competencies to students. In addition, it is . . . documenting and analyzing the Oregon experience for its implications to other States and school districts.

. . . The California Commission for Teacher Preparation and Licensing is receiving funds to identify teacher competencies which are related to student achievement in reading and mathematics. The results of this study will be utilized by the Commission in developing a new teacher licensing system in California based upon teaching competencies.

A third project will address the issue of early graduation as a consequence of passing a high school equivalency examination. The State of California [began] this year to grant the legal equivalent of a high school diploma to students who pass a proficiency examination administered by the State Department of Education. Early graduation could have significant effects of great interest not only to educators but also to State and Federal policy makers. *Questions include:* Under what condition do students take the exam? What happens to students who leave high school early in terms of employment and/or postsecondary education and what are the community impacts of students actions? Does early graduation have an impact on finance of secondary education, particularly in light of the already serious declining enrollment problem?

10. *Reading Research and Development:* Over the past two years the Institute has developed a comprehensive program of research and development to address the area of understanding and improving how children read. . . .

Conventionally, the process of learning how to read is broken down into two stages: The first stage is primarily concerned with decoding, the process of learning the correspondence between speech and text; whereas the second focuses on comprehension, the process of understanding what is read and being able to use what is read. Current techniques of reading instruction have emphasized the decoding stage, techniques ordinarily taught in grades 1–3. There now exist techniques that appear to be effective for teaching decoding skills, and there is a great deal of new knowledge which affords further promise of being usable in development. On the other hand, little is known about how to teach comprehension, or even how to define or measure it is practical settings.

. . . [F]or many children, reading and behavior problems get worse at about the fourth grade, a point at which comprehension is becoming increasingly important. But it is not known whether such children are falling behind because they have failed to develop sufficient fluency in decoding or because they lack comprehension skills. One of our first tasks therefore is to find out whether children who gain limited but sufficient proficiency in decoding in the early grades later fall behind because their decoding skills are inadequate for the increased demands of the reading assigned in grades 4–6. . . .

In addition, issues of decoding and comprehension will be addressed through basic research on "human information processing." This rubric covers the efforts of many scientists who hitherto have not dealt with education, but who have developed ways of exploring the comprehension problem. Their interdisciplinary approach is concerned with how people acquire, store, process and produce information. . . .

In the area of early reading (decoding) primary attention will be given to the evaluation of apparently successful programs and to their dissemination and to the consolidation of existing knowledge in order to develop the specifications for even more effective programs.

In the area of the middle elementary grades where the focus is more on comprehension . . . a survey and analysis of the kinds of reading problems that middle-grade children have in reading is underway. Its results will be used to inform program decision in the NIE and will be widely disseminated to teachers and school administrators.

[Also], fundamental research into process information and comprehend written materials will be supported. As results from the basic studies are gathered by the Institute, syntheses directed at aiding solution of the specific problems identified in the problems survey will be commissioned. . . .

In 1974, in reauthorizing title I of the Elementary and Secondary Education Act, the Congress established a very significant 3-year, $15 million study of compensatory education. That study is now well underway and from all indications will result in very valuable information for the use of the Congress in reauthorizing ESEA in 1978.

In the 1974 act establishing the NIE compensatory education study, we directed that the ESEA, title I advisory council advise the Institute on the study. I am aware that the National Advisory Council on the Education of Disadvantaged Children has in the past expressed serious reservations about the Institute's plans for the compensatory education study. I am puzzled by several of the Council's criticisms, including concerns about the timing and size of the study, since Congress itself determined the nature and scope of the NIE evaluation.

It should be stressed that in requiring the Council to advise the Institute on the study it was anticipated that the Council would provide NIE with the benefit of its experience on issues to be addressed and the appropriate manner in which to look at them. As the agency responsible for the study, the Institute is free to approve, disapprove, or modify the Council's recommendations. Because the Council and its limited staff have major responsibilities to review the operation and administration of programs for disadvantaged children and because the Institute has the technical capabilities to carry out the research, it is not expected that the Council will be involved in oversight of the study, which would include such details as proposal writing and daily administration. The Council's role is advising on general policy, not implementing.

The reservations of the Council about the study appear to have been satisfied. If the Council continues to have concerns about the NIE research or implementation of the study, it should feel free to express its views publicly at the appropriate time, when the Institute publishes its findings and its recommendations.

Finally, let me draw the attention of the Members to several amendments contained in title II of H.R. 12385. I am particularly enthusiastic about the amendment which authorizes the establishment of education extension agents. It is my belief that through mechanisms such as this NIE can enormously increase the effectiveness and utilization of education research and development. We all know that too often costly research in almost every field stays on a shelf and is not brought to the user. The extension agent mechanism is directly aimed at meeting that problem by establishing a method through which that interchange can occur. In my view as important as the concept itself is the requirement that wherever possible local residents who are familiar with and accepted by the local community should be hired, if qualified, to serve as extension agents.

I also feel that the establishment of the Federal Council on Education Research and Development will be an important step forward in bringing together the many research activities of the Federal Government related to education. As it now stands, a great many agencies throughout the Government do carry on work related to education. In almost all instances that work is specifically related to the mission of that particular agency. For example, some very interesting and innovative

educational programs have been developed by the Defense Department for the use of training specialists. The National Institute of Mental Health and the National Science Foundation both carry on mission-related research which often is of direct application to a broader field of education than just the agency involved. The Federal Council will serve an invaluable role in bringing that information together; and, through the designation of the Director of the Institute as Chairman of the Council, provide a central focus for these activities. It should be noted here that the Federal Council is to be composed entirely of full-time Federal officials.

The existing NIE legislation contains a National Council on Educational Research, which is composed entirely of non-Federal employees who serve to set policy and provide direction to the Institute. There should be no misunderstanding about the roles of these two bodies. The National Council remains in a policy guiding role, a role which we hope will be even more forcefully exercised in their future actions. The Federal Council will not serve to provide policy guidance or direction to the Institute. Its charge, as spelled out in the legislation, is quite specific.

Because of concern which the committee had over the composition of the National Council, the act has been amended to make very clear that the committee expects broader representation on that Council; and we have gone to the length of noting in the legislation those fields which might be represented on the Council. It should be noted that there is no mandate that each of these fields be represented, and we would certainly not expect that a retiring Council member who is, for example, a university president would have to be replaced by someone with a similar background.

Finally, I should note that the legislation before us today does not specifically deal with the question of the university-based research and development centers and the regionally based laboratories. In the last few years, I have visited a number of these institutions. I have come away from those visits with a feeling that the former distinction between labs and centers has been largely blurred by time and the financial requirements of those agencies. I personally think that the distinction is probably no longer a meaningful one for most of the institutions involved.

I am also concerned that the weeding out process among labs and centers over the past decade has left large geographic areas of the country without any institutions; and, conversely, several areas of the country seem to be overrepresented among those which have survived. For example, the New England States and the Southeastern States lack both labs and centers. On the other hand, California has four institutions. I am concerned about this trend and would hope that some of the existing institutions would consider voluntarily relocating to fill the geographic gaps which now exist.

Title III of H.R. 12835 contains a variety of technical and miscellaneous amendments. The majority are technical amendments necessitated by errors in Public Law 93–380. Many were of a typographical nature; others relate to incorrect cross-references or other minor problems.

I would particularly draw the attention of the Members to an amendment which will permit States to retain up to 2 percent of their grants under part B of title IV of ESEA for guidance, counseling, and testing activities at the State level. This section was included because of a concern by the committee that many previous services offered by the States were being discontinued because the changes in the authorizing level reduced the funds available for State programs. It is the intention of the committee that this amendment be used to restore those services which might have been lost.

Another amendment to title IV of ESEA provides a separate authorization which, if funded, would permit the small States to retain the level of funds which they had received prior to 1975.

Title III also contains an amendment directed at reducing the paperwork involved in Federal education programs. Under this section the National Center for Education Statistics would be required to coordinate the collection of data and information from education agencies and colleges and universities. This coordinative role would apply to all offices and programs within the education division and, in addition, would include information and data requested of education agencies and institutions by the HEW Office for Civil Rights. This section is meant to apply to general OCR requests for data and information. NCES would not be involved in OCR enforcement proceedings and requests for data and information which flow from those proceedings.

One of the final amendments contained in title III deals with maintenance of effort. There has been concern in the last few years that declining enrollments presented a particular problem in some areas with respect to maintenance of effort. The committee has included amendments to change maintenance of effort in a number of programs to place it on a per-pupil basis. In addition, an amendment is included which permits the Commissioner to waive maintenance of effort for 1 fiscal year. I personally am very concerned about any waiver of maintenance of effort. The administration of this provision will place a number of burdens on the Commissioner of Education and present a number of questions about the application of this section. I wish to make it clear from my perspective that if the Commissioner waived maintenance of effort provisions for 1 fiscal year that at the end of that year the district or State involved would be required to restore its effort to that which existed prior to the waiver. I personally would hope that this waiver provision would never be used.

In summary, Mr. Chairman, the bill before us today represents the combined efforts of two subcommittees and countless days of hearings. I believe it is a good bill, and I urge the support of the membership of the House.

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

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

Mr. BRADEMAS. I yield to the gentleman from New York (Mr. MEEDS).

Mr. MEEDS. Mr. Chairman, I rise in support of the Vocational Education amendments, H.R. 12835. The bill we are considering today represents a distillation of 2 years of committee hearings, in Washington, D.C., and around the country. We listened to professional educators and consumers tell what is working and what needs to be done. The bill responds as well to criticisms of vocational education made in a number of studies and reports by the General Accounting Office and others.

During these past 2 years we have heard widely different appraisals of vocational education programs. On the one hand we have heard that these programs often neglect low-income and handicapped students, show bias towards women, ignore job market trends, etcetera. On the other hand, a large percentage of professionals in the field have stated that the 1968 amendments were basically good legislation, and that the problems have been more in the delivery than in the concept. As one who worked on the 1968 amendments, I prefer to believe the latter view.

I believe the bill we are considering today speaks to many of the more persistent criticisms while maintaining and expanding the basic framework of what I believe to be one of the most important federally supported education programs.

Everywhere we hear concern about jobs, about unemployment, and especially about excessively high rates of unemployment in our 16–25-year-old age group. After a long period of seeing a steady increase in the percentage of young people going on to college directly from high school with no effort to gain salable skills during the process, we are seeing a reverse of that trend, and a sharper concern for school-based programs that mean a young person leaving school does so with the training he needs to fit into the world of work.

It was high time that pendulum started back. In the early 1900's about 6 percent of the jobs in this country required a baccalaureate degree. That number has increased to about 20 percent today. Up until World War II the number of students going on for post-secondary academic training just about kept pace with the demand. But since that period, the college-bound students have increased to 55 percent and the job market has not been able to absorb them. But the pendulum is swinging and more effective vocational education reaching more young people in more useful ways is an absolute must.

This bill moves in several directions to make what we feel is a basically good program more effective and responsive to current needs. It offers more flexibility to the States by consolidating a num-

ber of smaller programs such as exemplary and work-study programs, cooperative vocational education, and residential vocational education into the basic State grants. We have maintained a separate category of funding for consumer and homemaking programs but developed new language to encourage wider use of those funds in food and nutrition programs, family resource management, child development, parenting, care of the aged, et cetera.

We have required better planning at the State level, bringing in job specialists and others, more extensive evaluations of local programs, and greater accountability. The best piece of legislation in the world is not much good if there is no way to make sure it is being carried out according to the intent.

We have charged the States with moving aggressively to eliminate sex stereotyping and sex bias in vocational education. Along with that, we have emphasized greater use of Federal funds to provide vocational guidance and counseling, so that students will have some expert help on all-important career and training decisions.

Finally, we have made a number of changes in maintenance of effort requirements responding to special problems. One is of particular importance to my own State, and will allow a 1-year-only waiver in the requirement that local education agencies keep their own level of spending constant in order to be eligible for Federal funds. This will be granted only under very exceptional circumstances and upon proof that the school district has made every possible effort to obtain necessary financial support. Additionally, we have targeted more funds—25 percent—on programs for the disadvantaged.

I believe these 2 years of work have resulted in a good bill. We have provided more flexibility, more accountability, and strengthened planning. I urge its adoption.

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

Mr. BRADEMAS. I yield to the gentlewoman from Hawaii (Mrs. MINK).

Mrs. MINK. Mr. Chairman, more than ever vocational education is being seen as offering to individuals valuable options in their pursuit of their educational and life goals. Vocational education has been steadily serving a greater proportion of our population as seen in the increased enrollments over the past decade in vocational education programs at both the secondary and postsecondary levels. To meet this growing demand for services, we need to expand our vocational education programs.

I am especially pleased with the amendments adopted by the committee to expand opportunities for women in vocational education and to eliminate sex bias and discrimination. I am also gratified that bilingual vocational education is continued as a separate categorical program and with the expansion of the revised consumer and homemaking education program.

H.R. 12835 continues the present vocational education programs for 1 additional year. Effective fiscal year 1978, the bill makes a significant change to current law. In that year, all current categorical programs except homemaking education and bilingual vocational education are folded in the basic State grant program. The separate categories of research, exemplary programs, residential schools, cooperative education, workstudy, and curriculum development are consolidated into a single program the purpose of which is to give States more flexibility in determining how much it wants to spend on these programs.

This consolidated approach could have meant a loss of funds to States were not a hold harmless provision added to the bill. The reason for this loss is attributable to the fact that before funds are distributed to States, 5 percent is first set aside for the Commissioner of Education for the funding of the newly created National Occupational Information Coordinating Committee and for programs of national significance. In addition, a maximum of 1 percent is set aside for the Bureau of Indian Affairs. Using the fiscal year 1976 level of appropriations, the total sums distributed to States after these reservation of funds are less than those allotted to States in fiscal year 1976.

H.R. 12835 addresses the issue of sex discrimination and sex stereotyping in vocational education by incorporating amendments for their elimination and by providing greater opportunities for women in vocational education.

An analysis of male and female distribution in vocational education programs enrollment reveal that women were concentrated in a narrow range of courses that are traditionally female intensive and low paying. Women dominate programs in health, home economics, and clerical and secretarial office occupations which is reflective of the female work force. Instead of providing equal opportunities for women, current practices in vocational education tend to reinforce these labor market patterns by perpetuating the practice of preselection of occupation by sex.

With more of today's women working and comprising over 40 percent of the labor force, and with the concentration of women in lower paying jobs, H.R. 12835 will help to break the current enrollment pattern in vocational education by opening all vocational education programs to women and to encourage their participation in nontraditional employment and training.

First of all, H.R. 12835 makes clear in the declaration of purpose of the act to include the elimination of sex discrimination.

The bill also amends the composition of the national and State advisory councils on vocational education to mandate the membership of women who are experienced in the problems of sex discrimination and stereotyping in job training and employment. It is essential to secure greater participation by women in policymaking positions.

Because H.R. 12835 consolidates all but two of the present categorical programs, States will have an important responsibility for the implementation of the amendments to eliminate sex bias and stereotyping. Provisions relating to the State plan and annual accountability reports require States to set out policies and procedures to be used to eliminate sex bias and stereotyping and to set out the programs which will be offered to overcome such bias and stereotyping. Under the block grant, Federal funds may be used to revise and develop instructional materials which are free of sex stereotyping and to develop special training programs for displaced homemakers and for persons who are seeking jobs in areas which have not been traditionally considered job areas for their sex. Supportive services are also authorized for women who enter programs designed to prepare them for employment in areas which have traditionally been considered limited to men, and to provide day care services for children of students in secondary and postsecondary programs.

ESEA IV CONSOLIDATION

I am especially pleased that this bill makes an important technical correction to title IV of the Elementary and Secondary Education Act to assure adequate funding for small States.

As Members will recall, the Education Amendments of 1974—Public Law 93-380—consolidated the old categorical programs of school libraries, counseling and guidance, and school equipment into a program of libraries and learning resources. The separate programs of educational innovation, dropout prevention, and school nutrition and health were consolidated into a program of innovation and support services.

A new formula was adopted for allocating funds to each State under this consolidated approach based solely on the numbers of children aged 5 to 17 in each State. The minimum amount or floor which guaranteed adequate funds for small States in the old law was inadvertently eliminated from the new formula. Primarily because this floor or minimum allocation was not transferred to the new law, 17 small States including my State of Hawaii were faced with a significant loss of funds when the consolidation became fully effective in fiscal year 1977.

The fiscal year 1976 education appropriations bill—Public Law 94-94—corrected this funding problem for fiscal year 1977 by providing an additional $11.6 million for that year so small States would not suffer a drastic reduction in funding under total consolidation. As a result, small States like Hawaii will receive in fiscal year 1977 what it received in fiscal year 1974.

Since the authorizing law—Public Law 93-380—covers fiscal year 1978 as well, it is only appropriate that an amendment be made to the basic law itself to hold small States harmless in fiscal year 1978. H.R. 12835 adopts the same hold harmless mechanism contained in the fiscal year 1976 education appropriation bill by requiring the authorization of additional appropriations so small States would receive in fiscal year 1978 what it received in fiscal year 1974.

I urge my colleagues to give their support to H.R. 12835.

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

Mr. BRADEMAS. I yield to the gentleman from Iowa (Mr. BLOUIN).

Mr. BLOUIN. Mr. Chairman, I favor passage of the bill before us and believe it would go far toward addressing those needs which are not being adequately met by current legislation. One such need is for vocational teachers and to remedy this situation I introduced an amendment which was approved by the committee and is now part of H.R. 12835. I would like to explain what this amendment is intended to accomplish.

Vocational enrollments at all levels have expanded rapidly during the past decade. While the number of vocational teachers has also gone up, it has not increased sufficiently to keep pace with enrollments. State directors of vocational education have described the vocational teachers shortage as critical. Forty-three States have reported some degree of shortages. It has been estimated by the National Education Association that vocational teacher demand exceeds the supply by 38.7 percent.

Despite these shortages, little has been done to entice individuals to enter into the vocational teaching profession. My amendment provides this incentive by authorizing two new types of teacher fellowships to be added to the present fellowships for graduate students in vocational education.

The first new fellowship is for teachers who have already been credentialed by the States in other fields and who have job skills in demand in vocational education. There is a general surplus of trained teachers in other fields. Those who have not been able to secure teaching jobs have for the most part become retrained and employed in other occupational areas. The new fellowships would enable certified teachers with vocational skills to obtain the additional course work required for vocational teaching.

The second new fellowship is for persons in industry who have job skills in demand in vocational education but who do not necessarily have a bachelor's or teaching degree. Such awards would help alleviate the teacher demand and would also bring in people with needed skills, new ideas and experience within an industrial setting.

My amendment would also result in better coordination between the courses in which teachers are being trained and the courses for which they are needed. The Commissioner of Education is required to identify areas of shortage and make awards to those who can best fill them.

I ask for your support to H.R. 12835 including this amendment which is so crucial to the future of vocational education.

Mr. BRADEMAS. Mr. Chairman, I rise in support of H.R. 1235. My particular comments will be addressed to title II of the bill which would extend the authorization of appropriations for the National Institute of Education.

First, however, I would like to thank the distinguished chairman of my own committee, Mr. PERKINS, for his support. I would also like to thank the distinguished ranking minority member of the Education and Labor Committee, Mr. QUIE, for his important contributions.

Mr. Chairman, both majority and minority members of the Subcommittee on Select Education, which I have the honor to chair, have worked conscientiously on the bill extending the National Institute of Education and I would like to thank them for their effort.

PROVISIONS OF TITLE II

Mr. Chairman, let me outline the provisions of title II of the bill, a title that was endorsed by more than 60 education groups and organizations during the 5 days of hearings held by the Subcommittee on Select Education.

The main purpose of title II of H.R. 12835 is to extend the life of the National Institute of Education—NIE—for 3 additional years with modest authorization levels of $100 million for fiscal year 1977, $120 million for fiscal year 1978, and $140 million for fiscal year 1979. The total authorization figure of $360 million is actually $190 million less than the level authorized for the 3 years, fiscal year 1973 through fiscal year 1975.

Mr. Chairman, in addition, title II contains a number of perfecting amendments that will help to insure the continued effectiveness of NIE.

Briefly, title II would:

First, define more clearly the educational problems on which the Institute is to concentrate its resources; that is, basic skills, finance and productivity, educational equity, work and education, and dissemination.

Second, strengthen the capacity of the Institute to disseminate educational research and information by allowing for the designation of education extension agents, based at universities and/or in localities to disseminate information or other results of educational research.

Third, strengthen the policymaking body of the Institute, known as the National Council on Educational Research, by encouraging a broader degree of representation on the Council and by permitting the Council to hire independent staff.

Fourth, establish a new Federal Council on Educational Research to be headed by the Director of the National Institute of Education, and made up of representatives from all of the Federal agencies conducting educational research, the main function of which Council will be to report annually to Congress and the President on the status of educational research and development in the United States and to make recommendations on how best to disseminate the results of research.

Fifth, encourage greater coordination among Federal agencies conducting or supporting educational research and development projects.

Mr. Chairman, the amendments to the act creating the National Institute of Education have widespread support within the education community and were reported unanimously by the Subcommittee on Select Education and by a unanimous, bipartisan vote of 39 to 0 by the full Education and Labor Committee.

The support which the Institute now enjoys is based on the recognition that if we are to solve our educational problems, we must invest more money in educational research and development.

HISTORY AND PURPOSE OF NIE

Mr. Chairman, just over 4 years ago Congress created the National Institute of Education for the purpose of conducting basic and applied research and development into the teaching and learning processes.

Unlike the Office of Education, which provides basic support for educational activities, the Institute is the principal Federal agency responsible for research and development in education.

Mr. Chairman, the need for such research and development was and is still clear.

This Nation invests nearly $120 billion each year in education—more than the total U.S. defense budget—yet less than a fraction of 1 percent of that total investment in education is directed to research and development to improve it. By comparison, about 3.2 percent of our total expenditure on agriculture goes into research and development; in health, the figure is about 3.6 percent.

Mr. Chairman, even with our large investment in education, many problems are evident.

For example:

Only recently, the Department of Labor estimated that 24 percent of our students do not complete high school.

While there is evidence that reading achievement in the early grades is improving, scholastic aptitude test scores have dropped steadily over the last decade.

The 1970 census data indicate that some 7 million school-age children speak a language other than English or a nonstandard dialect of English.

And school costs continue to rise faster than the ability of many States and local districts to pay for them.

Mr. Chairman, I know that most of us are deeply concerned about the quality of education our children receive and that we are aware of the crucial contribution an educated citizen makes to our Nation. Accordingly, it is imperative that we make a determined effort to cope with the critical educational problems facing the States and local communities.

Mr. Chairman, I am confident that through supporting research, dissemination of research and the intelligent application of the results of that research, the National Institute of Education can provide needed leadership for the improvement of our educational system.

Mr. Chairman, I urge my colleagues to join in support of this bill.

Mr. PERKINS. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from Washington (Mr. MEEDS).

Mr. MEEDS. Mr. Chairman, I take this time for the purpose of propounding a question to the chairman of the committee. I was the author of a maintenance-of-effort amendment in the committee, and I think it is important to note that in authorizing the Commissioner to waive maintenance-of-effort performance under very specific circumstances, it is im-

portant to recognize that the committee intends this authorty to be exercised only in instances where the local education agency can demonstrate that every possible effort on the part of school administrators has been made to obtain local financial support.

A lot would hinge, of course, on how very exceptional the circumstances are and how that is interpreted. In Washington State and in other States, under State law each school district must go to the voters, in some instances, for special levies to meet operating expenses over and above that guaranteed by the State. Further, State laws prohibit a school district from trying more than twice in any one year to get voter approval of a school maintenance and operation levy.

I would ask the chairman if he would agree with me that double levy failures in areas in which two consecutive levy failures prohibit the issue from being voted on again in that year, would be considered by us to be such exceptional circumstances.

Mr. PERKINS. I would agree with the gentleman from Washington that the amendment to be passed certainly covers the situation that he describes in his home State of Washington.

Mr. MEEDS. Mr. Chairman, members of the committee, I take this time to point to what I consider to be an extremely important section, section (c) (1), on page 99, where we increase the authorization for State advisory councils. I am sure the gentleman from Minnesota (Mr. QUIE) would agree with me that one of the things we found in our hearings was that State advisory councils were not being utilized and were not having the input in the decision-making process that they ought to be having.

By this legislation we have substantially increased the authority, the input, the coordination with advisory councils.

Mr. Chairman, I really want to take this time to point out to those who come along afterwards and appropriate for this bill how important that section on authorization for appropriations for State advisory councils is. If we cannot get the appropriations to have proper funding for counsel and for help for State advisory councils, they will be nothing more than paper organizations. Their importance under this legislation is exceedingly great, and we should recognize that we must appropriate the money to give them the wherewithal to carry out those functions.

Mr. PERKINS. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from New York (Mr. BIAGGI).

Mr. BIAGGI. Mr. Chairman, as a member of the House Education and Labor Committee, I rise to indicate my full support for H.R. 12835, legislation which extends and revises the Vocational Education Act of 1963. I wish to bring to the attention of my colleagues, an amendment I sponsored which was adopted during the committee's consideration of the bill.

My amendment attempts to deal with one of the most frustrating and persistent problems facing State and local educators administering the Vocational Education Act—the proliferation of paperwork created and required by the Federal Government. My amendment seeks to develop a new strategy for eliminating this headache by placing the burden of proof on Federal agencies prior to their inundating State and local officials with paperwork associated with the Vocational Education Act.

Specifically my amendment provides that before sending out any reporting form, each bureau or agency of the Federal Government must: First, provide a detailed justification of how the information will be used; second, compute the cost and man-hours needed by a State, district, or other educational agency to complete a given form; third, tell what sources and amounts of money are available to cover costs; fourth, make these facts available to those who will be completing the form; and fifth, allow for a period of comment before any new form is approved.

My amendment is consistent with the overall objective of this legislation, namely to give States a greater voice in the development of vocational education programs to serve their students. The key to effective administration is efficiency, and a reduction in the time consuming paperwork would represent an important step toward better administration of the Vocational Education Act.

My amendment is complimentary to the legislation and offers a new, innovative approach to dealing with the paperwork crisis which pervades many other agencies of the Federal Government. Both the Congress and the administration have gone on record in favor of reducing paperwork in the Federal Government, yet our progress has been far too slow. It is still estimated today that many school administrators complete an average of one form per day in order to comply with Federal requirements. I am hopeful that the newly created Federal Commission on Paperwork will consider my amendment as one possible approach to reducing the overall Government problem of excessive paperwork.

I expect H.R. 12835 to be approved today by the House with my amendment in tact. I also hope that the mandate of my amendment can be made adoptable to other legislation and other Federal agencies so this Nation can close the gates on the flood of paperwork in our Federal Government.

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

Mr. HALL. Mr. Chairman, as a cosponsor of the Vocational Education Amendments of 1976, H.R. 12835, I rise in strong support of this legislation continuing our commitment to this very important segment of education.

As a member of the Subcommittee on Elementary, Secondary and Vocational Education, I have personally observed the excellent leadership provided by the gentleman from Kentucky (Mr. PERKINS) in moving the legislation to the House floor. I also have seen the skill and knowledge the gentleman from Minnesota (Mr. QUIE) brings to the committee's deliberations. Our committee is, indeed, fortunate in that the chairman and the ranking minority member are able to work so well together. Through this process, the vocational education amendments were reported favorably by the Education and Labor Committee by a vote of 37 to 0.

As the committee report states, we held 37 days of hearings on vocational education during this Congress. We heard from many, many witnesses. We heard what was good about the existing law and its implementation. And, just as importantly, we heard what was wrong with it. This bill expands and strengthens those good points and offers changes where weaknesses have appeared.

Mr. Chairman, the bill's language simplifies the administration of the act while, at the same time, provides more accountability of how the States are spending Federal dollars.

With the exception of homemaking education programs and bilingual vocational programs, all the categorical programs under existing law are consolidated into a block grant to the States with each State determining how much to spend on various programs.

Our hearings brought a good deal of statistical information together showing the tremendous growth rate in participation in vocational education since the enactment of the Vocational Education Act of 1963 and the amendments of 1968.

In 1974, over 13.5 million persons were participating in vocational education, a jump of 150 percent since 1965. During this same period, Federal expenditures increased nearly 200 percent reaching $446 million in 1974. Federal dollars have always been provided as a catalyst to local and State governments to encourage them to spend more on vocational education. Statistics reveal that between 1965 and 1974, State and local support increased more than 500 percent reaching $3 billion in 1974.

In construction of area vocational schools and in the number of vocational teachers, the trend is the same. We are witnessing an impressive increase.

Mr. Chairman, as in any successful program, there is room for improvement. And these amendments are aimed in that direction. I am particularly pleased with the committee's language for better State planning of the use of funds, more extensive evaluations of local programs and greater accountability for the expenditure of funds.

The GAO report last year on vocational education programs in selected States pointed out that administrators were not giving enough attention to labor market factors. Enrollments in vocational education courses did not always reflect shifts in emerging job opportunities. Thus, our committee calls for more and closer evaluation of local programs.

The new realism of the budget process has resulted in authorization figures more in line with what we can expect to be appropriated. For fiscal year 1976 the authorizations are $980 million. For fiscal year 1977 the figure is $720 million. The authorizations increase annually until the fiscal year 1981 level will be $1.45 billion.

Mr. Chairman, the separate category to be called "Homemaking Education for Consumer Education, Family Resource Management and Life Skills" encourages the participation of both men and women in the programs. As the committee report states:

Home economics, with its interdisciplinary focus in family, is the discipline best able to respond to the changes in roles and functions of male and female family members.

Mr. Chairman, as a cosponsor of H.R. 5988, the bill extending the authorizations for the National Institute of Education, I also support title II of the measure before us. Title II which extends the NIE authorizations for an additional 3 years clearly defines the educational problems to which the Institute is to concentrate its resources. The chairman of the Subcommittee on Select Education (Mr. BRADEMAS) is to be commended for his diligent efforts.

Mr. QUIE. Mr. Chairman, I yield such time as he may consume to the gentleman from Alabama (Mr. BUCHANAN).

Mr. BUCHANAN. Mr. Chairman, I rise in support of this legislation.

Title I, which embodies the vocational education provisions, is the result of more than a year of hearings and reflects the very deep concern of the members of our committee that we, in this country, make the very best possible use of our outstanding human resources.

Through these amendments, we are seeking to address the vocational education needs not only of young people, but of older Americans who find themselves in the need of additional training and to provide ready access to vocational education programs to all individuals by eliminating sex stereotyping.

Many Americans do not go to college. Many Americans today do not have jobs, yet our daily papers list page after page of help-wanted advertisements. We need to train people for the jobs that are available so that each individual has the opportunity to achieve all that he can and to become the most and the best that it is in him or her to be. This is what H.R. 12835 seeks to accomplish.

In my own State of Alabama, 88 percent of those students entering the first grade do not complete college, thus vocational education in our State is of vital importance to these young people and to the future of our State and Nation.

While participation in vocational education programs is growing, we have yet, as a nation, to meet the needs in this area.

The legislation we are considering here today is an attempt to address these growing needs today and in the future.

In an effort to assess where we are and where we ought to be going with vocational education programs, this legislation directs the States to formulate two 3-year plans for the vocational education programs they administer and to evaluate all vocational education programs in the State during the 3-year period. Such evaluations would then be used in redirecting and redesigning the State proposals to strengthen weak areas.

In an effort to give the States more flexibility in meeting their individual needs, this legislation consolidates all present categorical programs, except consumer and homemaking and bilingual education, into one basic block grant.

In the field of consumer and homemaking education, our committee addresses the needs of all portions of our society by expanding the scope of the program and encouraging participation in these programs by students of both sexes. The amendment offered by our distinguished colleague, the gentlelady from New York, recognizes the changes which have taken place in our society and directs State efforts toward educating Americans to prepare them for their roles as homemakers and wage earners.

Title II extends the National Institute of Education for 3 years and provides $360 million to the Institute to improve education in five basic areas.

Mr. Chairman, I urge the support of my colleagues for this legislation. It will go far to provide better educational and, therefore, occupational opportunities to women, the disadvantaged, the handicapped and, indeed, the majority of Americans.

Mr. EDWARDS of California. Mr. Chairman, I will oppose the amendment when it is offered by the gentleman from Pennsylvania (Mr. ESHLEMAN).

As chairman of a subcommittee with civil rights oversight responsibilities, I have waded through massive reports, extensive documents, and reams of hearing testimony—all criticizing the lack of aggressive title VI enforcement by those agencies which distribute Federal dollars. That evidence has found the most inexcusable foot-dragging on the part of such agencies where even their own investigations have concluded that discrimination exists in funded activities. In its recent report, in this area, the Civil Rights Commission found that Federal agencies readily accept recipients' excuses and rationalizations in defense of the violations uncovered. Also, the Commission found "protracted and unproductive negotiations, and reluctance to use sanctions."

Because I have been continually exposed to this nonenforcement side of the issue, I must suggest, Mr. Chairman, that I am quite frankly astonished that there are those who would seek to undercut the little administrative enforcement which does exist.

My respected colleague's amendment would say to those few Federal agencies who have dared to temporarily defer fund payments before the conclusion of litigation or a hearing—"you are too aggressive. You have overstepped your bounds because, contrary to what you might think, it is more important to distribute the dollars than to cure the civil rights violations." This simply cannot be allowed.

The existing Federal civil rights laws afford strong and effective due process rights to jurisdictions before Federal funding can be terminated. I perceive the proposed amendment as going much further by precluding prehearing temporary fund deferrals, despite the fact that such temporary deferrals have been specifically upheld by the courts as being in conformance with both Federal statutes and the due process clause of the United States Constitution. See *Board of Public Instruction of Palm Beach County, Florida* v. *Cohen*, 413 F. 2d 1201 (1969).

As one who has observed first hand the fact that enough care is not now being taken to insure equal opportunity in federally-assisted programs, I would submit that it is simply inconceivable for us here today to strip Federal agencies of an enforcement tool which many believe they already use too infrequently.

Let us not go backwards in our efforts to insure that Federal dollars benefit all, without regard to color or sex. To adopt this amendment today would surely be doing just that.

Thank you.

Ms. ABZUG. Mr. Chairman, I rise in support of the Vocational Education Act amendment, H.R. 12835, which will enable the States to continue their many programs in this area. Vocational education has been very successful. Enrollment has increased among postsecondary students, the disadvantaged and the handicapped. State and local governments have increased expenditures in this area. For example New York State has raised its matching funds from $4 per Federal dollar in 1965 to $12 in 1974 and this bill provides for increased Federal funding.

I particularly want to commend the chairman and the committee for addressing the problems of sex stereotyping in our vocational education programs in this bill, H.R. 12835. Despite the increased participation of women in the labor force, they continue to be concentrated in a few occupations at the lower end of the pay scale. For example, women comprise 98 percent of the private household workers, 78 percent of clerical workers and 59 percent of service workers. The average salary for women in 1973 was $6,340 as compared to over $11,000 for full-time male workers. The earnings gap between men and women continues to widen with women earning only 57 percent of what men earn. Vocational education should not perpetuate these distinctions, but rather should be a tool for preparing women to enter the many higher paying, traditionally male-dominated fields.

There is ample evidence that vocational education has not been concerned with advancing the needs of women. Almost half of the girls and women in public vocational education are still being trained in home economics and more than one-fourth are being trained in office practices. I introduced legislation, H.R. 12616, which would require each vocational agency to set up an office for women and would be responsible for eliminating sex stereotyping in all vocational education programs. While the committee bill does not provide for the creation of a separate office to oversee the elimination of sex stereotyping, it does include a specific commitment to this goal and I am pleased to support it.

The bill extends participation on the National Advisory Council on Vocational Education and similar State advisory councils to include women with backgrounds and experience in employment

and training and who are knowledgeable with respect to job discrimination. This change is of especial importance because the advisory councils help draw up the State plan. Programs are authorized to review instructional materials to insure that they do not reflect sex stereotyping and to improve such curriculum materials.

Supportive services for women first entering the job market such as displaced homemakers are provided as well as day care services. Guidance and counseling is also included for women seeking jobs in areas traditionally considered male occupations and for men seeking jobs in traditionally female occupations.

The committee report notes that the State board of vocational education should designate an employee to coordinate the States effort to eliminate sex bias in its programs and to report on their progress annually. Although no set percentage of funds are earmarked for this task, necessary funds should be made available for this important project. Finally, the committee bill directs the Commissioner of Education to conduct a study on the extent to which sex discrimination and sex stereotyping exist in vocational education programs and to report to the Congress within 2 years.

These provisions will advance the full participation of both sexes in vocational education and will prepare our women and men for meaningful and decent paying jobs in our society. I urge my colleagues to support it.

Mr. MOTTL. Mr. Chairman, over the past decade, funding for research and development has contributed substantially to vocational education's capacity for self-renewal. There is an urgent need to strengthen policies and provisions for research and development activities which have regional and national significance. Through the Commissioner's share of the funds, it is possible to achieve cost-effectiveness by undertaking research and development on common problems, thereby reducing the need for each individual State to invest in this area. Additionally, there are problems which are truly national and regional in character which need to be undertaken through the Commissioner's portion. To accomplish this, a single strong and adequately funded national research and development center with appropriate regional and State linkages can provide the critical mass of talent and resources to impact on priority areas such as State planning, methods of evaluating State and local programs, dissemination of educational materials, more efficient instructional systems, and especially improved delivery systems for disadvantaged, handicapped, and bilingual learners. Further the support level over the years and proposed in the current bill is not adequate to support more than one center.

Second, the term "center" implies centrality and concentration of resources. Inherent in the center concept is the critical mass of resources and interdependent functions to cost effectively and adequately serve the impact on vocational education. Problems of planning, coordination, and essential functions such as dissemination and information services are comfounded if divided among several "national" centers.

Third, the American Vocational Association—composed of 55,000 educators—and the State directors of vocational education support the current House bill language. They would like one strong national center working with a wide range of appropriate groups to bring about change and improvement in vocational education. Evidence of the support of these key groups for a national center for vocational education research is clearly reflected in the resolutions and legislative recommendations passed by American Vocational Association and State directors of vocational education, the full text of each I shall ask to be inserted into the RECORD. Allow me to share the text of a most recent resolution:

RESOLUTION, THE STATE DIRECTORS OF VOCATIONAL EDUCATION, RE: CONTINUED SUPPORT OF A NATIONAL R. & D. CENTER FOR VOCATIONAL EDUCATION, MAY 6, 1976, WASHINGTON, D.C.

Be it resolved, That the National Association of State Directors of Vocational Education fully support the April 29, 1976 H.R. 12835 version calling for the establishment of a single center for vocational education research supported up to $5 million annually from the Commissioner's share.

It is thus clear that educational leaders and the total profession in vocational education over the past 12 years have consistently and persistently supported the concept of a single national center for vocational education research.

Fourth, during the House Education and Labor Subcommittee hearings, subcommittee and committee markup sessions on the vocational education bill, testimony was presented and discussed relating to the single versus multiple centers concept. This same issue of center versus centers was raised and debated and not brought to a vote because of the strong support in the subcommittee and committee. Considering all the testimony presented, as well as related information collected directly by House subcommittee, it was clearly substantiated that a single national center should be established which is selected on a competitive basis with the ability to directly, or through contracts with other public agencies, work on the solving of vocational education problems of national significance. Each time the matter was discussed, the important need for providing a "critical mass" of resources in one center to provide for the national center functions as specified in the vocational education bill, was clearly established. Based on first, this highly stressed need, second, the fact that the Federal Government has not been capable of adequately supporting even one national center since 1965, and third, the extensive support from the practitioners and leaders in the field of vocational education for the single national center concept, the Education and Labor Committee derived the language stated in the House bill.

Fifth, funds for institutions and agencies with vocational education R. & D. capacity can be provided through five means:

First, All organizations can compete for the position as the national center since no institution or agency is named in the legislation.

Second. The Commissioner, through his 50 percent discretionary share of vocational education research funds under part C, section 4, is authorized to continue to fund national and regional projects and activities in addition to a national center.

Third. The House amendment language allows for regional vocational research centers and other public agencies to be funded through the national center.

Fourth. Fifty percent of the vocational education research funds, under part C, section 4, available are distributed by formula direct to each of the 50 States. These funds are available to all institutions and agencies in each State.

Fifth. As part of the educational R. & D. university-based center/regional laboratory network, institutions with educational R. & D. capacity can be supported by the National Institute of Education.

In summary, the present language in the House bill calling for a single national center for vocational education should be retained based on, first, strong endorsement of the language by the practitioners and leaders in vocational education; second, the strong consideration and maintenance of the present language by both House subcommittee and full committee; third, the fact that the present language does allow for the establishment of regional activities and contractual arrangements with regional agencies; and fourth, the fact that the Commissioner has a wide range of options available for supporting other projects or activities of national significance.

The material referred to follows:

RESOLUTION PASSED BY THE NATIONAL ASSOCIATION OF STATE DIRECTORS OF VOCATIONAL EDUCATION, THURSDAY, MAY 6, 1976, WASHINGTON, D.C.

Re: Continued support of the National R. & D. Center for Vocational Education

Be it resolved, That the National Association of State Directors of Vocational Education fully support the May 4, 1976, H.R. 12835 version calling for the establishment of a single center for vocational education research supported up to $5 million annually from the Commission's share.

LEGISLATIVE RECOMMENDATIONS OF THE NATIONAL ASSOCIATION OF STATE DIRECTORS OF VOCATIONAL EDUCATION, JANUARY 9, 1976

1. The State Directors oppose mandating the makeup of the State Board for Vocational Education. The State Directors support the concept of the sole State Agency and suggest that in lieu of a mandated board the functions be further defined as to responsibility.

2. The State Directors are agreed that when Congress identifies high national priorities for vocational education it has the prerogative to establish a position with respect to funding these priorities. The sole State Agency must retain the responsibility and control of all federal vocational funds and provide supervision over all programs receiving such funds.

3. The State Directors are in agreement that to assist with statewide planning and to assure broad representation in such planning a vocational-manpower information systems council is desirable. This council should assess needs and communicate these needs to the State Board for Vocational Education and to such other boards or agencies that are in a position to deliver needed serv-

ices to people. Membership of such a council should be the prerogative of the state.

4. The State Directors are agreed that functions of Sections C, D, and I of the '68 Amendments be retained and consolidated and that the allocation of 75% of the money under these functions be assigned to the State Boards for Vocational Education and 25% to the discretion of the Commissioner. From the Commissioner's share there should be funded a National Center for Vocational Education which would provide for a continuing national resource for state-level leadership training programs, research, and special problem-solving services.

5. The State Directors are agreed that the functions of preparatory teacher education and in-service teacher education must have the direction of the State Boards for Vocational Education and no provision of law should provide for the assumption of this role by the Commissioner.

6. The State Directors agree that a declaration of purpose of any vocational bill needs to be spelled out in the same strong language as the 1963 Act.

7. The State Directors agree that any bill should provide for a continuing authorization until such act is changed by Congress.

8. The State Directors agree that in order to fit the requirements of each state—that the state be allowed to expend for state administration an amount of federal funds as matched by state and local funds for administration to any limit or an amount not to exceed 10% of the federal allocation with the understanding that technical assistance from state-level teacher education, curriculum development services, guidance and counseling services, and dissemination of information are not included in the definition of administration.

9. The State Directors agree that the Vocational Amendments of 1963 as Amended in 1968 has been exemplary legislation. Any contemplated change should build on the strengths of this previous effort.

10. The State Directors are agreed that any legislation must contain a definition of the programs, services, and activities identified as vocational for the use of federal vocational funds.

THE STATE DIRECTORS OF VOCATIONAL EDUCATION, RE: CONTINUED SUPPORT OF THE NATIONAL R. & D. CENTER FOR VOCATIONAL EDUCATION, DECEMBER 10, 1974, NEW ORLEANS, LA.

Recognizing the continuing need for research, development, dissemination and training in vocational education which in part can most effectively be provided through a National Center, and the sustained support of The Center at The Ohio State University by the National Association of State Directors of Vocational Education and the American Vocational Association.

Be It Resolved, That the National Association of State Directors of Vocational Education reaffirm its resolution of September 17, 1970 (Tab A) and indicate continued support of the American Vocational Association's House of Delegates resolution of December 12, 1963 (Tab B) and continue to urge the Office of Education to provide adequate support for the National Center.

RESOLUTION PASSED BY THE BOARD OF DIRECTORS OF THE NATIONAL ASSOCIATION OF STATE DIRECTORS OF VOCATIONAL EDUCATION, THURSDAY, SEPTEMBER 17, 1970

Recognizing the general excellence of the program and activities of The Center for Research and Leadership Development at Ohio State and the many contributions it has made to Vocational and Technical Education throughout the U.S., Be it resolved that the Executive Committee of the National Association of State Directors reaffirm its support of this Center at Ohio State and its leadership training seminar for the directors.

Because of the management and staff expertise at The Center and the education and economic efficiencies to be achieved through building on these existing strengths we therefore encourage continued support for The Center by the O.E. and the states and request that authorized financial support be achieved for the O.S.U. Center before additional centers are established. Further as new Research, Development and Training initatives are contemplated in Vocational Education we request that consideration be given to the feasibility of the Center's providing some of these services.

RESOLUTION PASSED BY THE HOUSE OF DELEGATES OF THE AMERICAN VOCATIONAL ASSOCIATION, ATLANTIC CITY, NEW JERSEY, DECEMBER 12, 1963

NATIONAL CENTER

Whereas, the current social and economic climate places increased urgency on the need for an expanded, extended, and improved program of vocational and technical education including new techniques to meet changing needs, and

Whereas, pending legislation proposes additional aid for expansion and adjustment of vocational education to meet these training needs and emphasizes the importance of more effectively attacking problems to meet these needs which involve the several existing vocational services and new services which do not now exist, and

Whereas, these increased responsibilities place greater demands on state staff leadership, thereby creating greater need for in-service leadership training and advanced study for present and prospective staff members, and

Whereas, a National Center for Advanced Study and Research in Agricultural Education has been established and has aided the profession in meeting these increased responsibilities, and

Whereas, such a Center limited to agricultural education can provide only limited service in the broad field of vocational education, and

Whereas, a National Center for advanced study and research in vocational education is needed for cutting across and going beyond present areas, as well as depth study in each area is needed, and

Whereas, the establishment of a national center for advanced study and research in vocational and technical education would provide a means of meeting significant needs for state staff and research development in over-all vocational services as well as providing for the unique needs of each service, and

Whereas, a National Center for advanced study and research in vocational education would supplement and extend existing state and institutional programs as well as stimulate such existing programs.

Therefore, be it resolved, That the AVA approve in principle and support the establishment of a National Center for advanced study and research in vocational and practical arts education which would include strong advanced study and research programs in each vocational and practical arts education service under the direction of an over-all National Center staff which would promote and strengthen over-all administrative and supervisory leadership development of vocational education, coordinate research efforts, and develop methods and programs to meet needs not being met in present programs.

Mr. LEHMAN. Mr. Chairman, I rise in support of H.R. 12835. I believe this legislation will make vocational education accessible to more people while streamlining the administration of the program. I would especially like to call attention to three amendments which I initiated, and explain how they will improve vocational programs.

The first amendment modifies the definition of vocational education to clarify that vocational courses outside the classroom can be funded. This would allow a number of fine courses, which are offered right on the worksite, to be funded under the Vocational Education Act. I am aware of several such programs. One of these is the high school redirection program in Brooklyn, N.Y., which provides young people who are potential dropouts with an alternative vocational education setting. Another is the allied health programs offered by the Essex County College in Baltimore. Here students alternate between classroom study and in-hospital training, and it has proven to be an asset to the community as well as to the students. Hopefully, this amendment will encourage schools to develop other innovative arrangements of this sort.

The second amendment contains new requirements for evaluation of programs. The hearings before the Subcommittee on Elementary, Secondary, and Vocational Education showed that effective evaluation of programs and followup of students has been sadly lacking in most States. Yet, these activities are absolutely necessary for local, State, and Federal governments to judge the success of their programs. My amendment says that every program within a State which is receiving assistance under the act must be evaluated as to its effectiveness some time within the 3-year period of the State plan. These evaluations must be then used as a basis for revising the State's program. In addition, those programs which purport to impart entry level job skills must be evaluated according to the extent to which programs completers and leavers find related employment, and are considered by their employers to be well trained, and by one other appropriate factor.

The third amendment, which also pertains to evaluations, guarantees that those students who go on to higher education or additional training cannot be considered negatively when programs are evaluated. I am particularly concerned that schools do not attempt to discourage vocational students from going on to postsecondary schools to pursue academic or vocational training programs. I also hope to insure that secondary students who wish to eventually enter college, but who also wish to obtain salable skills training in high school, would not be steered away from any vocational courses they might desire to take.

Also, I agree fully with Chairman PERKINS when he points out that the amendments contained in the committee's bill are meant to encourage vocational education to offer courses which are more relevant to job opportunities which are now and which will be available in the future.

When the committee conducted a hearing on vocational education in Lexington, Ky., on February 21, Chairman PERKINS prodded his own State and local school officials to move in that direction in Kentucky. He particularly urged them to offer courses related to

coal mining since that is where the jobs are developing in eastern Kentucky and since that is where the jobs will be in the future in Kentucky. I would like to insert at the end of my remarks three articles which appeared in the Lexington paper describing that hearing. And I would like to commend Chairman PERKINS for having the best interests of his constituents at heart by urging his school people to wake up to where the opportunities are today.

The articles follow:

[From the Lexington, Ky., Herald-Leader, Feb. 22, 1976]

PERKINS ENDS VO-ED TALKS

(By Dottie Bean)

A panel of five congressmen spent the day in Lexington yesterday hearing testimony on vocational education programs in Kentucky and two other states.

That testimony—as well as testimony heard in previous sessions—will be considered as Congress begins drafting legislation relating to vocational education in America.

The panel, the House subcommittee on Elementary, Secondary and Vocational Education, chaired by Cong. Carl Perkins, D-Kentucky, will head back to Washington where it will begin writing amendments to the Vocational Education Act of 1963.

Among those giving testimony to the subcommittee was Kentucky Gov. Julian M. Carroll, who made six recommendations concerning the proposed legislation.

Those recommendations included asking Congress to increase appropriations for state vocational education grants from $565 million to at least $1.2 billion for fiscal year 1980.

The subcommittee hearing here was the last of many such hearings. Previous sessions have been held in Washington and six other states.

Congressmen accompanying Perkins, chairman of the House Labor and Education Committee, to Lexington included Reps. Albert Quie, R-Minn., Tim L. Hall, D-Ill., William Lehman, D-Fla., and Michael L. Blouin, D-Iowa.

OPENING REMARKS

Cong. Perkins, in his opening remarks, told witnesses that several major issues have surfaced during the last 43 days of hearings held by the subcommittee. Those, he said, include:

The "main issue" of how much in funds "we ought to be reserving for post-secondary (beyond high school) vocational programs.

The issue of whether or not to establish two state agencies to administer vocational education programs and funds. One agency would handle vo-ed programs at the high school level, while the second would handle post-secondary programs.

The question of whether to consolidate a number of categorical programs authorized under present legislation.

The issue of whether to use federal funds for new and innovative programs—or whether to permit states to use federal funds for maintaining present programs.

PERKINS' ACT

The Vocational Act of 1963, which was authored by Cong. Perkins, has been amended several times—in 1968, 1972, 1974 and 1975. It basically provided legislation initiating vo-ed programs across the nation.

Perkins told the witnesses that the trend—especially in states with high levels of educational attainment—is toward emphasizing vocational education at the post-secondary level.

But, he said, if this were the practice in Kentucky, "where many students do not even finish high school, we could short change thousands and thousands of youngsters by setting aside more funds for post-secondary programs."

PESSIMISTIC VIEW

He warned that funding for vocational education may not "greatly increase for at least a year or two." Thus, putting more money behind post-secondary programs would necessarily mean less for secondary programs.

On the issue of separate agencies, Perkins noted that community and land-grant colleges have asked Congress to designate such separate agencies to administer the two programs.

OTHERS TESTIFYING

During the seven hours of testimony yesterday, the congressmen also heard from educators and vo-ed program administrators from Ohio and West Virginia.

Most of the testimony, however, came from Kentucky administrators, educators and others.

Dr. Adron Doran, president of Morehead State University, told the committee of vocational or career-oriented programs at MSU.

Other educators testifying included representatives from Pikeville College, the University of Kentucky and Eastern Kentucky University.

Many of the other witnesses came from the high unempolyment area of Eastern Kentucky—Perkins district including two school administrators and one teacher from Pike County.

Nearly every witness recommended that Congress appropriate additional money for vocational education at all levels.

This recommendation was received with some pessimism by Perkins, who warned that the current members of Congress might not be disposed to increase funding for vocational education programs.

The hearing was held on the University of Kentucky campus.

Perkins, a native of Hindman in Knott County, was presented the Distinguished Service Award from the Ohio State University National Research and Development Center for Vocational Education at a luncheon at UK yesterday.

The award was given the congressman for "outstanding national service to vocational education" as sponsor of "landmark federal legislation on vocational education."

The award was presented to Perkins, who has served in Congress since 1948, by Dr. Robert T. Taylor, director of the center.

[From the Lexington, Ky., Herald-Leader, Feb. 22, 1976]

VOCATIONAL FUNDING TOO LOW SAYS CARROLL

(By Dottie Bean)

Gov. Julian M. Carroll yesterday told a House subcommittee on Elementary, Secondary and Vocational Education that the major problem with federal vocational education legislation is "the lack of adequate and stable funding."

The governor was one of many witnesses who appeared before the subcommittee, chaired by Kentucky 7th District Congressman Carl Perkins, at a hearing at the University of Kentucky.

Commending Congress for enacting the Vocational Education Act of 1963, under which most vocational education programs were established, Carroll nonetheless noted:

"It should be recognized that state and local financial support for vocational education has increased to a much higher level than has federal support.

"In 1975, such support in Kentucky was almost six (6) times that of federal support. State and local financial support in Kentucky amounted to about $6 for each $1 of federal funds received."

In a prepared speech the governor advised the panel that new facilities, programs and services in vocational education are being added each year in Kentucky.

"In addition to some expansion of facilities and programs in the years ahead, we see our greatest challenge to be the improvement of quality in the instructional programs and essential supporting services.

"To accomplish these goals, there must be increased federal support and technical assistance."

As for state support, Carroll said, his executive budget for the 1976–78 biennium contains an appropriation of $70 million for vocational education.

These funds, he continued, are for strengthening vocational education and programs in Kentucky.

Concerning the proposed federal legislation, Carroll made six recommendations:

Increasing the annual appropriation authorized in vocational education legislation.

"I do not believe it unreasonable for the Congress to increase the authorization of appropriations for basic state grants for vocational education from the present level of approximately $565 million a year to at least $1.2 billion for fiscal year 1980 and for each succeeding fiscal year," he said.

Forward funding for annual appropriations.

"Generally, the federal appropriations have been granted to the states from four to 10 months after the beginning of the fiscal year in which they were expected to be expended. The Tydings Amendment, allowing two years to spend each years' appropriation, has provided a partial solution: But I would suggest that forward funding is a more logical solution."

More adequate provisions for direct financial aid to needy students.

"Present provisions for work-study programs to provide economic assistance should be continued, expanded and updated . . . In its present form, it is not adequate to meet the economic needs of many students."

Emphasis on occupational orientation and career guidance to help students make realistic career choices.

Funding of part E of the Vocational Education Amendments of 1968. Part E provides programs for disadvantaged youth and has never been funded.

A supplemental appropriation to cover costs during the transition of the beginning date for the fiscal year from July 1 to Oct. 1.

COAL MINE TRAINING NEEDED IN STATE

(By Dottie Bean)

The skill of coal mining in Kentucky was once passed from father to son, brother to brother.

When the coal market faltered, this natural training cycle was broken. Young men headed north to find job opportunities in the factories of more industrialized states.

The coal industry, once again prosperous in Kentucky, is asking for skilled labor to replace miners who will be leaving the coal labor forces through retirement.

Congressman Carl Perkins says he would like to see more programs established in the Kentucky coalfield areas to train replacements for those miners as well as supervisory and technical personnel for the mining industry.

The congressman warned yesterday that if Kentucky doesn't establish such programs, the industry will be bringing in skilled personnel from other states to fill the jobs.

GENTLE PRODDING

The longtime Democratic representative from Kentucky's 7th Congressional District, a staunch supporter of programs to uplift Eastern Kentucky, took the opportunity provided yesterday by a subcommittee hearing on vocational education in his home state to prod various state and local officials and educators in that direction.

Noting that yesterday was the first time he has publicly "sounded off" about such a program, Perkins urged vocational educators, administrators and representatives of the coal mining industry in Kentucky to "sit down together" and work out a cooperative program.

He suggested that coal companies might be willing to lend equipment—as well as skilled and experienced mine personnel—for the purpose of training young persons to be coal miners.

SUPPORTED PERKINS

Supporting Perkins' contentions were two representatives from different sides of the coal industry, George Evans Jr., vice president of National Mines Corp., a firm engaged in underground mining in Kentucky, and Squire Feltner, Pikeville, president of District No. 30 of the United Mine Workers of America.

Both told the subcommittee of the need for establishing training programs for young miners, especially in the area of safety.

Perkins also suggested that retired miners—if permitted to teach in such programs—would make excellent and experienced teachers.

Evans told subcommittee members that, of all factors on which increased coal production hinges, manpower is the most important.

He said that there are 199,000 persons employed today in various parts of the coal industry—169,000 laborers and 30,000 persons in management positions.

Evans cited the lack of continuity with which the younger miners will enter the coal industry and noted that mining schools were hard-hit when the industry suffered its down cycle.

UMW VIEW

Feltner emphasized the need for programs to train miners, not supervisors.

Their comments were later reinforced by Pike County schools' personnel, who noted that only 15 per cent of the students in Pike County currently go on to colleges and universities.

The local officials described difficulties they have had in getting approval to establish vocational programs relating to mine training.

They were followed by West Virginia school personnel, who described that state's comprehensive mine technology and mine training programs.

Perkins said later that he felt the mine program is important to Kentucky and that's why he had emphasized it during the hearing.

"Look at the West Virginia program," he said. "If West Virginia can have a program like that, there's no reason Kentucky can't (have such a program)."

The congressman said he felt the best way to establish such a program would be on a cooperative basis, with state officials, industry representatives, UMW representatives and others sitting down and working out the details.

Asked about funding for such a program, Perkins noted that Kentucky is currently receiving some $6 million in federal manpower funds, some of which could be diverted toward training miners.

Mr. ROYBAL. Mr. Chairman, I rise in support of H.R. 12835, the Vocational Education and National Institute of Education Amendments of 1976.

One of the primary functions of education is to provide students with the kinds of skills that will enable them to become productive members of society. The Department of Labor estimates that in the next decade, over 80 percent of all jobs will require some sort of vocational preparation. The era when a college education was a prerequisite to obtaining a good job is ending, and the educational system must change to deal with this new reality. The bill before us represents a rational, well-conceived plan toward providing greater vocational educational opportunities for more students.

H.R. 12835 should continue the progress that we have made under the 1963 authorization bill. For instance, today almost 47 percent of our high school students are in vocational programs, as compared to 24 percent in 1965. Now there are over 2,200 area schools offering vocational courses to almost 8.5 million students, as compared to 405 schools and 3 million students in 1965. The authorization levels contained in this bill will enable us to bring vocational education to millions more students. The bill would increase the authorization level from $720 million in fiscal year 1977 to $1.45 billion in fiscal year 1982. These levels should adequately meet our long-term needs.

The bill also continues and expands various administrative procedures begun in the earlier legislation. These procedures were specifically instituted to insure greater local input into the program and better coordination between State educational authorities and the Federal Government.

First, the States are required to provide better planning for the use of Federal funds. The State boards of vocational education will have to involve the State higher education and manpower agencies in writing their plans. The State boards will also have to explain exactly how they intend to use their funds and why they have decided on such a use of funds.

Second, the States will have to issue annual accountability reports showing the degree to which they have achieved their plans. These reports must show where the funds are being spent and how that funding is related to the need for jobs within the State.

Next, the Federal Government is required to provide better data to the States, showing present and future job demands. This will better enable the States to plan courses that are appropriate to student needs.

Also, within 3 years after a State has formulated its plan, it will be required to evaluate each local program within its jurisdiction that is being assisted with Federal funds. Each program imparting job skills will have to be evaluated in terms of the placement of its graduates and their employers' opinions of the training they have received.

Lastly, the bill will help stop sex stereotypes and sex discrimination by requiring that State vocational education programs be designed to eliminate these abuses.

Mr. Chairman, the purpose of this bill is to meet the critical vocational education needs of our students. The program is one that will grow increasingly important in the next decade. This bill takes an enlightened approach to current problems and establishes procedures which will lead to better administration in the future. Therefore, I urge all of my colleagues to support H.R. 12835.

Mr. QUIE. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

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

The CHAIRMAN. All time has expired.

Pursuant to the rule, the Clerk will now read by titles the committee amendment in the nature of a substitute recommended by the Committee on Education and Labor now printed in the reported bill as an original bill for the purpose of amendment.

The Clerk read as follows:

H.R. 12835

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 "Vocational Education and National Institute of Education Amendments of 1976".

TITLE I—VOCATIONAL EDUCATION

EXTENSIONS OF PROGRAMS

SEC. 101. (a)(1) Section 101 of the Vocational Education Act of 1963 is amended by inserting ", regardless of sex, race, religion, or national origin," immediately after "persons of all ages".

(2) Section 102(a) of the Vocational Education Act of 1963 is amended by striking out the first sentence and inserting in lieu thereof: "There are authorized to be appropriated $500,000,000 for each fiscal year for the purposes of carrying out parts B and C of this title.".

(b)(1) Section 102(b) of such Act is amended by striking out the first sentence and inserting in lieu thereof the following: "There are also authorized to be appropriated $30,000,000 for each fiscal year ending prior to October 1, 1977 for the purpose of section 122(a)(4)(A).".

(2) The first sentence of section 102(c) of the Vocational Education Act of 1963 is amended by inserting immediately after "1975," the following: and $40,000,000 for the fiscal year ending September 30, 1977,".

(c) Section 103(d)(2) is amended by striking out the first sentence and inserting in lieu thereof the following: "The allotment ratios shall be promulgated by the Commissioner for each fiscal year between October 1 and December 31 of the preceding fiscal year.".

(d) Section 104(a)(4) of such Act is amended by striking out "five" and inserting in lieu thereof "seven".

(e) Section 104(a)(5) of such Act is amended by striking out "July 1, 1976" and inserting in lieu thereof "October 1, 1977".

(f) Section 142(a) of such Act is amended by striking out "and" after "1970,", by striking out "five" and inserting in lieu thereof, "six", and by inserting immediately after "succeeding fiscal years" the following: ", and $20,000,000 for the fiscal year ending September 30, 1977".

(g)(1) Section 151(b) of such Act is amended by striking out "July 1, 1975" and inserting in lieu thereof "October 1, 1976".

(2) Section 152(a)(1) of such Act is amended by striking out "July 1, 1975," and inserting in lieu thereof "October 1, 1976".

(3) Section 153(d)(2) of such Act is amended by striking out that part thereof which follows "not exceed $5,000,000" and inserting in lieu thereof the following: "for fiscal year 1976.".

(h)(1) The first sentence of section 161(a)(1) of such Act is amended by striking out "and" after "$35,000,000", by striking out "July 1, 1975" and inserting in lieu thereof "October 1, 1976", and by inserting immediately after "$50,000,000," the following: "and for the fiscal year ending September 30, 1977, $45,000,000,".

(2) The first sentence of section 161(c) of such Act is amended by striking out "five" and inserting in lieu thereof "seven".

(i) Section 172(a) of such Act is amended by striking out "and" after "$50,000,000,", by striking out "July 1, 1975" and inserting in lieu thereof "October 1, 1976", and by inserting immediately after "$75,000,000," the following: "and for the fiscal year ending September 30, 1977, $25,000,000,".

(j) Section 181(a) of such Act is amended by striking out "July 1, 1975," and inserting

in lieu thereof "October 1, 1976, and $15,000,000 for the fiscal year ending September 30, 1977, for".

(k) Section 189(b) of such Act is amended by striking out "and" after "1969,", by striking out "July 1, 1975," and inserting in lieu thereof "October 1, 1976, and $5,000,000 for the fiscal year ending September 30, 1977,".

(l) Section 193 of such Act is amended by striking out "for the fiscal year ending June 30, 1975" and inserting in lieu thereof "for each of the fiscal years ending prior to October 1, 1976, and $10,000,000 for the fiscal year ending September 30, 1977,".

(m) Part F of title V of the Higher Education Act of 1965 is amended by adding at the end thereof a new section to read as follows:

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 555. There are authorized to be appropriated for the purposes of carrying out this part $25,000,000 for each of the fiscal years ending prior to October 1, 1977.".

ALLOTMENTS

SEC. 102. (a) The Vocational Education Act of 1963 is amended by striking out section 102, and by redesignating section 103 (and any cross-reference thereto) as section 102.

(b) Section 102(a)(1) (as redesignated by subsection (a) of this section) of such Act is amended to read as follows:

"SEC. 102. (a)(1)(A) From the sums appropriated pursuant to section 131, the Commissioner shall first reserve an amount equal to 5 per centum of such sums. From the amount so reserved, the Commissioner shall transfer an amount not to be less than $3,000,000 but not to exceed $5,000,000 in any fiscal year to the National Occupational Information Coordinating Committee established pursuant to section 125, and the remainder of the amount so reserved shall be used by the Commissioner for contracts of national significance under part E.

"(B)(i) From the sums appropriated pursuant to section 131, the Commissioner is authorized to reserve for purposes of this subparagraph an amount approximately equivalent to the same percentage of that appropriation as the population aged fifteen to twenty-four, inclusive, which is eligible to receive educational benefits as Indians from the Bureau of Indian Affairs is to the total population of all the States aged fifteen to twenty-four, inclusive, except that such amount shall not exceed 1 per centum of such appropriation.

"(ii) For purposes of this subparagraph, the term 'Act of April 16, 1934' means the Act entitled 'An Act authorizing the Secretary of the Interior to arrange with States or territories for the education, medical attention, relief of distress, and social welfare of Indians, and for other purposes, enacted April 16, 1934 (48 Stat. 596; 25 U.S.C. 452–457).

"(iii) The Commissioner is directed, upon the request of any Indian tribe which has contracted with the Secretary of the Interior for the administration of programs under the Indian Self-Determination Act or under the Act of April 16, 1934, to enter into a contract or contracts with any tribal organization of any such Indian tribe to plan, conduct, and administer programs, or portions thereof, which are authorized by and consistent with the purposes of this title, except that such contracts shall be subject to the terms and conditions of section 102 of the Indian Self-Determination Act and shall be conducted in accordance with provisions of sections 4, 5, and 6 of the Act of April 16, 1934 which are relevant to the programs administered under this sentence. From any remaining funds reserved pursuant to division (i) of this subparagraph (B) the Commissioner is authorized to enter into an agreement with the Commissioner of the Bureau of Indian Affairs for the operation of vocational education programs authorized by this title in institutions serving Indians described in division (i) of this subparagraph (B), and the Secretary of the Interior is authorized to receive these funds for that purpose. For the purposes of this title, the Bureau of Indian Affairs shall be deemed a State board; and all the provisions of this title shall be applicable to the Bureau as if it were a State board.".

(c)(1) Section 102(a)(2) (as redesignated by subsection (a) of this section) of such Act is amended by striking out "section 102 (a) and all of the sums appropriated pursuant to section 102(b)" and by inserting in lieu thereof "section 131 and all of the sums appropriated pursuant to sections 121 and 141, except for those funds reserved to the Commissioner pursuant to section 141,".

(2) Section 102(b) (as redesignated by subsection (a) of this section) of such Act is amended by striking out "$10,000" and inserting in lieu thereof "$200,000 for section 131".

(3) The first sentence of section 102(c) (as redesignated by subsection (a) of this section) of such Act is amended by striking out all that appears after "other States" and inserting a period in lieu thereof.

(4) Section 102 (as redesignated by subsection (a) of this section) of such Act is amended by adding at the end thereof a new subsection to read as follows:

"(e) The total allotments to a State under this section from appropriations provided under sections 121, 131 and 141 for any fiscal year shall not be less than the total amount of payments made to the State under allotments determined under this title for the fiscal year ending June 30, 1976.".

STATE ADMINISTRATION

SEC. 103. The Vocational Education Act of 1963 is amended by inserting immediately before section 104 the following new section:

"STATE ADMINISTRATION

"SEC. 103. (a) Any State desiring to participate in the programs authorized by this Act shall, consistent with State law, designate or establish a State board or agency (hereinafter referred to as the 'State board') which shall be the sole State agency responsible for the administration, or for the supervision of the administration, of such programs. The responsibilities of the State board shall include—

"(1) the development of policy with respect to such programs;

"(2) the development and submission to the Commissioner of the three-year State plan required by section 122 and of the annual accountability report required by section 123; and

"(3) the consultation with the State advisory council on vocational education and other appropriate State agencies and councils involved in the planning and reporting as required by sections 122 and 123.

Except with respect to those functions set forth in the preceding sentence, the State board may delegate any of its other responsibilities involving administration, operation, or supervision, in whole or in part, to one or more appropriate State agencies.

"(b) Each State board shall certify to the Commissioner, as part of its annual accountability report submitted pursuant to section 123, any delegation of its responsibilities for administration, operation, or supervision of vocational education programs under this Act to other appropriate State agencies, setting forth the specific responsibility delegated and the specific agency involved.".

FEDERAL ADMINISTRATION

SEC. 104. (a) The section heading of section 1071 of the Higher Education Act of 1965 is amended to read as follows: "FEDERAL ADMINISTRATION".

(b) Section 1071(a) of such Act is amended to read as follows:

SEC. 1071. (a) There is hereby established in the United States Office of Education a Bureau of Occupational and Adult Education hereinafter referred to as the 'Bureau', which shall be responsible for (1) the administration of all the programs authorized by the Vocational Education Act of 1963 and the Adult Education Act, (2) functions of the Office of Education relating to manpower training and development, (3) functions of that Office relating to postsecondary vocational, technical, and occupational training funded under this Act, (4) the administration of any other Act of Congress vesting authority in the Commissioner for vocational, occupational, and adult education, and (5) the administration of those portions of any Act of Congress relating to career education which are relevant to the purposes of other Acts of Congress administered by the Bureau.".

(c) Section 1071(b)(2)(C) of such Act is amended by striking out "implementation of this title" and by inserting in lieu thereof "administration of the programs in the Bureau".

(d)(1) Section 1071(b) of such Act is amended by adding at the end thereof the following new paragraph:

"(3) The Commissioner shall assign to the Bureau, beginning in fiscal year 1977, at least as many persons to directly administer the programs authorized under the Vocational Education Act of 1963 as were assigned to directly administer that Act during fiscal year 1967.".

(2) Section 1071 of such Act is amended by adding at the end thereof the following new subsection:

"(c) The Bureau shall conduct, during the period beginning October 1, 1977, and ending September 30, 1981, a comprehensive review analyzing the strengths and weaknesses of the programs assisted with funds available under the Vocational Education Act of 1963 within each State receiving assistance under that Act. The Department of Health, Education, and Welfare, during the same period, shall conduct a comprehensive fiscal audit of such programs, within each such State. The conclusions reached through these reviews and audits shall be shared with the States in the reports the Commissioner is required to submit to the States analyzing their annual accountability reports as required by section 123.".

(e) Section 104 of the Vocational Education Act of 1963 (and any cross reference thereto) is redesignated as section 105, and section 1071 of the Higher Education Act of 1965, as amended by this section, is hereby transferred to the Vocational Education Act of 1963 to appear as section 104.

ADVISORY COUNCILS

SEC. 105. (a)(1) Section 105(a)(1)(A) (as redesignated by section 104 of this Act) of the Vocational Education Act of 1963 is amended by striking out all that appears after "management," and section 105(a)(1)(B) (as redesignated by section 104 of this Act) of such Act is amended to read as follows:

"(B) representing the National Commission for Manpower Policy created pursuant to title V of the Comprehensive Employment and Training Act of 1973,".

(2) Section 105(a)(1) (as redesignated by section 104 of this Act) of such act is amended by striking out "and" after clause (F), by redesignating clause (G) (and any cross reference thereto) as clause (J), by striking out "(F)" in such clause (J) (as so redesignated) and inserting "(I)" in lieu thereof, and by inserting immediately after clause (F) the following new clauses:

"(G) knowledgeable in the field of guidance and counseling,

"(H) representing of nonprofit private schools,

"(I) who are women with backgrounds and

experiences in employment and training programs and who are knowledgeable with respect to problems of sex discrimination in job training and in employment, including women who are members of minority groups and who have, in addition to such backgrounds and experiences, special knowledge of the problems of discrimination in job training and employment against women who are members of such groups, and".

(b) The last sentence of section 105(a)(1) (as redesignated by section 104 of this Act) of such Act is amended to read as follows: "The National Council shall have as a majority of its members persons who are not educators or administrators in the field of education. The National Council shall meet at the call of the Chairperson, who shall be selected by the President, but not less than four times a year.".

(c) Section 105(a)(2) (as redesignated by section 104 of this Act) of such Act is amended by striking out "and under part B of title X of the Higher Education Act of 1965" wherever it appears, by striking out "and" after clause (B), by redesignating clause (C) (and any cross reference thereto) as clause (E), and by inserting immediately after clause (B) the following new clauses:

"(C) provide technical assistance and leadership to the State advisory councils established pursuant to this section in order to assist them in carrying out their responsibilities under this Act;

"(D)(i) identify, after consultation with the National Commission for Manpower Policy, the vocational education and employment and training needs of the Nation and assess the extent to which vocational education, employment training, vocational rehabilitation, and other programs under this and related Acts represent a consistent, integrated, and coordinated approach to meeting such needs; and

"(ii) comment, at least once annually, on the reports of the National Commission, which comments shall be included in one of the reports submitted by the National Advisory Council pursuant to this section and in one of the reports submitted by the National Commission pursuant to section 505 of the Comprehensive Employment and Training Act of 1973; and".

(d) Section 105(a)(4) (as redesignated by section 104 of this Act) of such Act is amended to read as follows:

"(4) There are authorized to be appropriated $450,000 for the fiscal year ending September 30, 1978, $475,000 for the fiscal year ending September 30, 1979, and $500,000 for each of the fiscal years ending prior to September 30, 1981, for the purposes of this paragraph. The Council is authorized to use the funds appropriated pursuant to the preceding sentence to carry out its functions as set forth in this section and to engage such technical assistance as may be required to assist it in performing these functions.".

(e) Section 105(a)(5) (as redesignated by section 104 of this Act) of such Act is amended by striking out "July 1, 1976" and inserting in lieu thereof "September 30, 1982".

(f) Section 105(a) (as redesignated by section 104 of this Act) of such Act is amended by adding at the end thereof the following new paragraph:

"(6) The National Council may accept gifts, and may accept transfers of funds from other departments or agencies, if the receipt of such gifts and transfers will better enable the National Council to carry out the functions described in paragraph (2) of subsection (a) of this section.".

(g)(1) Section 502(a) of the Comprehensive Employment and Training Act of 1973 is amended by striking out "eleven members" in paragraph (2) and inserting in lieu thereof "ten members", by redesignating such paragraph (2) (and any cross reference thereto) as paragraph (3), and by inserting immediately after paragraph (1) the following new paragraph:

"(2) a representative of the National Advisory Council on Vocational Education created pursuant to section 105 of the Vocational Education Act of 1963; and".

(2) Section 503 of the Comprehensive Employment and Training Act of 1973 is amended by striking out "and" after paragraph (4), redesignating paragraph (5) (and any cross reference thereto) as paragraph (6), and by inserting immediately after paragraph (4) the following new paragraph:

"(5)(i) identify, after consultation with the National Advisory Council on Vocational Education, the employment and training and vocational education needs of the Nation and assess the extent to which employment training, vocational education, vocational rehabilitation, and other programs assisted under this and related Acts represent a consistent, integrated, and coordinated approach to meeting such needs; and (ii) comment, at least once annually, on the reports of the National Advisory Council on Vocational Education, which comments shall be included in one of the reports submitted by the National Commission pursuant to this section and in one of the reports submitted by the National Advisory Council on Vocational Education pursuant to section 105 of the Vocational Education Act of 1963; and".

(h)(1) Section 105(b)(1) (as redesignated by section 5 of this Act) of the Vocational Education Act of 1963 is amended by striking out "and which shall" and inserting in lieu thereof the following: "for terms of three years, except that (A) in the case of the members appointed for fiscal year 1978, one-third of the membership shall be appointed for terms of one year each and one-third shall be appointed for terms of two years each, and (B) appointments to fill vacancies shall be for such terms as remain unexpired. The Council shall have as a majority of its members persons who are not educators or administrators in the field of education and shall".

(2) Section 105(b)(1)(A)(vi) (as redesignated by section 104 of this Act) of such Act is amended to read as follows:

"(vi) a representative of the State Manpower Services Council established pursuant to section 107 of the Comprehensive Employment and Training Act of 1973,".

(3) Section 105(b)(1)(A) (as redesignated by section 104 of this Act) of such Act is amended by striking out "and" after subclause (viii), by redesignating subclause (ix) (and any cross reference thereto) as subclause (xiii), and by inserting immediately after subclause (viii) the following new subclauses:

"(ix) knowledgeable in the field of guidance and counseling,

"(x) representing of nonprofit private schools,

"(xi) who are women with backgrounds and experiences in employment and training programs and who are knowledgeable with respect to problems of sex discrimination in job training and employment, including women who are members of minority groups and who have, in addition to such backgrounds and experiences, special knowledge of the problems of discrimination in job training and employment against women who are members of such groups,

"(xii) who is a vocational education teacher presently teaching in a local educational agency, and"

(4)(A) Section 105(b)(1)(A)(iii) (as redesignated by section 104 of this Act) of such Act is amended to read as follows:

"(iii) who is currently serving as a superintendent or other administrator of a local educational agency."

(B) Section 105(b)(1)(A)(v) (as redesignated by section 104 of this Act) of such Act is amended to read as follows:

"(v) who is currently serving on a local school board,"

(i)(1) Section 105 (b)(1)(B) (as redesignated by section 104 of this Act) of such Act is amended by inserting "and of the annual accountability report" immediately before "submitted", and by striking out everything after "this title" and before the semicolon.

(2) Section 105(b)(1) (as redesignated by section 104 of this Act) of such Act is further amended by redesignating clause (D) (and any cross reference thereto) as clause (F), by striking out "and" after clause (C), and by inserting immediately after clause (C) the following:

"(D) assist the State board, local educational agencies, and other public agencies, in establishing, and working with, local advisory councils which are broadly representative of the community, including business and labor, and which serve for program areas schools, communities, or regions;

"(E)(i) identify, after consultation with the State Manpower Services Council, the vocational education and employment and training needs of the State and assess the extent to which vocational education, employment training, vocational rehabilitation, and other programs assisted under this and related Acts represent a consistent, integrated, and coordinated approach to meeting such needs; and (ii) comment, at least once annually, on the reports of the State Manpower Services Council, which comments shall be included in the annual report submitted by the advisory council pursuant to this section and in the annual report submitted by the State council pursuant to section 107 of the Comprehensive Employment and Training Act of 1973; and".

(3) Section 105(b)(1)(F) (as redesignated by section 104 of this Act and paragraph (2) of this subsection) of such Act is amended by striking out "program plan provided for in paragraphs (4) and (5) of section 123(a)" and inserting in lieu thereof the following: "accountability report required by part B, including a consideration of the program evaluation reports developed by the State board pursuant to section 124 and of the analysis of the distribution of Federal funds within the State submitted by the State board pursuant to section 123".

(j) Section 105(b) (as redesignated by section 104 of this Act) of such Act is amended by striking out "ending after June 30, 1969," in paragraph (2), by striking out "chairman" in paragraph (3) and inserting in lieu thereof "Chairperson", by inserting "as well as council operating procedures and staffing," immediately after "meeting" the first time that term appears in paragraph (3), and by inserting immediately before the period at the end of paragraph (4) the following: ", independent of programmatic and administrative control by other State boards or agencies".

(k) Section 105 (as redesignated by section 104 of this Act) of such Act is amended by striking out subsection (c), and by redesignating subsection (d) (and any cross reference thereto) as subsection (c) and amending such subsection to read as follows:

"(c)(1) There are hereby authorized to be appropriated $8,000,000 for fiscal year 1978, $8,500,000 for fiscal year 1979, $9,000,000 for fiscal year 1980, and $10,000,000 for fiscal year 1981 for the purpose of making grants to State advisory councils to carry out the functions specified in this section. From the sums appropriated pursuant to this subsection, the Commissioner shall, subject to the provisions of the following sentence, pay to each State advisory council an amount equal to the reasonable amounts expended by it in carrying out its functions under this title in such fiscal year, except that no State advisory council shall receive an amount to exceed $300,000 or an amount less than $100,000. In the case of Guam, American Samoa, and the Trust Territory of the Pacific

Islands, the Commissioner may pay the State advisory council in each such jurisdiction an amount less than the minimum specified in the preceding sentence if he or she determines that the council can perform its functions with a lesser amount.

"(2) The expenditure of these funds is to be determined solely by the State advisory council for carrying out its functions under this title, and may not be diverted or reprogramed for any other purpose by any State board or agency. Each council shall designate an appropriate State agency to act as its fiscal agent for purposes of disbursement, accounting, and auditing."

(l) Section 105 (as redesignated by section 104 of this Act) of such Act is amended by striking out "representative of" wherever that term occurs and inserting in lieu thereof "representing".

(m) (1) Section 107(a) (2) (A) of the Comprehensive Employment and Training Act of 1973 is amended by redesignating clauses (iii) through (vii) (and any cross references thereto) as clauses (iv) through (viii) respectively, and by inserting immediately after clause (ii) the following new clause:

"(iii) one representative of the State Advisory Council on Vocational Education created pursuant to section 105 of the Vocational Education Act of 1963;".

(2) Section 107(b) of the Comprehensive Employment and Training Act of 1973 is amended by adding at the end thereof a new paragraph (4) to read as follows:

"(4) (i) identify, after consultation with the State Advisory Council on Vocational Education, the employment and training and vocational education needs of the State and assess the extent to which employment training, vocational rehabilitation, and other programs assisted under this and related Acts represent a consistent, integrated, and coordinated approach to meeting such needs; and (ii) comment at least once annually, on the reports of the State Advisory Council on Vocational Education which comments shall be included in the annual report submitted by the Council pursuant to this section and in the annual report submitted by the State advisory council pursuant to section 105 of the Vocational Education Act of 1963.".

GENERAL APPLICATION

SEC. 106. (a) The Vocational Education Act of 1963 is amended by inserting immediately after section 105 (as redesignated by section 104 of this Act) the following new section:

"GENERAL APPLICATION

"SEC. 106. (a) Any State desiring to receive the amount for which it is eligible for any fiscal year pursuant to this Act shall, through its State board, submit to, and maintain on file with, the Commissioner a general application providing assurances that—

"(1) the State will provide for such methods of administration as are necessary for the proper and efficient administration of the Act and as are consistent with the requirements of section 103;

"(2) the State board will cooperate with the State advisory council on vocational educational education in carrying out its duties pursuant to section 105 and with the agencies and council specified in sections 122 and 123 to be involved in the formulation of the State plan and of the annual accountability reports;

"(3) (A) Federal funds made available under this Act will be so used as to supplement, and to the extent practicable, increase the amount of State and local funds that would in the absence of such Federal funds be made available for the uses specified in the Act, and in no case supplant such State or local funds; and

"(B) in the case of local educational agencies or other public agencies receiving funds under this Act, the combined fiscal effort per student of that agency and that State with respect to the provision of vocational education by that agency for the preceding fiscal year was not less than such combined effort for that purpose for the second preceding fiscal year, or, in the case of a State, the fiscal effort of that State for vocational education per student for the preceding fiscal year was not less than such fiscal effort for the second preceding fiscal year;

"(4) the State will make provision for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of, and accounting for, Federal funds paid to the State (including such funds paid by the State to local educational agencies and other public agencies under the Act);

"(5) the State will base the distribution of funds available under this Act on economic, social, and demographic factors relating to the need for vocational education among the various populations and the various areas of the State, except that—

"(A) the State will use as the two most important factors in determining this distribution (i) in the case of local educational agencies, the relative financial ability of such agencies to provide the resources necessary to meet the need for vocational education in the areas they serve and the relative number or concentration of low-income families or individuals within such agencies, and (ii) in the case of other public agencies, the relative financial ability of such agencies to provide the resources necessary to initiate or maintain vocational education programs to meet the needs of their students and the relative number or concentration of students whom they serve whose education imposes higher than average costs, such as handicapped students, students from low-income families, and students from families in which English is not the dominant language; and

"(B) will not (i) allocate such funds among agencies within the State on a uniform basis of matching of these funds by such agencies with their own funds without taking into consideration the resources of these agencies, or (ii) deny funds to any agency which is making a reasonable tax effort solely because such agency is unable to pay the non-Federal share of the cost of new programs;

"(6) every application from local educational agencies or other public agencies (A) has been developed in consultation with any local advisory council which has been established to assist such agency and (B) has been developed after taking into consideration the findings of any evaluations conducted by the State of any of the programs operated by such agency during previous years;

"(7) the State will comply with any requests of the Commissioner for the submission of such reports as he or she may reasonably require in carrying out his or her functions;

"(8) the State has instituted policies and procedures to insure that copies of the State plan and all statements of general policies, rules, regulations, and procedures issued by the State board concerning the administration of such plan will be made reasonably available to the public; and

"(9) the funds used for purposes of section 132(a) (4) (B) are consistent with the State plan submitted pursuant to section 613(a) of the Education of the Handicapped Act.

"(b) The general application submitted by the State board pursuant to this section shall be considered to be the general application required to be submitted by the State for funds received under the Vocational Education Act of 1963 under the provisions of subsection (b) of section 434 of the General Education Provisions Act.".

(b) Section 107 of such Act is repealed.

DEFINITIONS

SEC. 107. (a) Section 108 of the Vocational Education Act of 1963 (and any cross references thereto) is redesignated as section 107.

(b) Paragraph (1) of such section 107 (as so redesignated) is amended to read as follows:

"(1) The term 'vocational education' means vocational, technical, or occupational training or retraining which is provided in public or private secondary or postsecondary institutions or classrooms, at the worksite, or under other innovative arrangements (including field, laboratory work, and remedial or related academic instruction incident thereto) under public supervision and control or under contract with a State board, local educational agency, or other public agency, and which is designed (A) to prepare individuals at the secondary or postsecondary level for gainful employment as semiskilled or skilled workers, or as technicians or subprofessionals, or (B) to increase the occupational proficiency of individuals, or (C) to prepare individuals for enrollment in advanced specialized vocational or technical education programs, except those programs which require a baccalaureate or higher degree; and, for purposes of this paragraph, the term 'training or retraining' means only (A) instruction related to the occupation or occupations for which the students are in training or instruction necessary for sudents to benefit from such training, and (B) the acquisition, maintenance, and repair of instructional supplies, teaching aids and equipment; and the term 'vocational education' does not mean the construction, acquisition or initial equipment of buildings or the acquisition or rental of land.".

(c) Paragraph (2) of such section 107 (as so redesignated) is amended by striking out "under the supervision of the State board" in clause (D) and inserting in lieu thereof "operating under the policies of the State board".

(d) Paragraph (14) of such section 107 (as so redesignated) is amended to read as follows:

"(14) The term 'industrial arts education programs' means those education programs (A) which pertain to the body of related subject matter, or related courses, organized for the development of understanding about all aspects of industry and technology, including learning experiences involving activities such as experimenting, designating, constructing, evaluating, and using tools, machines, materials, and processes and (B) which assist individuals in the making of informed and meaningful occupational choices or which prepare them for entry into advanced trade and industrial or technical education programs.".

(e) Such section 107 (as so redesignated) is amended by adding at the end thereof the following new paragraphs:

"(16) The term 'disadvantaged' means persons (other than handicapped persons as defined in this section) determined to be economically or educationally disadvantaged under criteria developed by the Commissioner based on objective standards and the most recent available data.

"(17) The term 'low-income family or individual' means such families or individuals who are determined to be low-income according to the latest available data from the Department of Commerce.

"(18) The term 'cooperative education' means a program of vocational education for persons who, through written cooperative arrangements between the school and employers, receive instruction, including required academic courses and related vocational instruction by alternation of study in school with a job in any occupational field, but these two experiences must be planned and supervised by the school and employers so that each contributes to the student's education and to his or her employability. Work periods and school attendance may be on alternate half days, full days, weeks, or other periods of time in fulfilling the cooperative program.

"(19) The term 'curriculum material'

means materials consisting of a series of courses to cover instruction in any occupational field which are designed to prepare persons for employment at the entry level or to upgrade occupational competencies of those previously or presently employed in any occupational field.

"(20) For the purposes of section 134(a)(6), the term 'administration' means activities of a State necessary for the proper and efficient performance of its duties under this title, including supervision, but not including ancillary services such as teacher training, curriculum development, and research."

PLANNING, REPORTS, AND EVALUATIONS

SEC. 108. (a) Any State desiring to receive funds under the Vocational Education Act of 1963 shall submit to the Commissioner of Education during the fiscal year ending September 30, 1977, a State plan for vocational education for the three fiscal years succeeding such fiscal year, which shall be formulated in accordance with the requirements for formulating such a plan to be submitted to the Commissioner during fiscal year 1980 under section 122 (as such section will be in effect on October 1, 1977) of the Vocational Education Act of 1963. There are authorized to be appropriated, to be available to States to prepare the State plans under this subsection not to exceed $25,000,000 for the fiscal year beginning October 1, 1976. Any funds appropriated under the preceding sentence shall be made available to the States in accordance with the method of allocation provided in section 103 of the Act, and the Commissioner is authorized to pay each State from its allotment an amount equal to the amount expended by the State in formulating this plan.

(b) The center heading and sections 121 through 124 of part B of the Vocational Education Act of 1963 are amended to read as follows:

"PART B—PLANNING, REPORTS, AND EVALUATIONS

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 121. (a) There are authorized to be appropriated $25,000,000 for the fiscal year beginning October 1, 1977, and for each of the three succeeding fiscal years for the purposes described in subsection (b).

"(b) The funds appropriated under subsection (a) shall be available to the States for—

"(1) preparing the three-year plan required under section 122;

"(2) updating the plan required under section 108(a) of the Vocational Education and National Institute of Education Amendments of 1976 and the plan required under section 122 of this title, if necessary, during the other fiscal years;

"(3) preparing the annual accountability report, including the collection of necessary data, required to be submitted under section 123; and

"(4) conducting the evaluations required by section 124.

"STATE PLANS

"SEC. 122. (a)(1) Any State desiring to receive funds under this title shall submit to the Commissioner, during fiscal year 1980, a State plan for vocational education for the three fiscal years succeeding such fiscal year. In formulating this plan, the State board shall involve the active participation of—

"(A) the State agency, if any, having responsibility for community and junior colleges;

"(B) the State agency, if any, having responsibility for higher education institutions or programs;

"(C) the State agency, if separate from the State board, having responsibility for public elementary and secondary programs;

"(D) the State agency, if any, having responsibility for postsecondary occupational education programs;

"(E) the State agency or commission responsible for comprehensive planning in postsecondary education, which planning reflects programs offered by public, private nonprofit and proprietary institutions, and includes occupational programs at a less-than-baccalaureate degree level;

"(F) the State Manpower Services Council appointed pursuant to section 107 of the Comprehensive Employment and Training Act of 1973; and

"(G) the State advisory council and vocational education.

This participation shall include at least one meeting during the planning year between representatives of the State board and representatives of all these agencies and councils, meeting as a group. If these agencies and councils and the State board are not able to agree upon the provisions of the State plan, the State board shall have the responsibility for reaching a final decision on those provisions. Any agency or council described above which is dissatisfied with any final decision of the State board may appeal the board's decision to the Commissioner. In such a case the Commissioner shall afford such agency or council and the State board reasonable notice and opportunity for a hearing and shall determine whether the State board's decision is supported by substantial evidence as shown in the State plan. Any agency or State board dissatisfied with a final action of the Commissioner under this subsection may appeal to the United States Court of Appeals for the circuit in which the State is located in accordance with the procedure specified in section 434(d)(2) of the General Education Provisions Act.

"(2) The State board shall, during the years in which it formulates those plans, conduct a series of public hearings, after giving sufficient public notice, throughout all regions of the State in order to permit all segments of the population to give their views on the objectives which ought to be adopted in the State plan, including the courses to be offered, the allocations of responsibility for these courses among the various levels of education and among the various institutions of the States, and the allocations of local, State, and Federal resources to meet those objectives.

"(b) The three-year State plans shall be submitted to the Commissioner by the July 1st preceding the beginning of the first fiscal year for which such plan is to take effect and shall—

"(1) assess the present and future needs for job skills within the State and, where appropriate, within the pertinent region of the country through consideration of the latest available data of present and projected employment, including the data available under section 125;

"(2) set out explicitly the objectives the State will seek to achieve by the end of the three-year period of the State plan in meeting the need for particular job skills identified through the assessment undertaken in accordance with paragraph (1), including (A) a description of these objectives in terms of—

"(i) the courses and other training opportunities to be offered to achieve those skills,

"(ii) the projected enrollments of those courses and other training opportunities,

"(iii) the allocations of responsibility for the offering of those courses among the various levels of education and among the various institutions of the State, and

"(iv) the allocations of all local, State, and Federal financial resources available in the State among these courses and training opportunities, levels of education, and institutions within the State, and (B) the reasons for choosing these courses and training opportunities, enrollments, allocations of responsibilities, and allocations of resources;

"(3) set out explicitly the means by which the State will seek every year to achieve these objectives, including (A) a description of these means in terms of the elements listed in clauses (2)(A)(i) through (2)(A)(iv) above, and (B) the reasons for choosing those particular means: *Provided, however,* That the State will continue to use approximately the same amount of its State grant for programs in secondary schools during fiscal years 1978 and 1979 as it had used during fiscal years 1975 and 1976 unless the State is able to demonstrate in its plan the need to shift funds from such use;

"(4) set out explicitly the uses which the State intends to make of the funds available to it under this title, as those uses are set out in section 132(a), and set out the reasons for choosing such uses; and

"(5)(A) set forth policies and procedures which the State will follow so as to assure equal access to vocational education programs by both women and men including—

"(i) a detailed description of such policies and procedures,

"(ii) actions to be taken to overcome sex discrimination and sex stereotyping in all State and local vocational education programs, and

"(iii) incentives, to be provided to local educational agencies and other public agencies, so that such agencies will—

"(I) encourage the enrollment of both women and men in nontraditional courses of study, and

"(II) develop model programs to reduce sex stereotyping in all occupations; and

"(B) set forth a program to assess and meet the needs of persons described in section 132(a)(13) which shall provide for (i) special courses for such persons in learning how to seek employment, and (ii) placement services for graduates of vocational education programs and courses under section 132(a)(13).

"(c)(1) The Commissioner shall not approve a State plan under this section until he or she has made specific findings as to the compliance of such plan with the requirements of this section and he or she is satisfied that adequate procedures are set forth to insure that the assurances of the general application and the provisions of the State plan will be carried out.

"(2)(A) The Commissioner may not finally disapprove any plan submitted under this section, or any modification thereof submitted under section 123, without first affording the State board submitting the plan reasonable notice and opportunity for a hearing.

"(B)(i) Whenever the Commissioner, after such notice and hearing, finds that the State plan has been so changed that it no longer complies with the provisions of this section or that in the administration of the plan there is a failure to comply substantially with any such provision, the Commissioner shall notify such State board that no further payments will be made to the State under this title until he or she is satisfied that there will no longer be any failure to comply. Until he or she is so satisfied, the Commissioner shall make no further payments to such State under this title.

"(ii) A State board which is dissatisfied with a final action of the Commissioner under this subsection may appeal to the United States Court of Appeals for the circuit in which the State is located in accordance with the procedure specified in section 434(d)(2) of the General Education Provisions Act.

"ANNUAL ACCOUNTABILITY REPORTS

"SEC. 123. (a)(1) Each State participating in programs authorized under this title for any fiscal year shall submit to the Commissioner by January 1 a report for the preceding fiscal year which shall be prepared with the participation of the agencies listed in section 122(a)(1), including the State advisory council, and which shall—

"(A) include any updating of the State

plan deemed necessary in light of later or more accurate employment data or in light of a different level of funding than was anticipated;

"(B) show exactly the extent to which the State during that year has achieved the objectives of the State plan and the degree to which the means proposed to be used during that year have been used, including a description of these objectives and means in terms of the elements listed in clauses (2)(A)(i) through (2)(A)(iv) of section 122(b);

"(C) show exactly how State and local funds have been used to achieve the objectives of the State plan for that year and show exactly how the funds made available under this title have been used to achieve those objectives, including a description of the distribution of these funds among local educational agencies and other public agencies within the State in conformance with the requirement contained in section 106(a)(5)(A);

"(D) show exactly the distribution of funds made available under this title among the authorized uses of funds set out in section 132(a), the reasons for choosing such uses, and the results achieved during the year with these funds in terms of the objectives set out in the State plan, including a description of how the State during that year has met the need for upgrading teaching competencies and occupational skills of teachers and related classroom coordinators, supervisors, and counselors as authorized by section 134(a)(4), and a description of how the State during that year has met the needs of persons described in section 132(a)(13) by providing special courses for such persons and placement services for graduates of such courses; and

"(E) contain a summary of the evaluations of programs required to be conducted by section 124 and a description of how the information from these evaluations have been, or are being, used by the State board to improve its programs.

"(2) Each State in compiling the reports required to be submitted under this section shall make the data which it submits comply with the nationally uniform definitions and information elements which are developed pursuant to section 125.

"(b)(1) The Commissioner shall approve the State's annual accountability report by March 1 of the year in which it is submitted if he or she finds that it fulfills the requirements of this title.

"(2) The Commissioner shall also by March 1 transmit to the State board an analysis of the State's report which shall include suggestions for improvements in the State's programs and any findings contained in program or fiscal audits conducted by the Office of Education or the Department of Health, Education, and Welfare within that State during the previous fiscal year, including the audits required to be conducted by section 104.

"EVALUATIONS

"SEC. 124. (a) Each State receiving funds under this title shall evaluate, during the three-year period of the State plan, the effectiveness of each program within the State being assisted with these funds. The results of these evaluations shall be used to revise the State's programs, and these results and revisions shall be included in the annual report required to be submitted by section 123. These reports shall also be made readily available to the State advisory council.

"(b)(1) Each program within a State which purports to impart entry-level job skills shall be evaluated by using data collected, wherever possible, by statistically valid sampling techniques according to the extent to which program completers and leavers—

"(A) find employment in occupations related to their traning, and

"(B) are considered by their employers to be well-trained and prepared for employment.

"(2) Each such program shall also be evaluated according to the extent to which program completers and leavers—

"(A) earn a wage commensurate with the wage customarily paid in the occupations related to their training at their level of experience,

"(B) progress in occupations of their choice,

"(C) are satisfied with their occupations,

"(D) are satisfied with the training they received, or

"(E) upgrade their skills through additional education or training.

"(c)(1) The Commissioner shall prescribe nationally uniform criteria and procedures to be used by State and local educational agencies and other public agencies in performing these evaluations, but in no case can pursuit of additional education or training by program completers or leavers be considered negatively in these evaluations.

(2) Each State board shall consult with the State advisory council each year in formulating its plans to fulfill the requirements of this section. The State advisory council shall assist the State board in developing these plans each year, shall monitor the evaluations conducted by the State board during the year, and shall use the results of these evaluations in compiling its annual report required by section 105.".

(c) Part B of such Act is amended by adding at the end thereof the following new section:

"VOCATIONAL EDUCATION DATA AND OCCUPATIONAL INFORMATION DATA SYSTEMS

"SEC. 125. (a)(1) The Commissioner and the Administrator of the National Center for Education Statistics shall, by January 1, 1977, jointly develop information elements and uniform definitions for a national vocational education data reporting and accounting system. This system shall include information resulting from the evaluations required to be conducted by section 124 (as such section will be in effect on October 1, 1977) and other information on vocational—

"(A) students (including information on their race and sex),

"(B) programs,

"(C) program completers and leavers,

"(D) staff,

"(E) facilities, and

"(F) expenditures.

"(2) In developing this system, the Commissioner and the Administrator shall endeavor as much as possible to make the system compatible with the occupational information data system developed pursuant to subsection (b) and other information systems involving data on programs assisted under the Comprehensive Employment and Training Act of 1973.

"(3)(A) After the completion of the development of these information elements and uniform definitions pursuant to paragraph (1), the Administrator shall immediately begin to design, implement, and operate this information system which shall be in full operation for the fiscal year beginning October 1, 1977.

"(B) Any State receiving assistance under this title shall cooperate with the Administrator in supplying the information required to be submitted by the Administrator and shall comply in its reports with the information elements and definitions developed jointly by the Administrator and the Commissioner pursuant to paragraph (1). Each State shall submit this data to the Administrator in whatever form he or she requires; and whenever possible, this reporting shall include reporting of data by labor market areas within the State.

"(4) The Administrator shall have the responsibility for updating this national vocational education information and accounting system and for preparing annual acquisition plans of data in operating this system. These plans shall be submitted to the Commission for his or her review and comment.

"(5) The Commissioner, in cooperation with the Administrator, shall prepare an annual report on the status of vocational education in the country during each fiscal year. This report shall be submitted to Congress within nine months after the end of each fiscal year and shall include data on the information elements listed in paragraph (1) and an analysis of such data.

"(b)(1) There is hereby established a National Occupational Information Coordinating Committee which shall consist of the Commissioner, the Administrator, the Commissioner of Labor Statistics, and the Assistant Secretary for Employment and Training. This Committee, with funds available to it under section 102(a) (as such section will be in effect on October 1, 1977), shall—

"(A) in the use of program data and employment data, improve coordination between, and communication among, administrators and planners of programs authorized by this title and by the Comprehensive Employment and Training Act of 1973, employment security agency administrators, research personnel, and employment and training planning and administering agencies at the Federal, State, and local levels;

"(B) develop and implement, by January 1, 1977, an occupational information system to meet the common occupational information needs of vocational education programs and employment and training programs at the national, State, and local levels, which system shall include data on occupational demand and supply based on uniform definitions, standardized estimating procedures, and standardized occupational classifications; and

"(C) assist State occupational information coordinating committees established pursuant to paragraph (2).

"(2) By January 1, 1977, each State receiving assistance under this title and under the Comprehensive Employment and Training Act of 1973 shall establish a State occupational information coordinating committee composed of representatives of the State board, the State employment security agency, the State Manpower Services Council, and the agency administering the vocational rehabilitation program. This committee shall, with funds available to it from the National Coordinating Committee established pursuant to paragraph (1), implement an occupational information system in the State which will meet the common needs for the planning for, and the operation of, programs of the State board assisted under this title and of the administering agencies under the Comprehensive Employment and Training Act of 1973.".

STATE VOCATIONAL EDUCATION PROGRAMS

SEC. 109. (a) The center heading of part C of the Vocational Education Act of 1973 is amended to read as follows:

"PART C—STATE VOCATIONAL EDUCATION PROGRAMS".

(b) Section 131 of such Act is amended to read as follows:

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 131. There are authorized to be appropriated $800,000,000 for the fiscal year ending September 30, 1978; $950,000,000 for the fiscal year ending September 30, 1979; $1,100,000,000 for the fiscal year ending September 30, 1980; $1,250,000,000 for the fiscal year ending September 30, 1981; and $1,450,000,000 for each succeeding fiscal year, for the purposes of carrying out State programs of vocational education as described in this part."

(c)(1) Section 132 of such Act is amended by striking out everything after "SEC. 132."

and inserting in lieu thereof the text of section 122 (as such section was in effect on the day before the effective date of this section) of such Act as amended by paragraphs (2) through (7) of this subsection and by subsection (d).

(2) Subsection (a) of the text of section 132 (as inserted by paragraph (1)) is amended by striking out "section 123" and inserting in lieu thereof "section 122".

(3) Paragraph (2) of such subsection (a) is amended to read as follows:

"(2) vocational education for persons who have completed or left high school and who are enrolled in organized programs of study for which credit is given toward an associate or other degree, but which programs are not designed as baccalaureate or higher degree programs;"

(4) Paragraph (3) of such subsection (a) is amended to read as follows:

"(3) vocational education for persons who have already entered the labor market, who are unemployed, or who have completed or left high school, and who are not described in paragraph (2);".

(5) Clause (A) of paragraph (4) of such subsection (a) is amended to read as follows: "(A) vocational education for disadvantaged persons as defined in section 107, including special programs carried out pursuant to section 133;".

(6) Clause (B) of paragraph (4) of such subsection (a) is amended by striking out all that appears after "persons" and by inserting in lieu thereof the following: "as defined in section 107;".

(7) Such subsection (a) is further amended by striking out clauses (6) and (8), redesignating clause (7) (and any cross reference thereto) as clause (6), striking out the word "and" at the end of clause (6) (as so redesignated), and inserting immediately after such clause (6) the following new clauses:

"(7) provision of supportive services as described in section 134;

"(8) contracts leading to the improvement of programs as described in section 135;

"(9) construction and operation of residential vocational schools as described in section 136;

"(10) cooperative vocational education programs as described in section 137;

"(11) work study programs as described in section 138;

"(12) State review, revision, and development of curricular and instructional materials for vocational education programs in public elementary and secondary schools, in cases where the State selects such materials, in order to insure that such materials do not reflect stereotypes based on sex, race, or national origin; and

"(13) vocational education for—

"(A) persons who had solely been homemakers but who now, because of dissolution of marriage, must seek employment;

"(B) persons who are single heads of households and who lack adequate job skills;

"(C) persons who are currently homemakers and part-time workers but who wish to secure a fulltime job; and

"(D) women who are now in jobs which have been traditionally considered jobs for females and who wish to seek employment in job areas which have not been traditionally considered job areas for females, and men who are now in jobs which have been traditionally considered jobs for males and who wish to seek employment in job areas which have not been traditionally considered job areas for males.".

(d) (1) The text of section 132 (as inserted by subsection (c) (1)) is amended by striking out subsection (b) and redesignating subsection (c) (and any cross reference thereto) as subsection (b).

(2) Subsection (b) (as redesignated by paragraph (1)) of such text is amended by striking out "section 102 (a)" wherever that term appears and inserting in lieu thereof "section 131".

(3) (A) Subsection (b) (1) (as redesignated by paragraph (1)) of such text is amended by striking "25 per centum" and "15 per centum" and by inserting in lieu thereof "35 per centum" and "25 per centum", respectively.

(B) Subsection (b) (1) (as redesignated by paragraph (1)) of such text is further amended by striking out "the purpose set forth in paragraph (4) (A) of subsection (a)" and by inserting in lieu thereof "the purposes set forth in paragraphs (4) (A) and (11) of subsection (a) and for the provision of stipends as described in section 134(a) (2)".

(4) Subsection (b) (2) (as redesignated by paragraph (1)) of such text is amended by striking out "the purpose set forth in paragraph (2)" and by inserting in lieu thereof "the purposes set forth in paragraphs (2) and (3)".

(5) Subsection (b) (as redesignated by paragraph (1)) of such text is amended by adding a new paragraph at the end thereof to read as follows:

"(5) The funds which a State uses for the purposes set forth in subsections (a) (4) (A) (except for those funds used for special programs pursuant to section 133) and (B) shall be used, to the maximum extent possible, to assist individuals described in clauses (A) and (B) of such subsection (a) (4) to participate in regular vocational education programs".

(e) Part C of the Vocational Education Act of 1963 is amended by striking out sections 133 and 134 and inserting in lieu thereof the following new sections:

"SPECIAL PROGRAMS FOR THE DISADVANTAGED

"SEC. 133. Funds made available to each State from the appropriations under section 131 may be used for special programs for disadvantaged persons (as defined in section 107). Such special programs shall be initiated or maintained through grants—

"(1) to local educational agencies and other public agencies in areas of high concentrations of unemployed youths and school dropouts; and

"(2) (A) which provide that, to the extent consistent with the number of students enrolled in nonprofit private schools in the area to be served whose educational needs are of the type which the program or project involved is to meet, such students are involved in the program or project, and

"(B) which provide for effective policies and procedures to assure that Federal funds made available under section 131 will not be commingled with State or local funds.

"SUPPORTIVE SERVICES

"SEC. 134. (a) Funds available for the States under section 131 shall be used for vocational guidance and counseling programs, services, and activities and may be used for providing other services (as described in the next sentence) which are supportive of the basic vocational education programs operated within the State. All of the supportive services described in this section are—

"(1) vocational guidance and counseling programs, services, and activities, including training of new counselors, retraining of present counselors, paying the salaries of counselors, and the development of related materials, so that persons within the State can be made aware of, and can be assisted in choosing, appropriate educational and training opportunities;

"(2) providing, subject to the restriction contained in subsection (b), stipends, which shall not exceed reasonable amounts as prescribed by the Commissioner pursuant to regulations, for students entering or already enrolled in vocational education programs if those students have acute economic needs which cannot be met under work-study programs;

"(3) subject to the restriction contained in subsection (b), placement services for students who have successfully completed vocational education programs in local educational agencies and in other public agencies operating vocational education programs;

"(4) programs of preservice and inservice education, provided either directly or through contracts with educational institutions, for teachers, cooperative education coordinators, work-study supervisors, counselors, administrators of vocational education, and teacher educators, including short-term and regular session institutes, and cooperative exchanges of teachers and other staff members with skilled technicians or supervisors in industry;

"(5) industrial arts programs where such programs will assist in meeting the purposes of this title;

"(6) State administration and local supervision of the programs authorized under this title;

"(7) support services for women who enter programs designed to prepare individuals for employment in jobs which have been traditionally limited to men, including counseling as to the nature of such programs and the difficulties which may be encountered by women in such programs, and job development and job follow-up services; and

"(8) day care services for children of students in secondary and postsecondary vocational education programs.

"(b) No funds shall be used for the purposes specified in paragraph (2) or (3) of subsection (a) unless the State board first makes a specific finding in each instance of funding that the funding of this particular activity is necessary due to inadequate funding in other programs providing similar activities or due to the fact that other services in the area are inadequate to meet the needs.

"PROGRAM IMPROVEMENT

"SEC. 135. (a) Funds available to the States under section 131 may be used for support of State research coordinating units and for contracts by those units pursuant to comprehensive plans of program improvement involving—

"(1) applied research and development in vocational education;

"(2) exemplary and innovative projects in vocational education, including projects to overcome problems of sex bias and sex stereotyping;

"(3) improved curriculum materials for presently funded programs in vocational education and new curriculum materials for new and emerging job fields, including a review and revision of any curricula developed under this section to insure that such curricula do not reflect stereotypes based on sex, race, or national origin; and

"(4) dissemination of the results of the contracts made pursuant to paragraphs (1) through (4), including employment of persons to act as disseminators, on a local level, of these results.

"(b) No contract shall be made pursuant to subsection (a) unless the applicant can demonstrate a reasonable probability that the contract will result in improved teaching techniques or curriculum materials that will be used in a substantial number of classrooms or other learning situations within five years after the termination date of such contract.

"(c) Every contract made by a State for the purpose of funding exemplary and innovative projects shall, to the extent consistent with the number of students enrolled in nonprofit private schools in the area to be served whose educational needs are of the type which the project involved is to meet, provide for the participation of such stu-

dents; and such contract shall also provide that the Federal funds will not be commingled with State or local funds.

"RESIDENTIAL VOCATIONAL SCHOOLS

"SEC. 136. (a) Funds available to the States under section 131 may be used for the construction, equipment, and operation of residential schools to provide vocational education (including room, board, and other necessities) for youths, at least fifteen years of age and less than twenty-one years of age at the time of enrollment, who need full-time study on a residential basis in order to benefit fully from such education. In using funds available under section 131 for this purpose, the States shall give special consideration to the needs of large urban areas and isolated rural areas having substantial numbers of youths who have dropped out of school or who are unemployed.

"(b) No funds made available under section 131 may be used for the purposes of this section for residential vocational schools to which juveniles are assigned as the result of their delinquent conduct or in which the students are segregated because of race.

"COOPERATIVE VOCATIONAL EDUCATION PROGRAMS

"SEC. 137. Funds available to the States under section 131 may be used for establishing or expanding cooperative vocational education programs through local educational agencies with the participation of public and private employers. Such programs shall include provisions assuring that—

"(a) funds will be used only for developing and operating cooperative vocational programs as defined in section 107 which provide training opportunities that may not otherwise be available and which are designed to serve persons who can benefit from such programs;

"(b) necessary procedures are established for cooperation with employment agencies, labor groups, employers, and other community agencies in identifying suitable jobs for persons who enroll in cooperative vocational education programs;

"(c) provision is made, where necessary, for reimbursement of added costs to employers for on-the-job training of students enrolled in cooperative programs, provided such on-the-job training is related to existing career opportunities susceptible of promotion and advancement and which do not displace other workers who perform such work;

"(d) ancillary services and activities to assure quality in cooperative vocational education programs are provided for, such as preservice and inservice training for teacher coordinators, supervision, curriculum materials, travel of students and coordinators necessary to the success of such programs, and evaluation;

"(e) priority for funding cooperative vocational education programs through local educational agencies is given to areas that have high rates of school drop-outs and youth unemployment;

"(f) to the extent consistent with the number of students enrolled in nonprofit private schools in the area to be served, whose educational needs are of the type which the program or project involved is to meet, provision has been made for the participation of such students;

"(g) Federal funds used for the purposes of this section will not be commingled with State or local funds; and

"(h) such accounting, evaluation, and followup procedures as the Commissioner deems necessary will be provided.

"WORK-STUDY PROGRAMS

"SEC. 138. (a) Funds available to the States under section 131 may be used for grants to local educational agencies for work-study programs which—

"(1) are administered by the local educational agencies and are made reasonably available (to the extent of available funds) to all youths in the area served by such agency who are able to meet the requirements of paragraph (2);

"(2) provide that employment under such work-study programs shall be furnished only to a student who (A) has been accepted for enrollment as a full-time student in a vocational education program which meets the standards prescribed by the State board and the local educational agency for vocational education programs assisted under this title, or in the case of a student already enrolled in such a program, is in good standing and in full-time attendance, (B) is in need of the earnings from such employment to commence or continue his or her vocational education program, and (C) is at least fifteen years of age and less than twenty-one years of age at the commencement of his or her employment, and is capable, in the opinion of the appropriate school authorities, of maintaining good standing in his or her vocational education program while employed under the work-study program;

"(3) provide that, pursuant to regulations of the Commissioner, no student shall be employed under such work-study program for more than a reasonable number of hours in any week in which classes in which he or she is enrolled are in session, or for compensation which exceeds payments under comparable Federal programs, unless the student is attending a school that is not within a reasonable commuting distance from his or her home, then the compensation may be set by the Commissioner at a higher level;

"(4) provide that employment under such work-study program shall be for the local educational agency or for some other public or nonprofit private agency or institution; and

"(5) provide that, in each fiscal year during which such program remains in effect, such agency shall expend (from sources other than payments from Federal funds under this section) for the employment of its students (whether or not in employment eligible for assistance under this section) an amount that is not less than its average annual expenditure for work-study programs of a similar character during the three fiscal years preceding the fiscal year in which its work-study program under this section is approved.

"(b) Each State is operating work-study programs from funds made available under section 131 shall—

"(1) adopt policies and procedures which assure that Federal funds used for this purpose will be expended solely for the payment or compensation of students employed pursuant to the work-study programs meeting the requirements of subsection (a); and

"(2) set forth principles for determining the priority to be accorded applications from local educational agencies for work-study programs, which principles shall give preference to applications submitted by local educational agencies serving communities having substantial numbers of youths who have dropped out of school or who are unemployed, and provide for undertaking such programs, insofar as financial resources available therefore make possible, in the order determined by the application of such principles.

"(c) Students employed in work-study programs assisted pursuant to this section shall not by reason of such employment be deemed employees of the United States, or this service Federal service, for any reason.

"PAYMENTS

"SEC. 139. After making a determination that a State has complied with the provisions of this title, including the submission of the State plan and the annual accountability reports, and including the conducting of the evaluations required by this title, the Commissioner shall pay, from the amount available to the States for grants under this part, to each State an amount equal to 50 per centum of the State and local expenditures in carrying out its State plan as approved pursuant to section 122, except that—

"(a) in the case of payments to the States for the purposes of sections 133, 135(a)(2), and 137, such amount may be equal to all or part of the State and local expenditures for such purposes;

"(b) in the case of payments to the States for the purposes authorized by section 132 (a)(4) (A) (except for special programs described in section 133) and (B), such amount shall be equal to 50 per centum of the State and local expenditures for each such purpose;

"(c) in the case of payments to the States for the purpose of section 134(a)(6), such amount shall be equal to 75 per centum of State expenditures for such purpose for fiscal year 1978 and equal to 50 per centum of State expenditures for such purpose for each succeeding fiscal year; and

"(d) in the case of the Trust Territory of the Pacific Islands and American Samoa, such amount shall be equal to 100 per centum of such expenditues.".

CONSUMER AND HOMEMAKING EDUCATION

SEC. 110. (a) Part D of the Vocational Education Act of 1963 is amended to read as follows:

"PART D—HOMEMAKING EDUCATION FOR CONSUMER EDUCATION, FAMILY RESOURCE MANAGEMENT, AND LIFE SKILLS

"SEC. 141. (a) There are authorized to be appropriated $60,000,000 for the fiscal year ending September 30, 1978, $70,000,000 for the fiscal year ending September 30, 1979, $80,000,000 for the fiscal year ending September 30, 1980, and $90,000,000 for the fiscal year ending September 30, 1981, for the purposes of this part.

"(b) For purposes of this part the State plan approved under section 122 shall set forth a program for home economics in consumer education, family resource management, and life skills under which Federal funds paid to a State from its allotment under subsection (a) will be expended solely for (1) educational programs (to be available at the elementary, secondary, postsecondary, and adult educational levels) which (A) encourage participation of both male and female students and which are designed to emphasize the joint responsibilities of men and women as wage earners and family members, and to that purpose involve (i) the examination of programs funded under this part (including elements such as recruitment and guidance counseling) for the purpose of eliminating sex bias therein and (ii) the development of special curriculum materials which deal with (I) increased numbers of women working outside the home, and the assuming by men of increased homemaking responsibilities and with changing career patterns for women, and (II) with appropriate Federal and State laws relating to equal opportunity in education and employment, (B) encourage consumer education, family resource management, and life skills courses to give greater consideration to social and cultural conditions, especially in economically depressed areas, and such courses may include, where appropriate, bilingual instruction, (C) may include, but are not limited to, such areas as consumer education, food and nutrition, child development, parenting, care of the aging, interpersonal relationships within the family, problems relating to the dissolution of marriage, financial, managerial, and economic analyses of tasks performed in running a home, and (D) provide for outreach programs to link school-based programs under this section with community institutions and groups providing support to youth and adults, including programs for the aging, child care programs, programs connected with health care delivery systems, food and nutrition programs, programs for rehabilitation

of the handicapped, and programs providing services for courts and correctional institutions, and (E) are designed for persons who have entered, or are preparing to enter the work of the home, and (2) ancillary services, activities and other means of assuring quality in all homemaking education programs, such as teacher training and supervision, curriculum development research, program evaluation, special demonstration and experimental programs, development of instructional materials, provision of equipment, and State administration and leadership.

"(c) From a State's allotment determined under section 102 for any fiscal year from the funds appropriated pursuant to subsection (a), the Commissioner shall pay to such State an amount equal to 50 per centum of the amount expended for the purposes set forth in subsection (b), except that the Commissioner shall pay an amount equal to 90 per centum of the amount used in areas described in subsection (d).

"(d) At least one-third of the Federal funds made available under this section to each State shall be used in economically depressed areas or areas with high rates of unemployment for programs designed to assist consumers and to help improve home environments and the quality of family life.

"(e) From the sums appropriated for the purpose of carrying out this part the Commissioner shall reserve an amount equal to 25 per centum of the funds thereof which are in excess of the appropriations for fiscal year 1976 for part F (as such part was in effect prior to October 1, 1977) for grants and contracts to carry out field-initiated research, training, demonstration, and exemplary projects which are designed to improve programs pursuant to the authority under this part.".

NATIONAL PROGRAMS

SEC. 111. (a) Part E of the Vocational Education Act of 1963 is amended to read as follows:

"PART E—PROGRAMS OF NATIONAL SIGNIFICANCE

"PROGRAM IMPROVEMENT

"SEC. 151. (a) Funds reserved to the Commissioner under section 102(a)(1) for programs under this part shall be used for contracts for—

"(1)(A) applied research and development projects, (B) exemplary and innovative program projects, (C) curriculum development projects, and (D) the dissemination of the results of these projects, if the funding of each of these projects described in (A), (B), (C), and (D) is deemed to be of national significance by the Commissioner; and

"(2) support, not in excess of $5,000,000 for any fiscal year, of a national center for research in vocational education, chosen on a competitive basis once every five years, which center shall be a nonprofit agency, shall be assisted by an advisory committee appointed by the Commissioner, and shall, either directly or through contracts with regional vocational education research centers and other public agencies—

"(A) conduct applied research and development on problems of national significance in vocational education;

"(B) provide leadership development through an advanced study center and inservice education activities for State and local leaders in vocational education;

"(C) disseminate the results of the research and development projects funded by the center;

"(D) develop and provide information to facilitate national planning and policy development in vocational education;

"(E)(i) act as a clearinghouse for information on contracts made by the States pursuant to section 135 and on contracts made by the Commissioner pursuant to this section; and (ii) compile an annotated bibliography of research, exemplary and innovative program projects, and curriculum development projects assisted with funds made available under this title since July 1, 1970; and

"(F) work with States, local educational agencies, and other public agencies in developing methods of evaluating programs, including the follow-up studies of program completers and leavers required by section 124(b), so that these agencies can offer job training programs which are more closely related to the types of jobs available in their communities, regions, and States.

"(b)(1) No contract shall be made pursuant to paragraph (1) of subsection (a) unless the applicant can demonstrate a reasonable probability that the contract will result in improved teaching techniques or curriculum materials that will be used in a substantial number of classrooms or other learning situations within five years after the termination date of such contract.

"(2) Every contract made by the Commissioner for the purpose of funding exemplary and innovative projects pursuant to paragraph (1) of subsection (a) shall, to the extent consistent with the number of students enrolled in nonprofit private schools in the area to be served whose educational needs are of the type which the project involved is to meet, provide for the participation of such students; and such contract shall also provide that the Federal funds will not be commingled with State or local funds.

"(3) The Commissioner shall, from the funds made available to him or her under this section, make contracts to convert to use in local educational agencies, in private nonprofit schools, and in other public agencies, curriculum materials involving job preparation which have been prepared for use by the armed services of the United States.

"(4) There is hereby established a Coordinating Committee on Research in Vocational Education within the Education Division of the Department of Health, Education, and Welfare which shall be composed of the Director of the National Institute of Education, the Commissioner, and the Director of the Foundation for the Improvement of Post-Secondary Education, or their representatives. This Committee shall—

"(A) develop a plan for each fiscal year (i) establishing national priorities for the use of funds available to these agencies for vocational education research, career education research, education and work research, development, exemplary and innovative program projects, and curriculum development projects; and (ii) coordinating the efforts of these agencies in seeking to achieve these national priorities in order to avoid duplication of effort; and

"(B) develop an effective management information system on the projects funded pursuant to this plan in order to achieve the best possible monitoring and evaluation of these projects and the widest possible dissemination of their results.

"(5)(A) From the sums reserved to the Commissioner under section 102(a)(1) for this part, the Commissioner may pay all or part of the costs of contracts authorized by this section.

"(B) Funds reserved for contracts under this section shall be available for expenditure until expended, unless a law is enacted in specific restriction of this subsection; and these funds may be used for contracts for a period not to exceed three fiscal years.

"TRAINING AND DEVELOPMENT PROGRAMS FOR VOCATIONAL EDUCATION PERSONNEL

"SEC. 152. (a) It is the purpose of this section to provide (1) opportunities for experienced vocational educators to spend full time in advanced study of vocational education for a period not to exceed three years in length, and (2) opportunities for certified teachers who have been trained to teach in other fields to become vocational educators, if those teachers have skills and experience in vocational fields for which they can be trained to be vocational educators, and (3) opportunities for persons in industry who have skills and experience in vocational fields for which there is a need for vocational educators, but who do not necessarily have baccalaureate degrees, to become vocational educators.

"(b)(1) In order to meet the needs in all States for qualified vocational education personnel (such as administrators, supervisors, teacher educators, researchers, guidance and counseling personnel, and instructors in vocational education programs) the Commissioner shall make available leadership development awards in accordance with the provisions of this subsection only upon his or her determination that—

"(A) persons selected for awards have had not less than two years of experience in vocational education or in industrial training, or military technical training; or, in the case of researchers, experience in social science research which is applicable to vocational education;

"(B) persons receiving such awards are currently employed or are reasonably assured of employment in vocational education and have successfully completed, as a minimum, a baccalaureate degree program; and

"(C) persons selected are recommended by their employer, or others, as having leadership potential in the field of vocational education and are eligible for admission as a graduate student to a program of higher education approved by the Commissioner under paragraph (2).

"(2)(A) The Commissioner shall, for a period not to exceed three years, pay to persons selected for leadership development awards such stipends (including such allowances for subsistence and other expenses for such persons and their dependents) as he or she may determine to be consistent with prevailing practices under comparable federally supported programs.

"(B) The Commissioner shall, in addition to the stipends paid to persons under subparagraph (A), pay to the institution of higher education at which such person is pursuing his or her course of study such amount as the Commissioner may determine to be consistent with the prevailing practices under comparable federally supported programs not to exceed the equivalent of $4,500 per person per academic year or its equivalent, and $1,000 per person per summer session or its equivalent, but any amount charged such person for tuition and nonrefundable fees and deposits shall be deducted from the amount payable to the institution of higher education under this subsection. Any funds from grants received under this paragraph which remain after deducting normal tuition fees, and deposits attributable to such students, shall be used by the institution receiving such funds for the purpose of improving the program of vocational education offered by that institution.

"(3) The Commissioner shall approve the vocational education leadership development program of an institution of higher education only upon finding that—

"(A) the institution offers a comprehensive program in vocational education with adequate supporting services and disciplines such as education administration, guidance and counseling, research, and curriculum development;

"(B) such program is designed to further substantially the objective of improving vocational education through providing opportunities for graduate training of vocational education teachers, supervisors, and administrators, and of university level vocational education teacher educators and researchers; and

"(C) such programs are conducted by a

school of graduate study in the institution of higher education.

"(4) In order to meet the needs for qualified vocational education personnel such as teachers, administrators, supervisors, and teacher educators, in vocational education programs in all the States, the Commissioner in carrying out this section shall apportion leadership development awards equitably among the States, taking into account such factors as the State's vocational education enrollments, and the incidence of youth unemployment and school dropouts in the State.

"(5) Persons receiving leadership awards under the provisions of this subsection shall continue to receive the payments provided in paragraph (3) only during such periods as the Commissioner finds that they are maintaining satisfactory proficiency in, and devoting essentially full time to, study or research in the field of vocational education in an institution of higher education, and are not engaging in gainful employment, other than part-time employment by such institution in teaching, research, or similar activities, approved by the Commssioner.

"(6) From the funds reserved to the Commissioner pursuant to section 102(a)(1) for this part, the Commissioner shall make awards meeting the requirements of paragraphs (1) through (5) of this subsection.

"(7) In approving training and development programs for vocational education personnel, the Commissioner shall give special consideration to programs which are designed to familiarize awardees with new curricular materials in vocational education.

"(8) For purposes of this subsection, the term 'institution of higher education' means any such institution as defined under section 1201(a) of the Higher Education Act of 1965.

"(c)(1) In order to meet the need to provide adequate numbers of teachers and related classroom instructors in vocational education and in order to take full advantage of the education which has been provided to already certified teachers who are unable to find employment in their fields of training and of individuals employed in industry who have skills and experiences in vocational fields, the Commissioner shall make available fellowships in accordance with the provisions of this subsection to such individuals upon his or her determination that—

"(A) individuals selected for such fellowships are presently certified, or had been so certified within the last ten years, by a State as teachers in elementary and secondary schools or in community and junior colleges, and have past or current skills and experiences in vocational fields for which they can be trained to be vocational educators; or

"(B) individuals selected for such fellowships are individuals employed in industry (who need not be baccalaureate degree holders) who have skills and experiences in vocational fields for which there is a need for vocational educators, and that individuals receiving such awards have been accepted by a teacher training institution in a program to assist those persons in gaining the skills to become a vocational educator.

"(2)(A) The Commissioner shall, for a period not to exceed two years, pay to persons selected for fellowships under this subsection stipends (including such allowances for subsistence and other expenses for such person and their dependents) as he or she may determine to be consistent with prevailing practices under comparable federal supported programs.

"(B) The Commissioner shall, in addition to the stipends paid to persons under paragraph (1), pay to the institution of higher education at which such person is pursuing his or her course of study such amount as the Commissioner may determine to be consistent with the prevailing practices under comparable federally supported programs not to exceed the equivalent of $4,500 per person per academic year or its equivalent, and $1,000 per person per summer session or its equivalent, but any amount charged such person for tuition and nonrefundable fees and deposits shall be deducted from the amount payable to the institution of higher education under this subsection. Any funds from grants received under this paragraph which remain after deducting normal tuition fees, and deposits attributable to such students, shall be used by the institution receiving such funds for the purpose of improving the program of vocational education offered by that institution.

"(3) The Commissioner shall approve the program at an institution of higher education which has as its purpose assisting certified teachers or assisting persons from industry in becoming vocational education teachers only upon finding that—

"(A) the institution offers a comprehensive program in vocational education with adequate supporting services and disciplines such as education administration, guidance and counseling, research, and curriculum development; and

"(B) such program is available to persons receiving these fellowships so that they can receive the same type of education and training being offered in the institution for undergraduate students who are preparing to become vocational education teachers.

"(4) In order to meet the needs for qualified vocational education teachers in vocational education programs in all the States, the Commissioner in carrying out this subsection shall apportion fellowships equitably among the States, taking into account such factors as the State's vocational education enrollments, and the incidence of youth unemployment and school dropouts in the State.

"(5) Persons receiving fellowships under the provisions of this subsection shall continue to receive the payments provided in paragraph (2) only during such periods as the Commissioner finds that they are maintaining satisfactory proficiency in, and devoting essentially full time to, study or research in the field of vocational education in an institution of higher education, and are not engaging in gainful employment, other than part-time employment by such institution in teaching, research, or similar activities, approved by the Commissioner.

"(6) From the funds reserved to the Commissioner pursuant to section 102(a)(1) for this part, the Commissioner shall make awards meeting the requirements of paragraphs (1) through (5) of this subsection.

"(7) In carrying out this subsection, the Commissioner shall, before the beginning of each fiscal year, publish a listing of the areas of teaching in vocational education which are presently in need of additional personnel and of the areas which will have need of additional personnel in the future; and the Commissioner shall, in making the fellowships under the authority of this subsection, grant these fellowships, to the maximum degree possible, to persons who are seeking to become teachers in the areas identified by the Commissioner as needing additional teachers.".

(b) Title V of the Higher Education Act of 1965 is amended by striking out part F.

(c) The Vocational Education Act of 1963 is amended by striking out parts F through J and inserting in lieu thereof the following:

"PART F—BILINGUAL VOCATIONAL TRAINING

"STATEMENT OF FINDINGS

"SEC. 161. The Congress hereby finds that one of the most acute problems in the United States is that which involves millions of citizens, both children and adults, whose efforts to profit from vocational education are severely restricted by their limited English-speaking ability because they come from environments where the dominant language is other than English; that such persons are therefore unable to help to fill the critical need for more and better educated personnel in vital occupational categories; and that such persons are unable to make their maximum contribution to the Nation's economy and must, in fact, suffer the hardships of unemployment or underemployment. The Congress further finds that there is a critical shortage of instructors possessing both the job knowledge and skills and the dual language capabilities required for adequate vocational instruction of such language-handicapped persons, and a corresponding shortage of instructional materials and of instructional methods and techniques suitable for such instruction.

"GENERAL RESPONSIBILITY FOR THE COMMISSIONER

"SEC. 162. (a) The Commissioner and the Secretary of Labor together shall—

"(1) develop and disseminate accurate information on the status of bilingual vocational training in all parts of the United States;

"(2) evaluate the impact of such bilingual vocational training on the shortages of well-trained personnel, the unemployment or underemployment of persons with limited English-speaking ability, and the ability of such persons to contribute fully to the economy of the United States; and

"(3) report their findings annually to the President and the Congress.

"(b) The Commissioner shall consult with the Secretary of Labor with respect to the administration of this part. Regulations and guidelines promulgated by the Commissioner to carry out this part shall be consistent with those promulgated by the Secretary of Labor pursuant to section 301(b) of the Comprehensive Employment and Training Act of 1973 and shall be approved by the Secretary of Labor before issuance.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 163. There are authorized to be appropriated $80,000,000 for the fiscal year ending September 30, 1978, $80,000,000 for the fiscal year ending September 30, 1979, and $100,000,000 each for the fiscal years thereafter ending prior to October 1, 1981, to carry out the provisions of sections 164, 166, and 168.

"AUTHORIZATION OF GRANTS

"SEC. 164. (a) From the sums made available for grants under this part pursuant to section 163, the Commissioner is authorized to make grants to and enter into contracts with appropriate State agencies, local educational agencies, postsecondary education institutions, private nonprofit vocational training institutions, and to other nonprofit organizations especially created to serve a group whose language as normally used is other than English in supplying training in recognized occupations and in new and emerging occupations, and to enter into contracts with private for-profit agencies and organizations, to assist them in conducting bilingual vocational training programs for persons of all ages in all communities of the United States which are designed to insure that vocational training programs are available to all individuals who desire and need such bilingual vocational education.

"(b) The Commissioner shall pay to each applicant which has an application approved under section 169B an amount equal to the total sums expended by the applicant for the purposes described in section 165 and set forth in that application.

"USE OF FEDERAL FUNDS

"SEC. 165. Grants and contracts under section 164 may be used, in accordance with applications approved under section 169B, for—

"(1) bilingual vocational training programs for persons who have completed or left elementary or secondary school and who are available for education by a postsecondary educational institution;

"(2) bilingual vocational training programs for persons who have already entered the labor market and who desire or need training or retraining to achieve year-round employment, adjust to changing manpower needs, expand their range of skills, or advance in employment; and

"(3) training allowances for participants in bilingual vocational training programs subject to the same conditions and limitations as are set forth in section 111 of the Comprehensive Employment and Training Act of 1973.

"AUTHORIZATION OF GRANTS FOR INSTRUCTOR TRAINING PROGRAMS

"SEC. 166. (a) From the sums made available for grants and contracts under this part pursuant to section 163, the Commissioner is authorized to make grants to and enter into contracts with States, or educational institutions, either public or private, to assist them in conducting training for instructors of bilingual vocational training programs, and whenever the Commission determines that it will contribute to carrying out the purposes of this part, to make grants to, and enter into contracts with, States or educational institutions, either public or private, to assist them in conducting training for instructors in bilingual vocational educational programs.

"(b) The Commissioner shall pay to each applicant which has an application approved under section 169B an amount equal to the total sums expended by the applicant for the purposes described in section 167 and set forth in that application.

"USE OF FEDERAL FUNDS

"SEC. 167. Grants and contracts under section 166 may be used, in accordance with applications approved under section 169B for—

"(1) providing preservice training designed to prepare persons to participate in bilingual vocational training or vocational education programs as instructors, aides, or other ancillary personnel such as counselors, and inservice and development programs designed to enable such personnel to continue to improve their qualifications while participating in such programs; and

"(2) fellowships or traineeships for persons engaged in such preservice or inservice training.

"AUTHORIZATION OF GRANTS FOR DEVELOPMENT OF INSTRUCTIONAL MATERIALS, METHODS, AND TECHNIQUES

"SEC. 168. (a) From the sums made available for grants and contracts under this part pursuant to section 163, the Commissioner is authorized to make grants and enter into contracts with States, public and private educational institutions, and other appropriate nonprofit organizations, and to enter into contracts with private for-profit individuals and organizations, to assist them in developing instructional material, methods, or techniques for bilingual vocational training.

"(b) The Commissioner shall pay to each applicant which has an application approved under section 169B an amount equal to the total sums expended by the applicant for the purposes described in section 169 and set forth in that application.

"USE OF FEDERAL FUNDS

"SEC. 169. Grants and contracts under section 168 may be used, in accordance with applications approved under section 169B, for—

"(1) research in bilingual vocational training;

"(2) training programs designed to familiarize State agencies and training institutions with research findings and successful pilot and demonstration projects in bilingual vocational training;

"(3) experimental, developmental, and pilot programs and projects designed to test the effectiveness of research findings; and

"(4) other demonstration and dissemination projects.

"APPLICATIONS

"SEC. 169A. (a) A grant or contract for assistance under this part may be made only upon application to the Commissioner at such time, in such manner, and containing or accompanied by such information as the Commissioner deems necessary. Each such application shall—

"(1) provide that the activities and services for which assistance under this part is sought will be administered by or under the supervision of the applicant;

"(2)(A) in the case of assistance under section 164, set forth a program for carrying out the purposes described in section 165,

"(B) in the case of assistance under section 166, set forth a program for carrying out the purposes described in section 167, and

"(C) in the case of assistance under section 168, set forth a program for carrying out the purposes described in section 169:

"(3) in the case of assistance under section 164, set forth a program of such size, scope, and design as will make a substantial contribution toward carrying out the purposes of this part;

"(4) in the case of assistance under section 166—

"(A) describe the capabilities of the applicant institution, including a listing of the vocational training or vocational education courses offered by that institution, together with appropriate accreditation by regional or national associations, if any, and approval by appropriate State agencies of the course offered,

"(B) set forth the qualifications of the principal staff who will be responsible for the training program, and

"(C) contain a statement of the minimum qualifications of the persons to be enrolled in the training programs, a description of the selection process for such persons, and the amounts of the fellowships or traineeships, if any, to be granted to persons so enrolled; and

"(5) in the case of assistance under section 168, set forth the qualifications of the staff who will be responsible for the program for which assistance is sought.

"(b) No grant or contract may be made under section 164 directly to a local educational agency or a postsecondary educational institution or a private vocational training institution or any other eligible agency or organization unless that agency, institution, or organization has submitted the application to the State board established under section 103 of this title, or in the case of a State that does not have such a board, the similar State agency, for comment and includes the comment of that board or agency with the application.

"APPLICATION APPROVAL BY THE COMMISSIONER

"SEC. 169B. (a) The Commissioner may approve an application for assistance under this part only if—

"(1) the application meets the requirements set forth in subsection (a) of the previous section;

"(2) in the case of an application submitted for assistance under section 164 to an agency, institution, or organization other than the State board established under section 103 of this title, the requirement of subsection (b) of the previous section is met;

"(3) in the case of an application submitted for assistance under section 164 or section 166 the Commissioner determines that the program is consistent with criteria established by him or her, where feasible, after consultation with the State board established under section 103 of this title, for achieving equitable distribution of assistance under this part within that State; and

"(4) in the case of an application submitted for assistance under section 166—

"(A) the Commissioner determines that bilingual vocational training or vocational educational programs requiring the services of the persons to be trained have been or will be actually conducted in any State being served and that enrollees will be selected from or for such programs; and

"(B) the Commissioner determines that the applicant institution actually has an ongoing vocational training program in the field for which persons are being trained; and that the applicant institution can provide instructors with adequate language capabilities in the language other than English to be used in the bilingual job training program for which the persons are being trained.

"(b) An amendment to an application shall, except as the Commissioner may otherwise provide, be subject to approval in the same manner as the original application.".

STUDIES OF VOCATIONAL EDUCATION

SEC. 112. (a) The Commissioner of Education shall carry out a study of the extent to which sex discrimination and sex stereotyping exists in all vocational education programs assisted under the Vocational Education Act of 1963, and of the progress that has been made to reduce or eliminate such discrimination and stereotyping in such programs and in the occupations for which such programs prepare students. The Commissioner shall report the results of such study, together with any recommendations with respect thereto, to the Congress within two years after the date of the enactment of this Act.

(b)(1) In addition to the other authorities, responsibilities, and duties conferred upon the National Institute of Education (hereinafter referred to as the "Institute") by section 405 of the General Education Provisions Act, the Institute shall undertake a thorough evaluation and study of vocational education programs, including such programs conducted by the States, and such programs conducted under the Vocational Education Act of 1963 as amended in 1968 and 1976, and other related programs conducted under the Comprehensive Employment Training Act of 1973 and by the State Post-Secondary Commissions authorized by the Education Amendments of 1972. Such a study shall include—

(A) a study of the distribution of vocational education funds in terms of services, occupations, target populations, enrollments, and educational and governmental levels and what this distribution should be in order to meet the greatest human resource needs of the next ten years;

(B) an examination of how to achieve compliance and enforcement of the provisions of applicable laws of the United States;

(C) an analysis of the means of assessing program quality and effectiveness;

(D) depending on the level of funding available to the Institute, not more than three experimental studies to be administered by the Institute, in cases where the Institute determines that such experimental programs are necessary to carry out the purpose of clauses (A) through (C) of the Commissioner of Education and the Secretary of Labor are authorized, notwithstanding any provision of any other law, at the request of the Institute, to approve the use of grants which educational or other agencies are eligible to receive under such Acts (in cases where such agencies agree to the uses of such grants), in order to carry out such experimental programs;

(E) findings and recommendations, including recommendations for changes in such Acts or for new legislation, with respect to

the matters studied under clauses (A) through (E); and

(F) review and evaluation of the effectiveness of programs funded under part D of the Vocational Education Act of 1963 (as that Act was in effect on October 1, 1977) and to make recommendations for the redirection and the improvement of programs at all levels funded under such part D.

(2) The Institute shall make an interim report to the President and to the Congress not later than September 30, 1979, and shall make a final report thereto no later than September 30, 1980, on the result of its study conducted under this section except that the report required pursuant to subsection (b)(1)(F) shall be transmitted to the President and Congress not later than January 15, 1979. Any other provision of law, rule, or regulation to the contrary notwithstanding, such reports shall not be submitted to any review outside of the Institute before their transmittal to the Congress, but the President and the Commissioner may make to the Congress such recommendations with respect to the content of the reports as each may deem appropriate.

(3) Sums made available pursuant to section 102 of the Vocational Education Act of 1963 (as that Act was in effect on the date of enactment of this Act) and sections 131 and 141 of the Vocational Education Act of 1963 (as that Act was in effect on October 1, 1977) shall be available to carry out the administrative and direct cost requirements of the provisions of this section. These funds shall not exceed $2,000,000 a year for each of the fiscal years ending prior to October 1, 1979. Ten per centum of the funds made available under this section shall be made available for purposes of carrying out the provisions of subsection (a)(1)(F).

(4)(A) The Institute shall submit to the Congress, within ten months after the date appropriations become available to carry out this section, a plan for the study to be conducted under this section. The Institute shall not commence such study until the first day after the close of the first period of thirty calendar days of continuous session of Congress after the date of the delivery of such plan to the Congress.

(B) For purposes of subparagraph (A)—

(i) continuity of session is broken only by an adjournment of Congress sine die; and

(ii) the days on which either House is not in session because of an adjournment of more than thirty days to a day certain are excluded in the computation of the thirty-day period.

Mr. PERKINS (during the reading). Mr. Chairman, I ask unanimous consent that title I 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 Kentucky?

There was no objection.

The CHAIRMAN. Are there amendments to title I?

AMENDMENT OFFERED BY MR. JEFFORDS

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

The Clerk read as follows:

Amendment offered by Mr. JEFFORDS: Page 100, line 17, after "agency" insert: "or other public agency eligible to receive funds under this act."

Mr. JEFFORDS. Mr. Chairman, this is a simple amendment, one which I believe will be accepted by both sides of the aisle.

Its only intention is to prevent the building of another layer of bureaucracy in some 11 States which presently utilize an agency for distribution of funds. The agencies by these States are technically not State agencies, but they are public agencies such as school districts.

I believe this is an amendment that will simplify the procedures and make it easier for some 11 States to carry out the functions of this bill.

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

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

Mr. PERKINS. Mr. Chairman, I see no objection to the gentleman's amendment.

As I understand it, the amendment permits the State advisory councils to use school districts and community colleges as their fiscal agents for Federal expenditures, am I correct?

Mr. JEFFORDS. The gentleman is correct.

Mr. PERKINS. Mr. Chairman, I have no objection to the amendment, and we will accept it on this side.

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

Mr. JEFFORDS. I yield to the gentleman from Minnesota.

Mr. QUIE. Mr. Chairman, this is addressed to certain States, just as in Minnesota the specific school district is used as the fiscal agency for the State Advisory Council.

I believe the gentleman has offered a good amendment, and we accept it.

Mr. JEFFORDS. Mr. Chairman, I thank the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Vermont (Mr. JEFFORDS).

The amendment was agreed to.

AMENDMENTS OFFERED BY MR. GOODLING

Mr. GOODLING. Mr. Chairman, I offer amendments.

The Clerk read as follows:

Amendments offered by Mr. GOODLING: On page 103, line 5, insert the following after "per student": "or the aggregate expenditures".

On page 192, strike line 4 and insert in lieu thereof the following: "serting 'per student or the aggregate expenditures' ".

On page 192, strike line 7 and insert in lieu thereof the following: "serting 'per student or the aggregate expenditures' after 'fiscal effort' each time that".

On page 192, strike line 10 and insert in lieu thereof the following: "inserting 'per student or the aggregate expenditure' after 'amount' each time that term".

On page 192, strike line 13 and insert in lieu thereof the following: "Act is amended by inserting 'per student or the aggregate expenditures' after 'fiscal' ".

Mr. GOODLING (during the reading). Mr. Chairman, I ask unanimous consent that the amendments be considered as read and printed in the RECORD, and that they be considered en bloc.

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

There was no objection.

Mr. GOODLING. Mr. Chairman, the committee bill amends the "maintenance of effort" requirements in the Vocational Education Act, the Elementary and Secondary Education Act, the Emergency School Aid Act, and the General Education Provisions Act in order to change the computation of effort from overall State and/or local expenditures for Federal programs to a per pupil expenditure basis.

The reason for the change is that in most areas of the Nation declining elementary and secondary school enrollments have caused lower aggregate expenditures for education in certain localities. The change to requiring maintenance of per pupil expenditures at a given level was intended to reflect this condition.

However, the committee bill would have the unfortunate result of ignoring the fact that per pupil expenditures tend to decrease in those localities experiencing a growth in school enrollments, which is common in States which are gaining population. It is also generally common with respect to vocational education where enrollments continue to climb nationally and in most localities.

Accordingly, the amendment makes it possible to measure maintenance of effort by per pupil expenditures or by aggregate expenditures, and thus would cover both situations of increasing and decreasing enrollments while not relieving States or localities from the obligation to maintain their financial support for education and not substitute Federal dollars for State and local dollars.

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

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

Mr. PERKINS. Mr. Chairman, I want to say that since the enactment of the legislation and even the enactment of the Elementary and Secondary Education Act, we have required the maintenance of effort on the part of the local educational agency. However, it seems to me that the gentleman has offered a good amendment.

As I understand the gentleman's amendment, it permits school districts to meet maintenance-of-effort requirements by continuing to spend the same total amount or the same amount per student; is that correct?

Mr. GOODLING. The gentleman is correct.

Mr. PERKINS. Mr. Chairman, we have no objection to the amendments on this side.

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

Mr. GOODLING. I yield to the gentleman from Minnesota.

Mr. QUIE. Mr. Chairman, I will say that the gentleman has offered a good amendment.

The purpose of the amendment in the bill was in the case that there was a declining enrollment in the State, but by dropping the aggregate expenditures, as was provided in the original law, we did nothing to protect the Federal money in the case of increasing enrollments in the State.

I think the gentleman has offered a necessary amendment.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Pennsylvania (Mr. GOODLING).

The amendments were agreed to.

AMENDMENT OFFERED BY MRS. CHISHOLM

Mrs. CHISHOLM. Mr. Chairman, I offer an amendment in the nature of a substitute for part D.

The Clerk read as follows:

Amendment offered by Mrs. CHISHOLM: Page 142, line 9, part D, Delete Homemaking Education for Consumer Education, Family Resource Management and Life Skills, and add, Consumer and Homemaking Education.

Section 141(a), unchanged.

Delete all after (b) and add:

141(b) For the purposes of this part the state plan approved under section 122 shall set forth a program under which federal funds paid to a state from its allotment under subsection (a) will be expended solely for (1) educational programs in Consumer and Homemaking Education consisting of instructional programs, services and activities at all educational levels for the occupations of homemaking including but not limited to, consumer education, food and nutrition, family living and parenthood education, child development and guidance, housing and home management (including resource management) which (A) encourages participation of both males and females to prepare for combining the roles of homemakers and wage earners, (B) encourages elimination of sex stereotyping in Consumer and Homemaking Education by promoting the development of curriculum materials which deal with (i) increased numbers of women working outside the home, and increased number of men assuming homemaking responsibilities and the changing career patterns for women and men and (ii) with appropriate federal and state laws relating to equal opportunity in education and employment. (C) Give greater consideration to economic, social and cultural conditions and needs especially in economically depressed areas and such courses may include where appropriate bilingual instruction. (D) encourage outreach programs in communities for youth and adults giving considerations to special needs such as, but not limited to, aged, young children, school-age parents, single parents, handicapped persons, educationally disadvantaged persons, and programs connected with health care delivery systems, and programs providing services for courts and correctional institutions. (E) prepare males and females who have entered or are preparing to enter the work of the home, (F) emphasize consumer education, management of resources, promotion of nutritional knowledge and food use, and parenthood education to meet the current societal needs, and (2) ancillary services, activities and other means of assuring quality in all homemaking education programs such as teacher training and supervision, curriculum development, research, program evaluation, special demonstration, and experimental programs, development of instructional materials, exemplary projects, provision of equipment, and state administration and leadership.

(c) From a state's allotment determined under section 102 for any fiscal year from the funds appropriated pursuant to subsection (a), the Commissioner shall pay to such state an amount equal to 50 per centum of the amount expended for the purposes set forth in subsection (b), except that the Commissioner shall pay an amount equal to 90 per centum of the amount used in areas described in subsection (d).

(d) At least one-third of the federal funds made available under this section to each state shall be used in economically depressed areas or areas with high rates of unemployment for programs designed to assist consumers and to help improve home environments and the quality of family life.

(e) Delete.

Mr. PERKINS (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD because the language is almost identical to that which appears on pages 142 and 143 of the bill.

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

There was no objection.

Mrs. CHISHOLM. Mr. Chairman, I rise today to offer an amendment to the home economics section of the bill in the form of a substitute amendment.

I know that a number of Members may have received circulars from the American Vocational Association or may have received cards and letters plus phone calls from constituents on this matter. However, I would just like to clarify a few points which have been cleared up as a result of meetings with the American Vocational Association, the American Home Economics group, and the American Vocational Educational group.

This amendment incorporates the concept addressed in the committee bill and additional points which the American Vocational Association felt needed to be addressed more pointedly.

First, the committee was not trying to eliminate the occupation of homemaking. Indeed, all of us feel that the home and family life are terribly important in terms of the impact upon and the shaping of the individual and in terms of economic value of this work.

Mr. Chairman, the amendment reiterates the joint responsibility of men and women in the home and clearly spells out that the committee recognizes the importance of homemaking. It also reiterates a point made in the original committee bill; that is, that the two-parent working family is now the national norm and that many, many men and women will be filling two roles, one at a job outside of the home and the other within the family.

Secondly, in the committee bill we had set aside 25 percent of the new money for national research and demonstration programs in home economics, partly because home economics had heretofore been unable to secure any research and demonstration moneys.

The constituency argues that they feel that they can secure such moneys at the State level. Therefore, at their suggestion this research and demonstration function has been folded into the ancillary service section of the bill and will be funded under this section.

The amendment also changes the name back to the old home consumer and homemaking education. I thought and still personally believe that the title home economics education for consumer education, family resource management, and life skills is more appropriate and all inclusive but I bow to the will of the majority in this and have therfore accepted the return to the old name of consumer and homemaking education.

We have also covered teacher training under the ancillary services section but we would like to point out that we do expect the States to include home economics in their professional development and training programs.

I would like to reiterate that this amendment has the approval and support of the home economics constituency and that it has the support of Mr. QUIE and Mr. PERKINS. We reached agreement on this wording late yesterday.

Finally, I would like to say, because of the furor around this particular amendment that I want all of the Members to understand we are trying to bring the vocational home economics concept into the 1970's brought about as a result of the changing role of women in our society. We had extensive testimony on the status of women in vocational education. This amendment reflects those concerns and the concerns of the home economics constituency. In closing let me note we did not change the fact that the home economic departments in the various schools and institutions are the ones we intend to be in receipt of these funds under part D.

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

Mrs. CHISHOLM. I yield to the gentleman from Kentucky.

Mr. PERKINS. Mr. Chairman, first let me compliment the gentlewoman from New York (Mrs. CHISHOLM) for offering this substitute amendment. I know in committee that the amendment that was adopted never was intended to get away from homemaking, in fact it was intended to strengthen it, but some States could have misconstrued the language that was adopted in the original amendment offered by the gentlewoman from New York. But here we have a substitute amendment offered by the gentlewoman from New York, and as I understand it, it is an amendment to change the title back to consumers and homemaking education just like it is in the present law?

Mrs. CHISHOLM. That is correct.

Mr. PERKINS. If I further understand the amendment, the 25 percent of the appropriations that were reserved to the Commissioner for national programs, you delete that provision and let all that money go to the States for homemaking so that there is no money reserved to the Commissioner of Education now under the amendment that you are presently offering, the substitute for the provisions of the committee bill.

The other change, as I understand it, is that the gentlewoman has knocked out the words "life skills," which were never defined and could be, in my judgment, a provision that could have been interpreted differently in different States of the country.

Am I correct that the gentlewoman knocked out that wording, "life skills"?

Mrs. CHISHOLM. That is correct.

Mr. PERKINS. So that the only funding that we have under this provision up to the present time, even though the authorization is higher, is $41 million.

The CHAIRMAN. The time of the gentlewoman has expired.

(On request of Mr. PERKINS, and by unanimous consent, Mrs. CHISHOLM was allowed to proceed for 2 additional minutes.)

Mr. PERKINS. To my way of thinking, all through the years the homemaking provision has worked out wonderfully well in most sections of the country. There may be a few sections where some money has been wasted but, by and large, this has been one of the landmark provisions in the act and I am delighted to support the substitute amendment offered by the gentlewoman from New York (Mrs. CHISHOLM).

Mrs. CHISHOLM. I thank the gentleman.

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

Mrs. CHISHOLM. I yield to the gentleman from Georgia.

Mr. LANDRUM. Mr. Chairman, as I understand the amendment offered by the gentlewoman from New York, it is to replace, beginning on page 142, at line 18, and all that follows on page 143 and page 144, down through line 12 on page 144?

Mrs. CHISHOLM. That is correct.

Mr. LANDRUM. I have been concerned by reports from vocational home economics teachers that serious objection has been expressed as to this section of the bill. Is the purpose of the gentlewoman's amendment to meet, as nearly as possible, the objections of the vocational home economics teachers and of the American Vocational Association, to this provision?

Mrs. CHISHOLM. Precisely.

Mr. LANDRUM. Is it the statement of the gentlewoman from New York that this amendment insofar as she is able to ascertain does meet the objections that have been voiced?

Mrs. CHISHOLM. Precisely.

Mr. LANDRUM. Does the amendment of the gentlewoman from New York in any way diminish the traditional role of the vocational home economics teachers in the vocational schools?

Mrs. CHISHOLM. It does not. The language of the report clearly indicates that the home economics departments and home economics teachers would be the persons that would continue to be responsible for the expanded concepts in this amendment.

(At the request of Mr. LANDRUM, and by unanimous consent, Mrs. CHISHOLM was allowed to proceed for 2 additional minutes.)

Mr. LANDRUM. If the gentlewoman will yield further, what the gentlewoman's amendment really does is attempt to expand the traditional role of home economics into an enlarged area that the 1970's, as she said, requires?

Mrs. CHISHOLM. That is correct.

Mr. LANDRUM. Could the gentlewoman explain to me or give me some example of what she means in the part of her amendment which says "programs for providing services for the courts?" Just what area is she entering here? What service is she proposing to be provided by this section of the bill to the courts?

Mrs. CHISHOLM. I do not have any specificity with respect to the services rendered to the courts, but I do know and do feel, as a result of talking with the persons in the consumer and home economic area that the problems in this area must be considered.

Mr. LANDRUM. If the gentlewoman will yield further, may I ask if the provision in her amendment relating to the assumption of duties in homemaking by men is a subtle suggestion that we have not been doing all that we should?

Mrs. CHISHOLM. No. It is not a subtle suggestion in the least. I think it is a recognition that more and more women are going into the labor market, and we must prepare more and more women to cope in this society.

Mr. LANDRUM. If the distinguished gentlewoman would yield further, is she saying that we have not been cooking enough or washing enough dishes? Someone told me recently that the reason they sold so many dishwashers is that a man would rather buy one than be one. Is that true?

Mrs. CHISHOLM. No, no, in all seriousness.

Mr. LANDRUM. I believe that it meets most of the objections raised by the home economics teachers.

The CHAIRMAN. The time of the gentlewoman has expired.

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

Mr. Chairman, I want to commend the gentlewoman from New York for developing this change in the amendment. I can see, since it was explained, some of the difficulty in the way it was written before. As I read through it I believe she is putting the emphasis now in the way she had intended, and that it has not weakened in any way the intent she had in the amendment she sponsored successfully in committee. I believe it is written better, and I urge my colleagues to support it.

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

Mr. Chairman, I would like to take a few minutes to voice my strong support for the amendment offered by Mrs. CHISHOLM to part D of the Vocational Education Amendments of 1976, the consumer and homemaking education provision.

During the past several weeks this provision has undergone almost an entire about face; first of all in subcommittee, then in full committee and now once again as we take it up on the floor.

The question seems to be: What is the philosophy of consumer and homemaking education, and what role should the Federal Government play in its implementation at the local and State level.

One philosophy brought out in committee, said that since the amount of money spent by the Federal Government on home economics was so small—$1 Federal to every $12 spent by State and local—the program can survive on its own—that the local and State governments can continue to fund the program. The philosophy continues by saying that those Federal dollars spent on consumer and homemaking education, could be better spent on vocational education programs that provide skills which lead to salable employment.

I understand that philosophy and as we all know, with education dollars be ing in short supply—the dollar should be spent where it will do the most good. However, I do not fully accept this philosophical point of view as I personally feel it fails in at least two major areas. First, the Federal role in vocational education as stated in the 1968 amendments was to provide a catalytic role—to motivate State and local education agencies to pick up the program, to expand it and to develop a curriculum along the guidelines as set forth in the State vocational education plan. Thus, I believe that the $1 spent by the Federal Government—to the 12 spent by the local and State education agencies—toward consumer and homemaking education, is truly an example of the catalytic philosophy of this entire act. It has truly provided the catalyst to insure local and State education agencies to develop the home economic curriculum.

My second concern with this point of view rests in the belief that home economics does provide a much needed role in our educational system and rather than remaining a stagnant-traditional part of the curriculum, it has developed to meet the needs of our society and will continue to do so provided it receives the continued catalytic support by the Congress.

It is for this reason, that I joined Mrs. CHISHOLM in committee to offer the Chisholm-Blouin amendment, which we saw as an approach which answered much of the criticism over the question of what is the role of home economics and what role should the Federal Government play in it. Our amendment attempted to focus attention on those programs faced by our society which could and should be addressed in the education curriculum through home economics. There is no question in my mind nor in the minds of professional home economists, that home economics is an interdisciplinary subject, that it addresses a wide assortment of problems and concerns. What we did was to come face to face with reality and to put into legislative language the realities of what home economics is in today's world. In a sense we were attempting to deemphasize the stereotype of home economics.

Needless to say our approach seemed acceptable to the committee as it was passed almost unanimously.

Since that time my office—like most of yours I suppose—has been swarmed with telegrams and telephone calls from the profession wanting the Chisholm-Blouin amendment scratched and then go on to urge a return to the present language of the 1968 amendments.

I truly respect the organizations representing the profession and I have tried to be more than understandable to their concern. Their concern basically rests in a fear that new language and a new name will detract from their program. That by broadening it, it may take away their identity as a vocation and place it in the realm of general education. I respect their feelings and I commend them for their spirit—what good would a profession be, if it did not stand on its hind legs and fight when it felt threatened.

It was never our intention to take the vocational educational dimension away from home economics—only to broaden its scope. However, I am realistic enough to know that accommodation and compromise sometimes reaps the better harvest. During the past few days we have sat down with the profession and have worked out what I consider to be the best of both possible worlds.

The language just introduced by Mrs. CHISHOLM recognizes the home economics profession as one that is truly voca-

tional in nature and at the same time broadens the spectrum of the profession so that it truly becomes one that is interdisciplinary.

I would urge your adoption of the Chisholm amendment.

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

Mr. Chairman, I think in this amendment we have a classic example of what we go through in this House on so many occasions. We—and I say "we" in the sense of the whole Congress and certainly not some of us—take the attitude that everything must be rewritten, everything must be redirected, every acre of ground must be replowed, and everything must be restructured simply because it appears no one knows what he is doing back home and we are failing in everything unless some Federal bureaucrat has charted every course and set every goal. This is pure bunk.

This is a classic example of taking one of the areas in which there is uniform agreement throughout the country that we have had success, that they have been on the right track, and I rather resent the attitude that we keep hearing on the floor that somehow we have to change the stereotype of home economics. Why? I ask why should it be changed? It has been successful. There is nothing wrong with the stereotype. I know of no one who apologizes for the work and the degree of success we have had in home economics and in vocational training. The teachers in this area are to be commended not chastized.

I would like to ask my colleagues, the gentlewoman from New York and the gentleman from Iowa: What is so wrong with the law as it now stands that they think it must be changed?

I guess I just do not see those areas of failure. Would my colleague and friend, the gentlewoman from New York (Ms. CHISHOLM) tell me why there has been such a failing in home economics and vocational education that it has to be redressed and rechanged?

Ms. CHISHOLM. Mr. Chairman, if the gentleman will yield, it is not a question of failure. It is a question of bringing up an important part of home economics and vocational training together that is preparing people for a future life in this country relative to the needs of the 1970's.

It is a question of the fact that more and more women need to learn more than just sewing and cooking and dressmaking in the traditional sense. We have to prepare them for all the technological fields so they are able to be productive in this society. The traditional roles of sewing, dressmaking, and cooking yesterday are not apropos in terms of what is happening in our society today.

Mr. ASHBROOK. After the gentlewoman has said that, would the gentlewoman tell me what is wrong with vocational and home economic courses the way they are structured?

Ms. CHISHOLM. The gentleman is missing the point. There is nothing wrong. What we are doing is expanding the concept and the breadth to take into account the needs of women in the 1970's. The fact that in many of our schools the young women want to go into other areas, other vocations; traditionally they have been sewing, traditionally they have been cooking, traditionally they have been the ones that do all the kinds of things that the gentleman in the well usually associates with the prescribed roles of women; but in a dynamically changing society and in terms of what is happening, we are only broadening the scope. We are not changing it one iota.

Mr. ASHBROOK. In the broadening society the gentlewoman is talking about, one used to be able to walk down the streets of New York and not be accosted. Not so now and I suppose you could say many would train for life skills on the street if we are to accept my friend's concept of a dynamically changing society.

Now, where do we draw the line?

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

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

Mr. BLOUIN. Mr. Chairman, I think if the gentleman will view the statistical trends in terms of the enrollment of women in home economics courses, in terms of the broadened course offerings that are already there, all this amendment does, frankly, is formalize the actual breadth of home economics nationwide. In one part of this country or another every aspect of this amendment is being offered today or being developed. We are just trying to bring the definition of home economics up with the current trends.

Second, I think it is rather apparent, this is not a new effort. I can now understand why the gentleman from Minnesota (Mr. QUIE) had such trouble back in 1963 trying to get this change through. I can understand why it has been so many years trying to turn it over and update and modernize something that is already taking place.

It is my understanding there is nothing in here that is completely new and different that is not already in the making somewhere in the realm of home economics today.

Mr. ASHBROOK. Then the gentleman has made my point. If all this was done under the law that he would now change, why all the rush to change in fact what is already mandated. What the gentleman is talking about would have been done or evolved at the local level in the way they have deemed fit at the present time. Why all the effort to write in page after page of these regulations? I think if there is anything we all know, it is the more language we write in and the more we open the door, the more we talk about encouraging societal skills, whatever that means, the more we are encumbering those who are working in the local schools. The more redtape will evolve, and the less effective these programs will be.

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

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

Mr. ASHBROOK. Mr. Chairman, if there is anything obvious, it is the more bureaucratic language like this, this body writes in, the more problems the people back in Iowa and Ohio have in administering these programs that have been successful and the more we open the door to over-the-shoulder dictation from Washington.

Mr. BLOUIN. Mr. Chairman, if the gentleman will yield further, the point is that those problems the gentleman is talking about, the complexity of trying to administer this thing, the fact it is such a state of change today adds to it.

Frankly, I view this as an effort to simplify it, to spell out what the breadth of it is today. As a matter of fact, if the gentleman will look at the tone of the committee, we may well have ended up if it had taken its normal course with no categorical aid for home economics and that would have been a worse state. There would have been no money earmarked for that and the whole part (D) the gentleman is referring to would have been stricken.

It seems to me this is the better effort at compromise. This is an effort to try to keep up where we are already.

Mr. ASHBROOK. Is the gentleman seriously suggesting that if we had not accepted the Chisholm-Blouin amendment that home economics would not have gotten anything?

Mr. BLOUIN. I can tell the gentleman very directly that the subcommittee and the whole committee were very definitely moving in that direction, and if it was not for the melding of this compromise, which every one of the three associations admit that if it had not been for the melding of this compromise, that the whole part D would have been stricken.

Mr. ASHBROOK. It speaks well for the state of affairs in this Congress if that is really the case. The American people should well note that statement.

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

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

Mr. SKUBITZ. Mr. Chairman, I thank the gentleman for yielding to me. I want to commend the gentleman in the well for fighting a program that was doing quite well. It seems to be the temper of this body that when anything works right, we have to change it because change always must be reform.

Reform does not necessarily come by simply using the word "change."

Mr. ASHBROOK. Mr. Chairman, I would conclude by saying that I think this amendment was certainly offered for a valid purpose, and I certainly respect the able Members who offered it. They are taking out a very bad amendment in the bill which they offered and substituting one which is not nearly so bad. This is fine. But, I think in a couple of years from now a lot of us are going to remind you that it was mischievous and unnecessary. In this language we are going to place undue burdens, undue administrative and bureaucratic burdens, on the local teachers and administrators who are only trying to do a good job of education back home. It is a Pandora's box which will cause many problems

when you have bureaucrats implementing this nebulous language.

I know it is better now than what was originally offered, and I commend the Members for that, but I think it is fraught with problems. I only wish we could keep the law as it is now.

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

Mr. Chairman, I do not know what combination of things there may be that we need to do to change the status quo in this country, but I must say that I am not at all personally satisfied with the status quo in which more than half the population of the United States is comprised of women; in which women comprise more than 40 percent of the work force in this country, yet if we look at education and preparation for a career, or if we look at the actual careers and professional occupations and at who is employed therein at the present time, we find that women are still concentrated toward the lower levels, the lower income levels of employment and in vocations that are, in the main, stereotyped.

We look out at a society that, notwithstanding all the law and all the efforts, is still one where, in government and in most fields of endeavor, there is a white male establishment.

Now, we are at a point in history in which many families are headed by women, by a single parent who is a woman. We are at a time in history when the norm for many families has become a two working parent family. In such a context, we need—all of us need—adult males, adult females, a couple of things. We need homemaking skills and we need vocational skills.

Any man who is a bachelor, or is a married man whose wife becomes pregnant at any time, may find himself in need of homemaking skills. Yet, we have the homemaking courses still filled overwhelmingly with young women, not young men.

We have a situation in which still the large number of women are preparing themselves for certain special occupations such as nursing, teaching, and the like. While we have been doing a good job in home economics, and there have been many professionals who have worked well in this area and while we have done a good job in vocational education as a whole, the fact remains that in this society women still occupy a place of inferiority. They are still stereotyped careerwise, and we have a major social problem with which to deal.

I think many changes are in order in such a context. I do not know how much this amendment does. I think the sponsors are to be commended for working very hard to try to achieve a compromise which met the basic purposes of their amendment, and yet was acceptable to all the major professional groups that are involved in this field. As I understand it, this does have their approval.

So, it seems to me that the sponsors ought to be commended for what they have achieved. I rise in support of this amendment, along with the professionals who work in this field. But, I want to point out that we will not do well to be content with the status quo America when it comes to the professional education of all citizens, or what Americans are in which vocations and where we stand as a society, because the fact is that no matter what Virginia Slims may have to say about it, if you are a woman in this society, "You've got a long way to go, baby."

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from New York (Mrs. CHISHOLM).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. QUIE

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

The Clerk read as follows:

Amendment offered by Mr. QUIE: Page 158, line 18, before the comma insert: "and to prepare such persons to perform adequately in a work environment requiring English language skills".

Page 159, line 7, after "persons" insert "to acquire sufficient job skills and English language skills".

Page 160, line 13, before the comma insert: ", which shall include instruction in the English language designed to ensure that participants in the training will be assisted to pursue such occupations in environments where English is the language normally used".

Mr. QUIE. Mr. Chairman, the amendment which I offer comes from a conversation, a colloquy, which I heard in the Committee on Rules when this bill was before the Committee on Rules, which the Chairman will be interested in. After that conversation, I went back and looked at the bilingual vocational training section, part F, to see if it in any way would provide the capability for individuals to work in skills where the English language was needed. I felt that it could easily be construed to be exclusively training in a language other than English and, therefore, they never learn the English language skills they need to live or work in a society in this country, a single-language country.

Mr. Chairman, for that reason I feel that this will make certain that the individuals who take bilingual training in vocational education will be learning the English language, as well.

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

Mr. QUIE. I yield to the gentleman from Kentucky (Mr. PERKINS).

Mr. PERKINS. I thank the gentleman for yielding.

Mr. Chairman, I see no objection to the amendment offered by the gentleman from Minnesota (Mr. QUIE). In fact, I think it may strengthen bilingual education. Therefore, we accept the amendment on this side of the aisle.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota (Mr. QUIE).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. QUIE

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

The Clerk read as follows:

Amendment offered by Mr. QUIE: Page 167, beginning after "section 166" in line 4 strike out everything through "(B)" in line 11.

Mr. QUIE. Mr. Chairman, as I read this amendment having to do with the training of instructors, which is section 166, where we find the authorization for grants for instructor training programs, it appeared, in section 169B, that the training instructors would have to be in the State where the bilingual program is being held.

It seems to me there should be nothing wrong with the training of an instructor in California to be used in New Mexico or to be employed in New Mexico. It seems to me there should be nothing wrong with a person trained in a college in New Mexico being hired in California or Arizona.

So, Mr. Chairman, what this amendment does is to remove that paragraph which requires that it has to be conducted in the State where the enrollees would be selected.

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

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

Mr. PERKINS. Mr. Chairman, we accept the amendment on his side of the aisle. There is no objection to it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota (Mr. QUIE).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. CORNELL

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

The Clerk read as follows:

Amendment offered by Mr. CORNELL: Page 86, line 16, insert immediately before the period ", and by inserting immediately after 'per capita income' the following: 'and per capita expenditure for vocational education' ".

Page 87, immediately after line 8, insert the following:

(5) Section 102(d)(1) (as redesignated by subsection (a) of this section) of such Act is amended to read as follows:

"(d)(1) The allotment ratio for any State shall be the sum of—

"(A) 1,000 less the product of (i) 0.500 and (ii) the quotient obtained by dividing the per capita income for the State by the per capita income for all the States (exclusive of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands); and

"(B) the product of () 0.125 and (ii) the quotient obtained by dividing the per capita expenditures (including expenditures from Federal, State, and local sources) of the State for vocational education by the per capita expenditures (including expenditures from Federal, State, and local sources) for all the States (exclusive of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands), except that the quotients in clause (A)(ii) and clause (B)(ii) in no case shall be more than 1.200 or less than 0.800, and except that such quotients for Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands shall be 1.200."

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

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

There was no objection.

Mr. CORNELL. Mr. Chairman, the present method of distributing funds under the Vocational Education Act utilizes weighted population age groups

as an indication of need and per capita income as an indication of the ability to pay. These factors bear no relation to the effort that each State exerts in providing vocational education services to its citizens.

This amendment will change that formula so as to give some consideration to the efforts that individual States and local communities have made in providing vocational education. The current formula distributes 50 percent of the funds on the basis of the number of persons in the various age groups normally provided vocational education, and the other 50 percent is based on per capita income of the respective States compared to the national per capita income.

My amendment would give State and local government expenditures for vocational education one-quarter weight when determining the State's per capita income formula. While the formula itself is obviously complicated, the concept is quite simple.

I believe that States should be encouraged to make greater individual contributions to vocational education. The GAO report on the role of Federal assistance to vocational education was critical of the lack of State effort and the consequent dependence on Federal funds. GAO reviewed the operation of vocational education programs because over $3 billion of Federal funds have been expended since the enactment of the Vocational Education Act in 1963.

This legislation was intended to encourage State and local governments to increase their own funding for vocational education. While some States and local governments have done that, in some States the ratio of State and local support to Federal has declined.

According to the GAO, the legislative history of the Vocational Education Act of 1963 and subsequent amendments indicates that Federal assistance should serve as a catalyst to induce State educational agencies and local educational agencies to aline programs and expenditures more closely to community and individual needs.

The idea of providing an incentive to the States to make greater individual contributions is not, of course, a new one. The Federal revenue sharing program takes a State's tax effort into account when distributing funds. In addition, the Elementary and Secondary Education Act Amendments of 1969 included a small bonus to States which surpassed the national effort index for child education expenditures.

Recently President Ford proposed a health block grant consolidation that uses a State's tax level in determining the amount of aid to be distributed.

I truly believe that this is the right approach and that we ought to be encouraging States and local governments to expend more money in the field of vocational education and will achieve that through a formula such as I propose.

Therefore, Mr. Chairman, I ask the Members to support my amendment.

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

Mr. Chairman, the gentleman from Wisconsin (Mr. CORNELL) sent around a "Dear Colleague letter" in which he listed the States that would gain. There are 20 States that would gain and 30 that would lose. Minnesota is one of those that would gain, but I still oppose the amendment because I think it would be an unfair formula.

Mr. Chairman, if the Members would read the amendment, which is on page 13159 of the RECORD at the lower right-hand corner, the reasons, as the gentleman from Wisconsin indicated, are based on the present quotient in developing the ratio on the per capita income; but then when one uses the per capita expenditure, he has to take into consideration what is being expended from local, State, and Federal sources.

If a State spends more money and receives a larger amount of Federal money because of it, then the next year they are raised higher in the ratio, and so the rich get richer; or those who are willing to spend more money are going to get more and more Federal money which will then further increase the amount of Federal funds they are entitled to receive. There is no indication as to whether they spend more of their own money because after the initial year they would be using the Federal Government's money.

Mr. Chairman, I do not mind getting more money for my State if I think the formula is fair; but I do not like to get additional money if I think it is unfair. There are some States that do spend a great amount of money for vocational education, but they have a hard time in making the expenditures.

Mr. Chairman, I will turn to the chairman of the committee himself, and he may find it a little more difficult to speak against this amendment because his State loses money, but that should not really stand in the way of a person speaking against it.

With respect to the State of Kentucky, I have gone down there. It is not exactly among the wealthiest States. I have had a chance to go into eastern Kentucky and have seen the difficulty they have in raising the money for schools. They have gotten relatively more assistance for vocational education down there from the Federal Government than have wealthier States. I think they ought to, and I think it would be unwise for the States that have the money like California and New York—and Minnesota is spending additional amounts of money for vocational education itself—should then have written into the formula a means whereby those States which could afford to spend their own money would get additional money from Federal sources, while the less wealthy States would lose each year the money received from the Federal Government.

Mr. Chairman, I do not think that anything we worked on with respect to the formula in the past is more harmful to such States.

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

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

Mr. CORNELL. Mr. Chairman, I certainly want to commend the gentleman for being so magnanimous since his State would gain almost 4 percent under this formula. However, I do not quite understand the gentleman's argument quanto horrendum with respect to the results that might come in subsequent years.

Will the gentleman explain that?

Mr. QUIE. Yes; if the gentleman from Wisconsin would read his amendment, it says that one goes to the quotient by dividing per capita expenditures, including expenditures from Federal, State, and local sources. Therefore, the States that do spend more from Federal, State, and local sources then would receive more Federal money than they otherwise would receive, and then the next year they add that ratio against and are entitled to more money. It keeps on going up and up.

Mr. CORNELL. Of course, the prime reason is to try to encourage those States that are not spending the money to do so.

For example, let us take New York with its financial situation. Obviously, they gain almost 10 percent here because of the fact that they expended so much, which is one of the factors with respect to vocational eduaction.

As I mentioned, we incorporated this into the revenue sharing to encourage those States that have a high tax rate.

Mr. QUIE. But I say to the gentleman from Wisconsin that it works like compound interest. It would be the same way if in a bank you worked this out on a ratio basis, those who had the most money invested in the bank would get the largest amount each year, because you compound it, and then take it away from those who are the smaller contributors whereas normally in a bank everybody's interest gets compounded in the same way but here you would actually take that away from the poorer States which would have received it. For that reason I think the gentleman's formula is wrong.

Mr. CORNELL. Does not the gentleman from Minnesota believe, as the GAO said, that we ought to encourage more State expenditure in the field of vocational education? Is that why the gentleman objects to the formula?

Mr. QUIE. I do not like to do it by taking it away from the poor States and giving it to the nonpoor.

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

Mr. Chairman, the gentleman from Minnesota (Mr. QUIE) is exactly right, because of the way the formula proposed by the gentleman from Wisconsin (Mr. CORNELL) is constructed, with each succeeding year the proportion going to the wealthier States would increase and as long as the amount of the total appropriation remained relatively static, it would mean those increases would have to be taken from the poorer States.

But in addition to that, Mr. Chairman, while I might agree with the gentleman from Wisconsin that we ought to encourage the States to contribute more to their own programs sometimes, I would like to point out that the record in the field of vocational education for State contributions has been one of the best

of all Federal programs. The matching is now approximately $6 for every $1 that the Federal Government puts into vocational education. From 1965 to 1974, a period of 9 years, the contribution to vocational education by the States has grown from $604 million to $3,434,000,000. In that period of time the Federal contribution has grown only from $157 million to $468 million.

So the increase in contribution of the States to vocational education has certainly outstripped I think almost any education program of which I am aware and that contribution is very substantial.

In addition to that, the effect of the amendment proposed by the gentleman from Wisconsin (Mr. CORNELL) I am afraid would really be contrary to what he is trying to achieve. That is what the gentleman from Minnesota (Mr. (QUIE) was pointing out that as Federal funds are it is like compound interest and the wealthier States will continue to get more money. Therefore, I oppose the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin (Mr. CORNELL).

The question was taken; and the Chairman announced that the noes appear to have it.

Mr. CORNELL. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a guorum is not present.

The CHAIRMAN. Evidently a quorum is not present.

The Chair announces that pursuant to clause 2, rule XXIII, he will vacate proceedings under the call when a quorum of the Committee appears.

Members will record their presence by electronic device.

The call was taken by electronic device.

QUORUM CALL VACATED

The CHAIRMAN. One hundred-one Members have appeared. A quorum of the Committee of the Whole is present. Pursuant to rule XXIII, clause 2, further proceedings under the call shall be considered as vacated.

The Committee will resume its business.

The pending business is the demand of the gentleman from Wisconsin (Mr. CORNELL) for a recorded vote on his amendment.

A recorded vote was refused.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. MICHEL

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

The Clerk read as follows:

Amendment offered by Mr. MICHEL: On page 89, strike out lines 17 through 23.

On page 89, line 24, strike out "(2)" and insert in lieu thereof "(d)".

Mr. MICHEL. Mr. Chairman, this paragraph that I seek to strike would direct the Commissioner to assign to the Bureau of Occupational and Adult Education beginning in fiscal year 1977 at least as many persons to administer the Vocational Education Act as were assigned for the same purpose during the fiscal year 1967. The committee report states that the Bureau would have to hire 62 additional people to fulfill this requirement.

Mr. Chairman, we consider staffing levels for the whole Education Division every year in the regular appropriation process. This gives us an opportunity to review the needs of one program against another on an annual basis. This review process cannot be rational if various programs are given either minimum or maximum staffing requirements in authorizing legislation. Once we begin writing requirements like this into law, every other program with a constituency will want similar protection. This would make consideration of staffing levels during the appropriation process virtually meaningless.

I hope we do not establish here today this unfortunate precedent in education legislation.

Furthermore, Mr. Chairman, we have tried very hard to get the Office of Education to establish a rational manpower management system, so that staffing requests will be related to relevant needs. What use would this system be if the Congress establishes ad hoc mandatory staffing levels for particular levels? It would be very little, I can assure this House.

Mr. Chairman, it is really not that we need any lengthy arguments to support what we intend to do here, but I just think it is awfully bad precedent to just set a mandatory level of people. What kind of people? All the Department has to do is go out and hire 62 rum-dumbs and then they can say we have complied with the law. Now, that is just absolute nonsense to write in that kind of provision in the law. It plays right into the hands of Parkinson's law for any agency head: "Give me 62 more people." His GS rating goes up and he gets a bigger salary and all the rest.

Let us not do that in this vocational education bill, of all things. Let us support my amendment to strike mandating 62 additional people for this work. I can assure the Members that our Appropriations Committee will see to it that a sufficient number of personnel slots are allocated to do a good job, but it will be done on the basis of need for the specific job.

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

Mr. Chairman, the effect of the amendment of the gentleman from Illinois is to send the decision on the staffing and the emphasis which will be placed upon vocational training right back to the Office of Education. That is precisely what we do not want to do, because we know what it means. Vocational education has always been the stepchild in the Office of Education. We have had a continual fight in our committe with the Office of Education with regard to staffing in the field of vocational education and adult education. We have passed laws. We have put language in reports. We have asked them and have done everything we could do, short of mandating what we are now doing, to get them to bring the staffing up in vocational education in the Office of Education and they simply refuse to do it.

Indeed, the statistics which the gentleman himself cited show precisely what has happened in the Office of Education under this administration in vocational education. In 1967, prior to the passage of the landmark Vocational Act Amendments of 1968, when there was not necessarily as much emphasis on vocational education, there were in the Office of Education in the field of vocational education 153 persons administering vocational education. Since that time we have almost exactly doubled the funding for vocational education and yet today in 1976 we find administering some $550 million in vocational education, 95 people. That shows the deterioration which has taken place in the Office of Education in the field of vocational education.

Now, we are simply not going to get the kind of emphasis we need in vocational education across this Nation if we do not have the proper staff to see that the Federal funds are wisely expended and that they are, in fact, used as impetus for new programs and new concepts in vocational and technical education. In fact, that is one of the big complaints we had in the hearings. I am sure the gentleman from Minnesota will verify this, that the Office of Education did not have adequate staff in the home office in D.C. or in the field to adequately administer the Federal program, and yet if we take the amendment of the gentleman from Illinois we are going to see reduction in staff. We are told, the Office of Education plans to use next year only 91 people. That is almost half the people to administer the law, twice the funds that these people were administering in 1967 when the Federal Government was not emphasizing vocational education, as it is today.

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

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

Mr. MICHEL. Mr. Chairman, I can understand some of this frustration if the gentleman wants to equate a program with numbers of employees at a Federal level. The real good administrators of the program are at the State and local level, and they are interested in money, in Federal dollars. They are not so much interested in additional people working in Washington as Federal administrators of the program.

I just think that it is unconscienable for us to mandate their putting on additional people with no criteria as to whether they are competent or not. The gentleman has got to see through that argument. As much as I can share some of his frustration at times that the people downtown will not do exactly as he wants, this is not the route to take. I implore the gentleman to recant from his position, to do the wise thing and accept my amendment and cast a good vote for economy.

Mr. MEEDS. With the gentleman's concurrence, I will not recant, but will point out further that the increase which has taken place at the state level is more than it is at the Federal level. With that I agree, but we have had just $10 million less than doubling of vocational education funds at the Federal level in this 10-year period, and we have almost cut in half the staff it has to administer it.

The gentleman cannot seriously contend that one-half the people can do twice the work in the field of vocational education.

Mr. MICHEL. What do they have to do?

Mr. MEEDS. I have sat through the hearings, and I know the inadequacy of the staff.

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

Mr. Chairman, I rise in support of the amendment offered by the gentleman from Illinois. I think we see here precisely the same argument which I endeavored to draw to the attention of the Members of the House a few moments ago. To repeat, in vocational and home economics, we have a program that has worked. It has not worked in Washington; it has worked back in the State of Illinois, back in the State of Washington, back in the States of Iowa and Ohio the accomplishments have been made largely by the state and local people.

Yes, the Federal Government entered into a partnership to help, but now all of a sudden we hear the argument that we have to have more people in Washington and more bureaucratic overhead. From that will obviously emanate more regulations, more red tape. We are moving in precisely the wrong direction.

Mr. Chairman, I wholeheartedly support the gentleman from Illinois. I thank him for bringing this to the attention of the House, and again point out how lacking in real substance is this argument. It is generally admitted that this has been a great program. It has not been a great program because of the Federal bureaucracy or the Office of Education. It was a great program before we even had an Office of Education. Here we are saying that unless we double the people at the Federal level we will not have enough people to issue all of these regulations which we most likely do not need anyway.

As my friend from Washington said, take a look at the program to see what they are doing. We know what they are doing.

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

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

Mr. MICHEL. I just want to say that this is a form of revenue sharing. The best administrative record we have in any program is in the revenue program, where the percentage of administrators to dollars going out, following the principle of the gentleman from Washington, the more dollars we return to the States and local communities, we have to back up with a direct, proportionate share increase of Federal employees. I just cannot imagine that the gentleman wants to associate himself with that principle at this stage of the game.

Mr. ASHBROOK. Particulraly when I would suggest that the mood of the country is exactly the opposite.

Mr. MICHEL. Exactly what the people are telling us all around the country.

Mr. MEEDS. If the logic of the gentleman from Illinois were correct, he would think that the States are not backing this proposal. This proposal to double up personnel at the Federal level in the Office of Education is coming mostly from the States. They are the ones who are complaining about a lack of administrative leadership and ability in the Office of Education.

Mr. MICHEL. If they get a choice between money and people, they will take money every time. The gentleman can bet his bottom dollar on that.

Mr. ASHBROOK. I would only say that I completely agree with the gentleman from Illinois.

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

Mr. Chairman, the gentleman from Washington put his finger on the problem. Almost all the vocational people throughout the Nation who testified, including the State officials, are in favor of this proposal because they absolutely have not been able to get service from the national level, from the Office of Education, from the Bureau of Occupational and Adult Education. There has been too much neglect and irresponsibility that has discouraged many State people from even trying to resolve the problems in Washington.

The Office of Education does not even have the personnel to clear the plans that have to be sent to Washington. They lay there for months. It has confused the people at the State level. This amendment should be adopted. The program has doubled since 1967. Then we had 153 people in the Office of Education. Today we have about 95. Certainly we were justified in mandating the number that we did, so that this program could be administered efficiently and effectively from Washington.

The reason we mandated the number of personnel is because we want to see the best use of the funds possible and because we want to give the States service out of Washington. And it would be my hope that the entire Chamber would disregard the argument made by the gentleman from Illinois and support this amendment. I will correct that statement to say that the Members should defeat this amendment.

Mr. EVANS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from Colorado (Mr. EVANS).

Mr. EVANS of Colorado. Mr. Chairman, I was just going to ask whether the gentleman meant he is in favor of this amendment.

Mr. PERKINS. I am opposed to it.

Mr. EVANS of Colorado. The provision in the bill is what the gentleman wants to keep, and the gentleman is against the amendment?

Mr. PERKINS. That is correct.

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

Mr. Chairman, in 1968 we amended the Vocational Education Act of 1963. At that time, when Mr. Ayres was the ranking member of the Committee on Education and Labor, and speaking in his views for the minority—we were very upset with what President Johnson had been doing to the staff of the U.S. Office of Education for vocational education; we felt they were hurting it by cutting back on the personnel—he pointed out that Commissioner of Education Howe was asked, "How many of the 39 supergrades budgeted for the Office of Vocational Education will be assigned to technical education?" And the reply was, "One." And Mr. Ayres pointed out that there was inadequate personnel to administer vocational education effectively.

I recall, when changes were made at that time for the student programs, FFA and future homemakers, and the other ones expanded now, that the Office of Education did not have the personnel anymore to adequately serve the needs of the States in the local communities.

Vocational education is different than most other education. It really started at the Federal level in 1917. So we have not had the same concern for Federal requirements for the administration of vocational education as we have had in some other programs.

Mr. Chairman, whether the number that is required by the bill is exactly right is hard to tell. It seemed to us in 1967, since we are criticizing them, at least they ought to bring the personnel level up to that year. But the States and the local communities need more service from the U.S. Office of Vocational Education than they do in traditional programs that had been existing up to that time, and especially at that time—we are speaking of the Defense Education Act in 1965—of course, we passed the Elementary and Secondary Education Act, and there may have been some defense in moving people over to the USDA Administration, but it seems to me, as the gentleman from Washington and the gentleman from Kentucky have indicated at the hearings, there is not sufficient personnel to handle the needs.

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

Mr. QUIE. I yield to the gentleman from Illinois (Mr. MICHEL).

Mr. MICHEL. Mr. Chairman, there is no program in the educational program that is more important than the vocational education program. It is one that really gets down to the people. I am just saying that our Appropriations Committee, with the obligations we have from year to year to set funding levels to support a certain number of personnel, ought to be left with that flexibility to do what we think is right, rather than simply going into a hearing knowing they have a mandate to put on 62, or whatever number there are here. I think it is a bad principle to follow because we are not guaranteeing efficiency in economy at all. We are just guaranteeing the additional people. Everyone in this Chamber has to think that one truth and, regardless of the feelings of certain people here with certain people downtown from time to time, they have to rise up and do what is right and vote for this amendment.

Mr. QUIE. Mr. Chairman, there are a few times when we get into a hassle between the authorizing and the appropriating committees. There are more Ap-

propriations Committee members than there are authorizing committee members, but there are more Members who are on neither committee, and I would be willing to leave this decision with the Members of the House.

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

The question was taken; and the Chairman being in doubt, the committee divided, and there were—ayes 20, noes 27.

Mr. MICHEL. Mr. Chairman, I demand a recorded vote.

A recorded vote was refused.

So the amendment was rejected.

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

Mr. Chairman, I rise in support of the Vocational Education and National Institute of Education Amendments of 1976—H.R. 12853.

The legislation before us will insure the continuation of our State vocational education programs. The Smith-Hughes Act in 1917 was the great grandfather of this legislation. It created the first Federal assistance programs in fiscal year 1918 when total Federal outlays were $800,000. In 1974 Federal outlays were almost $470 million and the program was expanded to include facilities construction, research and demonstration projects, as well as vocational training. State and local expenditures for vocational programs are now in excess of $3 billion.

Although our vocational education programs may be the most extensive and progressive available anywhere, they have been met with several criticisms. Basically it was felt that the programs were not reaching all students that could benefit from the training. Second, it was felt that the State programs were not coordinated properly because of stringent Federal guidelines and were not responsible to the students.

Finally, it was felt that sex stereotyping was prevalent in the programs. In general it was felt that females should be encouraged to develop interest in what is commonly thought to be male-intensive programs.

The legislation before us provides for fiscal year 1977 authorization level of $720 million increasing to $1.5 billion in fiscal year 1981. The increased authorizations will insure the capability of increasing the existing programs to meet the needs of all students. Further, this legislation, starting in fiscal year 1978, consolidates most vocational education categorical grants into one block grant. This will effectively increase State decisionmaking authority.

In addition, this legislation is designed to attract more of the students whose needs it is intended to meet. Finally, the bill encourages the States to develop their programs in such a manner as to erase the SEC stereotyping problem which I alluded to earlier.

I sit as a member of the Appropriations Subcommittee on Labor-Health, Education and Welfare which has the funding jurisdiction on this matter. Although we have already gone through our subcommittee markup, action on vocational education programs was deferred until the legislation before us now passes the House.

Our subcommittee has always supported our State vocational education programs and I intend to see that the support continues. My support for vocational education is longstanding. It began during my own high school career when I attended the Pittsfield Vocational High School in Pittsfield, Mass. I have always had a deep appreciation for the training I received and will channel all my efforts to see that every student who desires to seek a vocational education will have the best program possible made available to him. We must do no less.

I urge my colleagues to support this legislation.

Thank you, Mr. Chairman.

AMENDMENT OFFERED BY MR. KETCHUM

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

The Clerk read as follows:

Amendment offered by Mr. KETCHUM: Page 89, line 25, strike out "subsection" and insert in lieu thereof "subsections".

Page 90, line 12, strike out everything after the first period and insert immediately after such line the following:

"(d)(1) The Commissioner shall, not later than 60 days after the date of the enactment of the 'Vocational Education and National Institute of Education Amendments of 1976', prescribe and implement rules to assure that any hearing conducted under section 434(c) of the General Education Provisions Act in connection with funds made available from appropriations under this title shall—

"(A) if it concerns a single unit of local government or the residents thereof, be held within the boundaries of such unit;

"(B) if it concerns a single geographic area within a State or the residents thereof, be held within the boundaries of such area; or

"(C) if it concerns a single State or the residents thereof, be held within such State.

"(2) For the purposes of paragraph (1)—

"(A) the term 'unit of local government' means a county, municipality, town, township, village, or other unit of general government below the State level; and

"(B) the term 'geographic area within a State' means a special purpose district or other region recognized for governmental purposes within such State which is not a unit of local government."

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

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

There was no objection.

Mr. KETCHUM. Mr. Chairman, this amendment that I am offering relates to administrative hearings concerning alleged violations of any of the provisions of this act. This is the same amendment which I offered to the EPA R. & D. Act. It is the same amendment I offered and was unanimously accepted to the Packers and Stockyards Act.

All this is intended to do is to bring Government closer to the people and say that when there is an administrative hearing, it will be held in the district where the alleged offense occurred.

I believe this is a perfectly proper amendment. We have had all kinds of very bad experiences, at least in my district, and I assume in some others, wherein the Government has moved hearings for "the convenience of the Government" when it certainly was not at the convenience of the people.

Mr. Chairman, I ask that the Members support this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. KETCHUM).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. ANDREWS OF NORTH CAROLINA

Mr. ANDREWS of North Carolina. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ANDREWS of North Carolina: on page 145, on lines 25 and 26 strike out ", not in excess of $5,000,000 for any fiscal year," and on page 146 strike out "chosen on a competitive basis" in line one and insert after "Commissioner," on line 4 the following: "which center shall have such locations as shall be determined by the Commissioner after consultation with the National Center, taking into consideration the vocational education research resources available, geographical areas to be served and the schools, programs, projects, and students to be served by research activities,"

Mr. ANDREWS of North Carolina (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. ANDREWS of North Carolina. Mr. Chairman, there has been quite a hassle with respect to a portion of the bill which provides that there shall be a National Center of Vocational Education and, in effect, that the Commissioner shall be required to contract only with that one center.

I had offered two amendments which had to do with trying to retain both the present center, located at the University of Ohio, and the one located at North Carolina State University, both of which I understand to be very distinguished centers. I have heard no criticism of the work performed by either.

Both are of some 12 years' duration. Both had been selected by the Commissioner under present law to perform various research, training, and development programs, as provided in the law.

The change in this bill would have required the Commissioner to establish a contract with only one center. Instead, an agreement has been reached, which is contained really in the amendment now before the House, to the end that the concept of my good friend, the gentleman from Ohio (Mr. MOTTL) should be taken into consideration.

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

Mr. ANDREWS of North Carolina. I yield to the gentleman from Kentucky.

Mr. PERKINS. Mr. Chairman, we see no objection to the amendment on this side of the aisle and agree with the amendment.

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

Mr. ANDREWS of North Carolina. I yield to the gentleman from Ohio.

Mr. MOTTL. Mr. Chairman, I certainly thank the gentleman from North

Carolina (Mr. ANDREWS), who I consider a good friend, for yielding.

Mr. Chairman, I think that before the amendment is voted upon, it would be helpful, for the legislative history, if I could ask the gentleman from North Carolina two or three questions.

One of the purposes of the amendment, I ask the gentleman from North Carolina, is to eliminate the maximum of $5 million; is it not? Is it the thinking of the gentleman from North Carolina that $5 million is not enough money to establish a National Center for Vocational Education?

Mr. ANDREWS of North Carolina. I do not believe that I would quite agree that it is not enough money. However, it is thought that it might not be enough. I would not indicate that it is not enough.

However, during the conference preceding this agreement among members of the committee and others on both sides of the aisle, there was some thought to the effect that the $5 million limitation might during this or at some subsequent year be too stringent a limitation and therefore, it might be reasonable that the funds expended for this purpose exceed that amount, although I would not want to indicate that I think they necessarily should.

Mr. MOTTL. Mr. Chairman, I thank the gentleman from North Carolina (Mr. ANDREWS), and I agree with him.

In my opinion also, $5 million is not enough for a national center.

Also in the amendment it states that any other institution may help the national center as far as contracts are concerned after consultation with the national center. Is it the gentleman's thinking that if the Commissioner, after consultation with the national center, chooses another institution, the work being done, however, should be directed by the national center?

Mr. ANDREWS of North Carolina. Yes. In effect, I have agreed, in drafting this compromise amendment, really that there should be coordination, certainly, between any places that engage in research, training, and so forth. It is contemplated by this amendment and the section which it amends. I do think that the research, though done at various locations, should be coordinated by the center.

Mr. MOTTL. Mr. Chairman, I thank the gentleman. I appreciate his contribution, and I do agree with the gentleman from North Carolina and I think that whoever is fortunate enough to be chosen for the national center should direct the work that is being done for the country in this area.

Mr. Chairman, my last question to the gentleman from North Carolina would be that since North Carolina State University has done a very outstanding job in this area and also since Ohio State University has done a very outstanding job in this area, is it the gentleman's understanding, as I myself understand, that Ohio State has done a national job in this area?

Mr. ANDREWS of North Carolina. It is my understanding that both have done work on a national basis, but I believe that Ohio State has done more work on a national basis than has the center at North Carolina State University, and that the latter has done most of its work in terms of the Southeastern region of the United States.

I believe that the gentleman from Ohio (Mr. MOTTL) would agree with me that in the legislative committee as well as in this committee there is a feeling that the work being done at North Carolina State University should not be reduced by anything that is done or said here; is that not correct?

Mr. MOTTL. Yes. I believe that North Carolina State has been doing a good job, and I also agree that Ohio State is unequalled in the area as a candidate for the national center.

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

Mr. Chairman, if I could have the attention of the gentleman from North Carolina (Mr. ANDREWS) it is my understanding of the amendment, and the way it operates now, as I have heard it explained, that there would be no $5 million limitation and that it will now be whatever is necessary in order to operate that center, whether it is more or less, as indicated by the colloquy between the gentleman from North Carolina (Mr. ANDREWS) and the gentleman from Ohio (Mr. MOTTL). Does the gentleman from North Carolina think it might be more than $5 million that is needed? There is less than $5 million made available now for the center in Ohio and the one in North Carolina?

The problem, as I understand, that exists presently, is that there is no continuing money and the center, while it has been named as one of the centers, has to go out and find money in order to continue their research. It is hard to keep personnel on a long term basis because I guess as in Ohio State, as I was told when I visited out there, I think most of them are employed on contracts with less than 6 months to run. If they have a good person in research, then it is pretty hard to keep him on for that short period of time. The purpose of this is to have some ongoing money, not to further the whole research of the center, but to have some ongoing money that gives them continuity and with that security they can go out and find Federal, State, local or private sources, is that correct?

Mr. ANDREWS of North Carolina. That is my understanding.

Mr. QUIE. And in the bill the Commissioner of Education appoints the National Advisory Committee to the center?

Mr. ANDREWS of North Carolina. As I understand it.

Mr. QUIE. Of course I believe there is not an advisory committee now, so they would have to have one appointed, if the Commissioner of Education wanted to have some regional center for different reasons, it may well be in North Carolina or another place, then should he do this in consultation with the national center?

Mr. ANDREWS of North Carolina. Yes, that is provided for in the amendment. I do not know that it would be consulted, that would probably be done at a location for instance in North Carolina, assuming the majority of the work would be done in Ohio State, would be considered regional. I think it would be considered that the center itself would be located at such place as the work is done. It would all constitute one center rather than a multiplicity of centers.

Mr. QUIE. But in reading the amendment, there could be regional centers as well, but even those regional centers would be under the direction of the national center.

Mr. ANDREWS of North Carolina. That may well be, that is not quite the way I see the concept. I see the concept as being as is the case in various States where there is one university but there are a number of campuses, such as the University of North Carolina with campuses at Chapel Hill, Raleigh, Greensboro, and so forth. There are, I believe, 16 campuses, but they constitute only one university. I believe this amendment contemplates a national center that would exist at such locations as the Commissioner might appropriate various projects.

Mr. QUIE. Then I think that, as in the case of the University of North Carolina, they would all be under the direction of one board of regents, or one university president or chancellor, or whatever you would call him?

Mr. ANDREWS of North Carolina. That is correct.

Mr. QUIE. So for the same reason, the other centers or sites of research would all be under the direction of the national center?

Mr. ANDREWS of North Carolina. Yes, being coordinated, or directed by, as the case may be.

Mr. QUIE. I thank the gentleman.

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

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

Mr. PEYSER. Mr. Chairman, the education bill before us today, H.R. 12835, is a very comprehensive piece of legislation. Obviously, a bill of this scope will contain some provisions which are not totally acceptable to all of the Members.

While I do not intend to delay action on H.R. 12835, since I do in fact strongly support this measure, I do feel compelled to call to the attention of my colleagues a provision in this bill which I do question.

I refer to section 302(b) which amends title IV–B—libraries and learning resources—of the Elementary and Secondary Education Act by permitting State education agencies to withhold 2 percent of the title IV–B funds for State-level programs, projects, and leadership activities designed to expand and strengthen counseling and guidance services in elementary and secondary schools.

I am certain many of my colleagues will recall that the Education Amendments of 1974 consolidated three categorical education programs within a new title. The Federal programs providing assistance for school libraries—ESEA II—instructional equipment and minor remodeling—NDEA III—and guidance services—part of ESEA III—were all combined under title IV–B of the act.

With the exception of a 5-percent set-aside for State administrative costs, title IV–B required State educational agencies to pass through all title IV–B funds to the local educational agencies which are to have discretion in spending the funds for the purposes permitted under the categorical programs.

When Congress acted to consolidate these programs, there were some who vehemently opposed this action because they felt it would impede the growth of important activities that had been successful under the categorical approach. These opponents argued that one program or another could be totally eliminated should another program receive all of the IV–B moneys. Congress responded by saying that if the consolidated programs were important enough, then local school districts would insure their continuation. There would be no special preferences; it was simply a matter of allowing local education agencies to decide just how much money would be spent on specific programs.

In short, the Congress told these interest groups that the whole purpose of consolidation was to do away with specifying Federal funds for narrow program areas.

I have a question: Is Congress adhering to its commitment when it allows money within the consolidation to be used for a special program interest? Before Congress adopted the consolidation amendment, my constituents expressed some concern that if one of the three categorical programs received less money under consolidation, there would be attempts to start earmarking some of the money for the loser. But, I assured them that they could rely on the integrity of the law.

My objection to this provision has no bearing on my attitude toward guidance activities. I consider guidance and counseling to be a vital part of the education aware that under the former categorical process. I applaud the work that is being done in this important area. I am also program—ESEA III—States could conduct State-level leadership activities in the guidance area. I understand these activities were successful; I have no objection to their continuation. Nor do I object to the State having an additional amount of money to continue these activities.

What I do object to is permitting 2 percent, or any percentage, of IV–B funds to serve a special program interest. Admittedly, 2 percent of the total IV–B appropriation does not represent a vast sum of money. It does, however, represent a questionable precedent.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina (Mr. ANDREWS).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. CHAPPELL

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

The Clerk read as follows:

Amendment offered by Mr. CHAPPELL: Page 100, line 19, strike out everything after the first period and insert immediately after such line the following:

"(3)(A) Each State Advisory Council, in consultation with the State board, shall use an appropriate portion of the funds received from any grant under paragraph (1) to establish a system of local advisory councils in accordance with the provisions of this paragraph, in order that such local advisory councils may assist in the creation and evaluation of the State plan submitted under section 122.

"(B) Local advisory councils assisted under this paragraph shall be composed of members of the public, especially members of the public who are from the business community, and shall advise local school boards and the State Advisory Council on labor needs of the locality in relation to the State plan submitted under section 122. Such councils shall submit to the State Advisory Council a yearly report concerning such needs, to be an integral part of the State plan submitted under section 122 and the annual accountability report required by part B. Each such yearly report shall be made available to area manpower systems and occupational information coordinating committees in the State, and to any other agency which has access to reports of the State Advisory Council.

"(C) Each local advisory council assisted under this paragraph shall be composed of not less than 5 individuals appointed by the supervisor of the local school board or elected from the local or regional area in which the State plan submitted under section 122 is administered. The method of choosing such individuals shall be approved by the State board in agreement with the State Advisory Council.

"(D) The system of local advisory councils assisted under this paragraph may be established at the level of program implementation, or on a regional basis, in cases where the State plan submitted under section 122 is implemented on such a basis and where the membership of the local advisory councils is increased appropriately."

Mr. PERKINS (during the reading). Mr. Chairman, I ask unanimous consent that further reading of the amendment be dispensed with and that it be printed in the RECORD.

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

There was no objection.

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

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

Mr. PERKINS. I thank the gentleman for yielding.

I would like to ask the gentleman from Florida a question. This question came up before in our committee of appointing local advisory councils. We had some considerable hearings on it, but we never could agree on just how the local advisory councils were to be appointed. In some States the Governors, of course, where the State board of education is not elected, appoint the State advisory council for vocational education, and where the State board of education is elected, they appoint the State advisory council for vocational education. But here at the local level, will the local level advisory councils be creatures of the State, or just what does the gentleman intend? His amendment does not state except it says to establish a system of local advisory councils in accordance with the provision of this paragraph, which the State advisory councils would appoint. Is that what the gentleman contemplates? Does the gentleman contemplate the State advisory councils appointing the local advisory councils?

Mr. CHAPPELL. Mr. Chairman, the intent and purpose of the amendment is that the local supervisor mentioned in subparagraph (c) of the bill would be the appointing authority. That part of the amendment says that each local advisory council assisted under this paragraph shall be composed of not less than five individuals appointed by the supervisor of the local school board or elected from the local or regional area in which the State plan submitted under section 122 is administered.

So the intent and purpose is to make it strictly local, and the intent and purpose is to get the input from the local businessmen and the local people who know the situation.

Mr. PERKINS. If the gentleman will yield further, the local advisory council would only serve in an advisory capacity?

Mr. CHAPPELL. That is exactly correct.

Mr. PERKINS. Mr. Chairman, I have no objection to the amendment.

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

Mr. CHAPPELL. I yield to the gentleman from Minnesota.

Mr. QUIE. I thank the gentleman for yielding.

Before the gentleman from Kentucky says that—and I should have gotten back to the gentleman again—in listening to it, one of the problems I see is that we are going to fund all of these local advisory councils from the money for the State advisory councils, and it seems to me that local advisory council money ought to come out of the money that goes to the local school rather than come out of the funds for the State advisory council. There is a very limited amount of money that goes to the State advisory council, and they have special responsibilities for evaluation and review of State programs and plans, but our local advisory councils are not engaged in work like we are requiring by law of the State advisory councils.

Second, when we set up local advisory councils before, we left it silent on how they were to be selected. The gentleman says the supervisor of the local school board is going to make his selection. That just sounds like that person will pick a bunch of "yes" people to do the job. I think what we really want is to have the choice of the people expressed, so they should be able to develop that selection procedure for themselves. Let us leave them free to develop it themselves rather than having us tell them that the supervisor must do it.

Would the gentleman be willing to withdraw his amendment and then change those two parts of it and reintroduce it again?

Mr. CHAPPELL. Mr. Chairman, I think that is a fair request. Let me do that. I will get with the gentleman on the wording of it and reoffer it.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

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

There was no objection.

AMENDMENT OFFERED BY MR. MICHEL

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

The Clerk read as follows:

Amendment offered by Mr. MICHEL: On page 112, beginning with the word "Any" on line 17, strike out everything that follows down through line 5 on page 113.

Mr. MICHEL. Mr. Chairman, what I seek to do here is to strike the language which reads as follows on pages 112 and 113:

Any agency or council described above which is dissatisfied with any final decision of the State board may appeal the board's decision to the Commissioner. In such a case the Commissioner shall afford such agency or council and the State board reasonable notice and opportunity for a hearing and shall determine whether the State board's decision is supported by substantial evidence as shown in the State plan. Any agency or State Board dissatisfied with a final action of the Commissioner under this subsection may appeal to the United States Court of Appeals for the circuit in which the State is located in accordance with the procedure specified in section 434(d)(2) of the General Education Provisions Act.

The appeal process in this section of the bill is a classic case of the tail wagging the dog. Although Federal expenditures for vocational education are matched more than 5 to 1 by the States, section 122 of this bill would give the Commissioner sweeping authority to make decisions about the location and emphasis of local vocational education programs.

Section 122 starts out reasonably enough by requiring the State plan to be developed with the active participation of State higher education and manpower agencies, and the State advisory council for vocational education. This open planning requirement is essential to insure that all of the parties interested in vocational education at the State level are involved in the planning process—the education groups as well as the secondary education ones.

However, section 122 would allow any of the designated educational agencies involved in the planning process to appeal directly to the U.S. Commissioner of Education if it disagrees with the final decision of the State board of vocational education with regard to the content of the State plan. The Commissioner would have to determine whether the board's decision is supported by "substantial evidence" in the State plan.

I do not think the Commissioner has any business considering in this detail local program issues which are properly within the State's domain. For instance, this measure, H.R. 12835 quite possibly would have the Commissioner deciding whether a program should be located at a junior college or a high school; whether a State should be spending money on programs for dental assistants or clerk-typists; or whether programs should be supported at universities or nearby community colleges.

Furthermore, this sweeping grant of discretionary authority to the Commissioner would not solve the disagreements among higher education, manpower, and secondary education interests at the State level. In fact, it would probably only serve to protract them as these interests will never be forced to work out their differences among themselves.

Squabbling over the Commissioner's decisions will also be endless because the Commissioner is given no guidance in section 122 as to the criteria on which he is to base his judgments. The State is required to give the reason why it made the decision to locate a course at a certain place or have a certain programmatic emphasis, but this hardly adds up to what the bill says is "substantial evidence" upon which the Commissioner can rely to make an objective decision. The lack of standards inevitably means that grants will be held up while the Commissioner grapples with trying to actually apply this section of the law.

I ask my colleagues to strike this language which is embodied in the amendment I have offered here this afternoon.

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

Mr. Chairman, if this amendment is adopted it would destroy a well worked out balance and that would almost surely bring about turmoil in the allocation of funds within the States. During the past decade there has been a tendency, because of the increase in educational attainment, to spend most of the funds in the postsecondary educational level in many parts of the country. In other parts of the country, where the educational attainment is not so high, funds are spent at the secondary level.

Of course if we had ample funding we would not be in this argument. If we had ample funds for the secondary and postsecondary levels we would not have this argument, but we have a limitation of the funding.

We finally worked out an agreement between those interested in secondary vocational education and the community colleges, technical colleges, and other higher education institutions, that we would not disturb the present State vocational boards that presently allocate the funds within the States. We felt that would be a setback. So we decided that we would let the boards that distribute the funds make the final decision within the States, but their State plans would have the input of all these other groups, the postsecondary and the higher education people and the manpower people, and if they felt that the present State board, which allocates the funding, had arbitrary acted in certain instances and deprived a postsecondary institution of funds that they should have received, that any agency involved in this planning would have the right to appeal to the Commissioner of Education and then to the courts.

I venture to say with this arrangement all these groups will be sitting around the table trying to develop the best possible plan with a view of distributing the funds most equitably to the postsecondary and to the area schools and to the secondary schools as they should be distributed.

Now, I think to destroy this balance at this time and say we are going to let the State vocational boards as presently constituted make all the decisions without any appeal will undo the good we are seeking to achieve through these amendments.

In my congressional district today we should be training miners in safety and in the mines for many other positions. We are not doing it. This input of the other people specified in the committee bill will make the limited expenditure of funds for vocational education made in a wise manner and in a more effective and a more efficient manner. If some State board wants to allocate those funds arbitrarily, why should not the manpower group or why should not the community colleges that have started technical education programs have the right to appeal? That is all this is about; but I venture to say there will not be 1 appeal in 100 instances or 1 out of 500 instances.

We do not disturb the vocational boards at the State levels. Let us vote down the gentleman's amendment, because we spent almost 100 hours on this one issue in committee working it out. I would hope the gentleman's amendment would be defeated.

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

Mr. Chairman, there is no question it is important to get the input of all these additional people; but I questioned in committee, and I still question this whole idea of each one of these particular groups deciding that maybe they do not like the decision that was made and, therefore, they will appeal it to the Commissioner and he sits as a judge trying to determine whether he can accept or reject the plan and then also appeal it to the courts.

I think we are really asking the Commissioner to do something that there is no way he can do. I think we are asking him to do entirely too much.

I hope the gentleman is correct when he says there will be only one out of a hundred or something of that nature that will appeal. I just have the feeling, listening to a lot of the testimony and realizing how far apart some of these groups are, that as soon as they are not satisfied, they are very quickly going to appeal to the Commissioner. I am afraid we are going to delay the implementation of the plans way beyond the amount of time we can possibly permit.

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

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

Mr. MICHEL. Mr. Chairman, I might suggest quite facetiously that with those 62 people we mandated they hire down there a few minutes ago we might put them to work to figure out how to rationalize these differences.

Seriously I share the concern so well expressed by the gentleman from Pennsylvania and predict within a year we'll be able to tell this House, "We told you so."

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

Mr. Chairman, I rise in opposition to the amendment. I may say that in the other body they have a different mechanism to resolve differences on the State level. That is, they establish a planning commission. There is a great deal of op-

position to that idea, in which a planning commission then would take responsibility away from the State board. We did not want to go that route; we chose not to do that. People who are interested in vocational education wrote to us and called us en masse in opposition to it until there was some concern about the Chisholm amendment on home economics. That was the greatest controversy; over the planning commission in the Senate. Now that the Chisholm amendment has resolved the problems on home economics, then this is the greatest concern again.

If this amendment is adopted, then we will go to a question between the present law and the planning commission that is in the bill of the other body, and when we go to conference I do not think that is wise. We made it clear in this bill that those agencies will have a voice in distributing the money because there is a question as to how to distribute the money when part of it is for secondary and part for postsecondary schools.

We have the agency representation for community junior colleges; agency representation for higher education institutions; representation for public elementary and secondary programs; representation for postsecondary and vocational education agency, which is the one that mainly has it; representation for the agency responsible for comprehensive postsecondary planning, for the Manpower Service Council and the State council on vocational education.

There have been instances where the State board has appeared arbitrary to the State advisory council, and it may be that way, from what we heard from community colleges. Now, the 4-year colleges feel that it is important to provide some vocational skills along with their liberal arts courses. They may feel that way also.

The money is Federal money, and the person we have given the responsibility to in order to administer that Federal money is the U.S. Commissioner of Education. If he cannot stand the heat, he ough to step aside and let someone else take over.

I recognize that administrators do not like to do that because whenever we put responsibility on to the State administrators to resolve the flexibility we give to local districts, they are the ones who do not like to do it. They want somebody from Washington to do it. They want to pass the buck. I can understand that human frailty.

We have in a sense created the problem and say in this bill that if there are differences, they ought to be able to carry their story to the Commissioner so that he can help to solve the problem.

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

The amendment was rejected.

AMENDMENT OFFERED BY MR. CHAPPELL

Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CHAPPELL: Page 100, line 19, strike out everything after the first period and insert immediately after such line the following:

"(3)(A) Each State Advisory Council, in consultation with the State board, shall establish a system of local advisory councils in accordance with the provisions of this paragraph, in order that such local advisory councils may assist in the creation and evaluation of the State plan submitted under section 122.

"(B) Local advisory councils assisted under this paragraph shall be composed of members of the public, especially members of the public who are from the business community, and shall advise local school boards and the State Advisory Council on labor needs of the locality in relation to the State plan submitted under section 122. Such councils shall submit to the State Advisory Council a yearly report concerning such needs, to be an integral part of the State plan submitted under section 122 and the annual accountability report required by part B. Each such yearly report shall be made available to area manpower systems and occupational information coordinating committees in the State, and to any other agency which has access to reports of the State Advisory Council.

"(C) Each local advisory council assisted under this paragraph shall be composed of not less than 5 individuals. The method of choosing such individuals shall be approved by the State board in agreement with the State Advisory Council.

"(D) The system of local advisory councils assisted under this paragraph may be established at the level of program implementation, or on a regional basis, in cases where the State plan submitted under section 122 is implemented on such a basis and where the membership of the local advisory councils is increased appropriately."

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

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

There was no objection.

Mr. CHAPPELL. Mr. Chairman, this amendment is essentially the same as the one offered a few minutes ago. I think we have ironed out the problems with it.

The intent and purpose of this amendment is to establish a system of local advisory councils. One of the problems I feel we have in the field of vocational education is bringing the skills to where they are needed. The intent and purpose here is to get the local businessman, the local people, to bring an input into the picture so that we know where they can find more easily where the skills are needed and bring the educational facilities to those areas so that they can bring the two together.

Mr. Chairman, I think it will be a very helpful part of the bill, and I urge its adoption.

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

Mr. CHAPPELL. I yield to the distinguished chairman.

Mr. PERKINS. I thank the gentleman for yielding.

Mr. Chairman, if I understand the gentleman's amendment, the method of choosing such individual shall be approved by the State board, in agreement with the State advisory council, and then the local board will make selection of five to serve on the advisory council.

Mr. CHAPPELL. Yes, sir, that is correct.

Mr. PERKINS. Mr. Chairman, so far as we are concerned, we accept the amendment.

Mr. QUIE. Mr. Chairman, I find this an acceptable amendment, and I support it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida (Mr. CHAPPELL).

The amendment was agreed to.

The CHAIRMAN. Are there further amendments to title I?

If not, the Clerk will read.

The Clerk read as follows:

TITLE II—NATIONAL INSTITUTE OF EDUCATION

FUNCTIONS OF NATIONAL INSTITUTE OF EDUCATION

SEC. 201. Section 405(b)(2) of the General Education Provisions Act is amended to read as follows:

"(2) The Institute shall, in accordance with the provisions of this section, seek to improve education in the United States through concentrating the resources of the Institute on the following priority research and development needs—

"(A) improvement in student achievement in the basic educational skills, including reading and mathematics;

"(B) overcoming problems of finance, productivity, and management in educational institutions;

"(C) improving the ability of schools to meet their responsibilities to provide equal educational opportunities for students of limited English-speaking ability, women, and students who are socially, economically, or educationally disadvantaged;

"(D) preparation of youths and adults for entering and progressing in careers; and

"(E) improved dissemination of the results of, and knowledge gained from, educational research and development, including assistance to educational agencies and institutions in the application of such results and knowledge.".

MEMBERS AND STAFF OF NATIONAL COUNCIL ON EDUCATIONAL RESEARCH

SEC. 202.(a) Section 405(c)(1) of the General Education Provisions Act is amended by striking out "Eight members" and inserting in lieu thereof "A majority of the members", and by adding at the end thereof the following new sentence: "The members of the Council shall be appointed so that the Council shall be broadly representative of the general public; of the education professions, including practitioners and researchers; and of the various fields of education, including preschool, elementary and secondary, postsecondary, continuing, vocational, special, and compensatory education.".

(b) Section 405(c)(2) of the General Education Provisions Act is amended by striking out "and" immediately before "(B)" in the first sentence and by inserting immediately before the period at the end of such sentence the following: ", and (C) the term of office of each member shall expire on September 30 of the year in which such term would otherwise expire, unless a successor to such member has not been appointed and confirmed by the Senate by such date, in which case such member shall continue to serve until a successor has been appointed and confirmed".

(c) Section 405(c)(3) of the General Education Provisions Act is amended by adding at the end thereof the following new sentence: "The Council may employ, without the approval of the Director, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, not to exceed seven technical and professional

employees, as the Council deems necessary to carry out its functions.".

PROJECTS AND ACTIVITIES; RESEARCH FELLOWSHIPS

SEC. 203. Section 405(e) of the General Education Provisions Act is amended by redesignating paragraphs (2) and (3) as paragraphs (4) and (5), respectively, and by inserting immediately after paragraph (1) the following new paragraphs:

"(2) Funds appropriated pursuant to subsection (b) for any fiscal year may be expended on projects and activities to disseminate (A) information on the results of educational research and development; and (B) other educational information. Projects and activities funded under this paragraph may include cooperative and jointly funded arrangements for such dissemination utilizing individuals who may be designated as 'Education Extension Agents'. Employment opportunities at the local level which are generated and funded through projects and activities carried out under the preceding sentence of this paragraph shall be made available to residents of the area to be served, if any such residents are qualified for, and apply for, such employment.

"(3) The Director may establish and maintain research fellowships in the Institute, with such stipends and allowances, including travel and subsistence expenses, as the Director may deem necessary to procure the assistance of highly qualified research fellows from the United States and abroad.".

AUTHORIZATION OF APPROPRIATIONS

SEC. 204. Section 405(h) of the General Education Provisions Act is amended by inserting immediately after the first sentence thereof the following new sentence: "There are also authorized to be appropriated for such purposes $100,000,000 for the fiscal year ending September 30, 1977, $120,000,000 for the fiscal year ending September 30, 1978, and $140,000,000 for the fiscal year ending September 30, 1979.".

CONSULTATION REQUIREMENTS

SEC. 205. Section 405 of the General Education Provisions Act is amended by adding at the end thereof the following new subsection:

"(i)(1) In conducting educational research under subsection (e) which deals with specific education programs or the target populations of such programs, the Director shall consult with the appropriate administrators of such programs within appropriate Federal agencies.

"(2) The head of any Federal agency which conducts educational research or provides financial assistance for such research shall consult with the Director with respect to the design of programs of such research.".

FEDERAL COUNCIL ON EDUCATIONAL RESEARCH AND DEVELOPMENT

SEC. 206. Section 405 of the General Education Provisions Act, as amended by section 205, is further amended by adding at the end thereof the following new subsection:

"(j)(1) There is established within the Institute a Federal Council on Educational Research and Development (hereinafter in this subsection referred to as the 'Federal Council').

"(2) The Federal Council shall be composed of, but shall not be limited to, the following members: (A) the Director of the ACTION Agency; (B) the Commissioner of the Administration on Aging; (C) a representative designated by the Secretary of Defense; (D) a representative designated by the Secretary of Labor; (E) the Chairman of the Federal Communications Commission; (F) the Director of the Health Resources Administration; (G) the Chairman of the National Council for the Arts; (H) the Chairman of the National Endowment for the Humanities; (I) the Director of the National Institute of Alcohol and Alcohol Abuse; (J) the Director of the National Institute of Drug Abuse; (K) the Director of the National Institute of Education; (L) the Director of the National Institute of Health; (M) the Director of the National Institute of Mental Health; (N) the Director of the National Science Foundation; (O) the Director of the Office of Consumer Affairs of the Department of Health, Education, and Welfare; (P) the Director of the Office of Child Development of the Department of Health, Education, and Welfare; and (Q) the Commissioner of Education.

"(3) The President shall designate the Director of the Institute to be the Chairman of the Federal Council.

"(4) The President may alter the membership of the Federal Council from time to time as he considers necessary to meet changes in Federal programs or in the organization of the executive branch of the Federal Government.

"(5) The Federal Council shall—

"(A) advise, and consult with, the Director of the Institute with respect to major problems arising in connection with carrying out the purposes of the Institute;

"(B) coordinate to the extent practicable, by advice and consultation, the policies and operations of the Institute, including the joint support of activities, to the extent such joint support is appropriate;

"(C) promote coordination between the programs and activities of the Institute and related programs and activities of other Federal agencies;

"(D) make an annual report to Congress and the President on the status of educational research and development in the United States, including (i) a catalog of federally assisted programs in educational research and development; (ii) a report of the most significant findings of such research and development; and (iii) recommendations with respect to the manner in which such Federal research and development efforts may be improved; and

"(E) make recommendations to Congress and the President with respect to effective means forthe dissemination throughout the United States of information relating to educational research and development, and carry out an assessment of existing efforts used by Federal agencies for the dissemination of such information.".

Mr. BRADEMAS (during the reading). Mr. Chairman, I ask unanimous consent that title II 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.

AMENDMENTS OFFERED BY MR. SOLARZ

Mr. SOLARZ. Mr. Chairman, I offer two amendments relating to the same subject, and I ask unanimous consent that they be considered en bloc.

The Clerk read as follows:

Amendments offered by Mr. SOLARZ: Page 172, line 14, strike out "and" immediately after the semicolon.

Page 172, line 19, strike out all that follows "knowledge" and insert in lieu thereof "; and".

Page 172, immediately below line 19, insert the following:

"(F) improving the ability of schools to prepare students for citizenship in a multiethnic society and to inform such students of destructive consequences of intergroup hatreds.".

Page 178, immediately below line 12, insert the following:

IMPROVEMENT OF INTERGROUP RELATIONS

SEC. 207. Section 405 of the General Education Provisions Act, as amended by sections 201 through 206, is further amended by inserting immediately after subsection (e) the following new subsection:

"(f) Not later than one year after the effective date of this subsection, the Director shall complete the compilation of materials for use in primary and secondary schools which detail the causes and consequences of racial, religious, and ethnic bigotry. Such materials shall include those which—

"(1) document and explain all aspects of the genocidal destruction of the European Jewish community by the Nazis before and during World War II, the slaughter of the Armenians by the Turkish Government during World War I, the enslavement of black Africans by white Europeans, and the displacement of native Americans by European settlers, and any similar attempt to destroy any racial, religious, ethnic, or other group;

"(2) describe efforts by mankind to formulate policies to prevent the recurrence of such attempts;

"(3) aid teachers in presenting such courses of study to their students; and

"(4) are appropriate for use in the training of teachers in connection with such courses of study.

The Director, in such manner as the Director considers appropriate, shall disseminate such materials to State and local educational agencies and institutions."

Mr. SOLARZ (during the reading). Mr. Chairman, I ask unanimous consent that the amendments be considered as read and printed in the RECORD.

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

There was no objection.

The CHAIRMAN. Is there objection to the request of the gentleman from New York (Mr. SOLARZ) that the amendments may be considered en bloc?

There was no objection.

Mr. SOLARZ. Mr. Chairman, my amendment would require the National Institute of Education to devise and disseminate curricula materials on what might loosely be called man's inhumanity to man.

Specifically, it calls upon the Institute to develop and distribute to educational institutions around the country materials relating to the genocidal destruction of the Jewish community in Europe by Nazi Germany both before and during World War II, to the slaughter of the Armenians by the Turkish Government during World War I, to the brutal enslavement of black Africans, and by the displacement of native Americans by European settlers in our own country.

Mr. Chairman, I wish I could say that there was no need for a program like this, but the truth of the matter is that there is a crying need for the distribuion of materials of this nature. The fact is that the great majority of young people in our country have practically no idea, if indeed they have any idea at all, about the enormity of these evils. The fact is that most of the textbooks on which most of the young people of our country rely, to the extent that they discuss these matters at all—and many of them refer to them not at all—discuss them in only the most cursory terms imaginable. It is as if nothing had hap-

pened. And in the classrooms of our country a strange silence shrouds these epochal events in mystery.

There is a plaque at Yad Vashem, that moving memorial and museum to the 6 million in Jerusalem, which describes far more eloquently than I ever could, the need to explain the tragedies of the past to the hopes of the future.

Son of Man—

The plaque reads—

keep not silent, forget not deeds of tyranny, cry out at the disaster of a people, recount it unto your children, and they unto theirs from generation unto generation, that hordes swept in, ran wild and savage, and there was no deliverance . . .

I suppose that Santayana was right when he said that those who do not study the past are condemned to relive it.

Unless we let the young people of our country know not only when these tragic events took place, but how they took place, and why they took place, and perhaps more importantly, what can be done to prevent them from taking place in the future, we may well face a repetition of these terrible and tragic events once more. This is, by the way, not just a purely academic argument.

I was reading late last night a very moving book called "The Survivor" by Terrence Des Pres, which attempts to analyze the literature of the holocaust. In the course of his book the author describes a fateful meeting which took place between Hitler and his general staff in the late 1930's when De Fuhrer, for the first time, informed his associates that he had in mind the extermination of the Jewish people. One of the generals on the general staff asked whether the consicence of the world would tolerate such a program.

And Hitler replied: "Who, after all, speaks of the Armenians?"

So it seems to me that to the extent that we forget what happened in the past we make more likely a repetition of these events in the future.

Since the beginning of time men have been killing men. There is nothing unusual about that. But now that the machinery of death has made mass murder technologically possible. I would suggest that the prevention of genocide is the central challenge of our civilization.

We owe it, therefore, not only to the memory of the anonymous millions who lost their lives in the slave ships, or the gas chambers, or to past slaughters and pogroms, we owe it most of all to ourselves and to our posterity to let the young people of our country know of the depths of depravity to which the human spirit can sink.

The CHAIRMAN. The time of the gentleman from New York (Mr. SOLARZ) has expired.

(By unanimous consent, Mr. SOLARZ was permitted to proceed for 2 additional minutes.)

Mr. SOLARZ. Mr. Chairman, I want to make it clear to my colleagues on the committee that there is nothing mandatory about this amendment. It does not require that any school in the country teach these subjects. It would simply provide that materials be prepared and be made available to them so if they want to conduct courses on these evil events, they will be in a position to do so.

Lastly, may I say in response to the argument I have no doubt will be made, that this may be an idea which is noble in principle but which might in practice lead to comparable demands being made with respect to other situations, that it seems to me that these are events of such transcendental significance, and since there is such a clear need for them and there is such a clear consensus within our society that genocide is a terrible thing, we ought to fill the vacuum—the vacuum that those who publish textbooks and teach courses have regrettably created—by making it possible for teachers and school districts throughout the country to have these materials available. In that way we can let the young people of America know about these terrible and tragic acts, and thereby reduce the possibility that they may happen again.

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

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

Mr. ASHBROOK. Mr. Chairman, I certainly commend the gentleman for making that point.

The only thing I would say, with some question in my mind, because I know a little bit about the current attitudes, is this: What chance does the gentleman think we would have of incorporating in any course of study information regarding the systematic slaughter of people by current governments?

I refer, for instance, to Red China, which has systematically exterminated anywhere from 10 million to 20 million persons, according to whose estimates we get. That is a current government, not a past government.

Then, too, we have the current Government of the Soviet Union slaughtering the Georgians and the White Russians, and that also relates to genocide.

I doubt, however, that in this era of détente we will get that in the course of study.

Mr. SOLARZ. Mr. Chairman, my amendment makes provision for that by providing that the curriculum, and the materials so developed, would also consider any attempt to destroy any religious, ethnic, or other group.

So I believe the situation to which the gentleman refers could very well be included in the type of materials my amendment calls for. I think it is important to point out that if the National Institute of Education can develop and distribute materials on sex education, the least we can ask them to do is to develop and distribute materials on man's inhumanity to man.

Mr. ASHBROOK. I hope the gentleman is accurate in his assessment of the situation.

Mr. BRADEMAS. Mr. Chairman, I rise in opposition to the amendments.

Mr. Chairman, there can be no question that the purpose of the amendments offered by my friend, the gentleman from New York (Mr. SOLARZ), is indeed laudable, namely, to encourage in the schools and other educational institutions of our country greater understanding of the outrages which, unhappily, throughout human history human beings have perpetrated on one another.

The several specific instances to which the gentleman has referred must move each one of us who thinks about them.

Mr. Chairman, as I told the gentleman in conversation earlier, I remember very well my own father telling me how he was boycotted out of the restaurant business in northern Indiana by the Ku Klux Klan because he happened to have been born in Europe.

I, to, have visited the terrible place known as Auschwitz.

I remember only last year being in the Soviet Union with a number of Members of this body when we expressed to Mr. Brezhnev and other leaders of that country our deep sense of concern about the treatment of Jews and other minority groups there. So I have no quarrel with the fundamental thrust of the gentleman's amendment insofar as it is confined to doing a better job of teaching the people of our country about these terrible events in history, with an eye toward their not being repeated.

However, Mr. Chairman, I must oppose the amendment for a number of reasons.

First, the Congress of the United States should not be in the business of mandating by law the development and dissemination of specific curriculums.

I am quite sure that many Members of this body have curriculum projects within their own special fields of interest which they would like to see mandated by law if that precedent were established even within the rubric set forth in the amendment of the gentleman from New York.

For example, the amendment does not specify what I think many of us would agree has been the unfair treatment afforded to women in the history of the United States or to poor people, although we even established an antipoverty program a few years ago. Nor does the amendment refer to the anti-Catholicism that has characterized much of the political history of this country and which, up until only a few years ago, made it impossible for a person of the Roman Catholic faith to be elected President. Nor does the gentleman's amendment refer, for example, to the terrible treatment of Americans of Japanese origin during World War II.

Mr. Chairman, the amendment singles out only certain specific examples but not others. Therefore, I think that the amendment is very dangerous in that, if adopted, it would establish a precedent that many of us who have for many years fought for Federal support of our schools have strongly opposed. We do not want the Federal Government dictating the development and dissemination of curriculum materials even if, as the gentleman explained, there is no statutory mandate upon the schools to use them.

For I note, Mr. Chairman, that the last sentence of the gentleman's amendment says:

The director shall disseminate such materials to State and local schools and to educational institutions in this country.

The gentleman would mandate by law the dissemination to our schools of teaching materials on certain subjects.

It is for this reason, Mr. Chairman, that I think the amendment is mischievous, and I would call the gentleman's attention to pages 23 and 24 of A Compilation of Federal Education Laws and specifically to section 432 of the General Education Provisions Act, in which that section specifically makes clear that with respect to a number of Federal laws to support education, none of them shall be construed to authorize any department or agency or employee of the Federal Government to "exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution, school, or school system, or over the selection of library resources, textbooks, or other printed or published instructional materials by any educational institution or school system" et cetera.

Mr. Chairman, I think that Congress has made clear that we do not want the Federal Government disseminating, under mandate of law, specific educational curriculums to the Nation's schools.

Second, Mr. Chairman, the amendment is defective in a number of respects. For instance, if one were to accept the premise of the gentleman's amendment, the amendment does not even provide for the development of curriculums of high quality.

For I think we would all agree that if we were to go into the business of supporting the development of curriculum projects, there should be an objective study of whatever existing sources may be available and have the assurance that whatever was produced be recognized as objective.

The amendment in effect assumes that we have already in existence specific objective studies in these several fields, and that there are universally accepted interpretations of these historical events.

Now I happen to find myself in agreement with the interpretation of the gentleman from New York (Mr. SOLARZ) of the specific historical instances listed in his amendment, as I know the gentleman well knows. I think I am right in saying, and I stand ready to be corrected if I am mistaken, that the U.S. Government has not even ratified the Genocide Convention. Yet, if we are all agreed, as the gentleman has said, on the outrages that genocide represents, why has not the President of the United States gone on record to call on the Senate of the United States to ratify that convention? Maybe he needs a little education; maybe Congress needs some education on the subject, before we vote to mandate the dissemination to the schools of the country of curriculum materials on this matter.

Finally, Mr. Chairman, I would note that the amendment makes no provision for staff or money for the institute to carry out this function. Were the provision clearly mandated, the Institute would be constrained to curtail programs that it has already planned for fiscal year 1977.

However, to reiterate, Mr. Chairman, my principal objection to the amendment offered by the gentleman from New York, Mr. SOLARZ—the laudable purpose of which the gentleman is aware I share—is that I believe that by its adoption, we would undermine a principle which we have labored over a long time in this body to establish, namely that the Government of the United States should not be disseminating under mandate of law specific teaching materials to the schools and other educational institutions of this country.

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

Mr. BRADEMAS. I yield to the gentleman from Minnesota.

Mr. QUIE. Mr. Chairman, I thank the gentleman for yielding, and I commend the gentleman from Indiana for the excellent statement he has made in opposition to this amendment. As the gentleman from Indiana indicated, it has a laudable purpose, but if we step onto this dangerous ground of the Federal Government starting to dictate the context of the curriculum of our educational institutions, then we have really gone beyond anything we could ever turn back on. I think in the past we have overstepped our bounds, and we ought to be careful in funding particular curriculum projects, or trying to decide what should be in the curriculum at the local levels.

I too well realize the laudable purpose, but to step out in this way I believe would be wrong.

Again I commend the gentleman from Indiana for laying out the reasons why we should oppose the amendment.

Mrs. FENWICK. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendments offered by the gentleman from New York (Mr. SOLARZ).

Mr. Chairman, and members of the committee, I support this amendment. Objections have been made that the Federal Government should not mandate a curriculum; that the law states that there should be no direct supervision or control of educational materials; and that there is no provision for staffing, but in no place in this amendment is a curriculum designed. In no place does it even mention the word "curriculum." It speaks of "materials;" it speaks of "accumulating information" which I really think the people of this country need to remember. I do not know where we are going to gather this kind of material. It exists in part in the minds of human beings who have lived through some of it. It is being taken down by tape recorders, as I read in the newspaper today, but certainly we must understand the importance and necessity of collecting this material.

We have lived in a terrible century and we have had terrible centuries behind us, but we do not seem to pay any attention to those lessons.

I am not saying that I would support an amendment, or any measure, that would force material like this into the schools. All we are asking is that this institute should collect it. That is all; collect it and prepare the ways in which this could be used for those agencies, institutions, and schools that wish to use it.

I would not support a measure which required that this had to be part of every history lesson, although certainly it would be well in our schools if history teachers would remind our children of what has happened in this country, and in other countries in the world. People remember so little. They do not know the backgrounds of other people. They know so little of what others are wrestling with in the way of problems, because they do not understand history. Nobody bothers to teach them.

The extraordinary revelations in the New York Times of what people know about the history of this country, to say nothing of the suffering of people in the world, are incredible.

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

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

Mr. BRADEMAS. I thank the gentlewoman for yielding.

I do not disagree at all, as the gentlewoman knows with her concern that we do a better job of teaching history. My only concern and the reason for my opposition to the gentleman's amendment is that I think it is most unwise for the Federal Government to mandate by law the dissemination of curricular materials on specific subjects, because if we were to do this, the first thing we would know would be someone would come along and say, well, we ought to have an amendment, some of my conservative friends might say, that would mandate the dissemination of teaching materials about the free enterprise system or about the dangers of communism, or about the dangers of the Republican Party or the dangers of the Democratic Party or whatever. We are opening a real Pandora's box here, I think.

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

Mrs. FENWICK. I yield to the gentleman from New York.

Mr. SOLARZ. I appreciate the gentlewoman's yielding.

I have no doubt that there are dozens of deficiencies in the curricula of the schools of our country, and I have no doubt we could profitably prepare curricula materials on a wide variety of different problems. But I would submit that there is a fundamental distinction between the need for materials on matters of transcendental significance such as the mass murder of millions of people on the one hand and a variety of other potential possibilities on the other. I believe this Congress and the American people have the capacity of distinguishing between the need for materials on the latter with respect to which there are obvious deficiencies. Every study of the textbooks of our country shows that these materials are completely neglected, and shows the need for the other kinds of materials referred to by the gentleman from Indiana.

Mrs. FENWICK. I thank the gentleman for his comments.

Mrs. BURKE of California. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendments.

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

I believe if an amendment of this kind is adopted, as laudable as the purposes

may be, it would set back for many years the cause of education.

Federal control was the argument that caused the lack of educational enactments for 25 years here. I would hate to see us go in this direction, because it would be a great setback for education generally.

Therefore, Mr. Chairman, I ask that the amendment be voted down.

The CHAIRMAN. The question is on the amendments offered by the gentleman from New York (Mr. SOLARZ).

The amendments were rejected.

The CHAIRMAN. There being no further amendments to title II, the Clerk will read.

The Clerk read as follows:

TITLE III—TECHNICAL AID AND MISCELLANEOUS EDUCATION AMENDMENTS; REPEALERS, EXTENSIONS, AND EFFECTIVE DATES

TECHNICAL AMENDMENTS

SEC. 301. (a) The Education Amendments of 1974 is amended—

(1) in section 101(a)(3) by inserting ", 122, and 123" immediately after "121" and by inserting ", 127, and 128, respectively", immediately after "126" and before the period;

(2) in section 103(a)(2) by inserting "of section 301(b)" immediately after "The second sentence" and by striking out "each of the five succeeding fiscal years,";

(3) in section 305(a) by inserting "(b)(1)" immediately before "The amendments made by paragraphs (1) and (2)" which follows the matter in quotation marks in paragraph (3) of such section;

(4) in section 402(a)(2) by striking out "July 24, 1954" and inserting in lieu thereof "July 26, 1954";

(5) in section 405 by striking out "(f)(1) The Commissioner shall establish or designate a clearing-" the second time it appears therein and by inserting in lieu thereof "(3) Appointments to the advisory council shall be completed";

(6) in section 406(e) by striking out "November 1, 1975" and inserting in lieu thereof "May 1, 1976";

(7) in section 406(g)(4) by striking out "November 1, 1975" and inserting in lieu thereof "May 1, 1976";

(8)(A) in section 408(d)(2)(B) by striking out "(a)" and inserting in lieu thereof "(d)(1)";

(B) in section 408(d) by striking out paragraph (3) and redesignating paragraph (4) as paragraph (3);

(C) in the third sentence of section 408(f)(1) by inserting "from among the members indicated in clause (A)" after "Chairman";

(D) in section 408(f)(4) by striking out "not later than a year" and inserting "not later than twenty months";

(E) in section 408 by redesignating the second subsection (f) as subsection (g);

(9) in section 511(b) by striking out "July 1, 1974" and inserting in lieu thereof "July 1, 1975";

(10) in section 516(a) by striking out "433" and inserting in lieu thereof "443";

(11) in section 612(b)(1) by striking out "to the Office" in the second sentence and inserting in lieu thereof "to the Bureau";

(12) in section 645 by striking out "Elementary" and inserting in lieu thereof "Emergency";

(13) in section 821(c) by revising the first sentence thereof to read as follows: "The Institute shall make interim reports to the President and to the Congress not later than December 31, 1976, and September 30, 1977, and shall make a final report thereto no later than September 30, 1978, on the result of its study conducted under this section.".

(14)(A) in section 822(a) by striking out "one year after the date of enactment of this Act" and inserting in lieu thereof "December 31, 1976";

(B) in section 822(b) by striking out "one year after the date of enactment of this Act" and inserting in lieu thereof "six months after the completion of the survey authorized by subsection (a)";

(15) in section 823(2) by striking out "than one year after the effective date of this Act" and by inserting in lieu thereof "than December 31, 1975";

(16) in section 824(b) by striking out "one year after the date of enactment of this Act" and by inserting in lieu thereof "January 31, 1976";

(17) by amending the first sentence of section 825(b) to read as follows: "The Secretary shall request each State educational agency to take the steps necessary to establish and maintain appropriate records to facilitate the compilation of information specified in subsection (a) and to submit such information to him no later than June 1, 1976.";

(18) in section 826(a) by—

(A) inserting "of a representative sample of schools" after "investigation and study";

(B) striking out in paragraph (1) "sixty days after the enactment of this Act" and inserting in lieu thereof "July 1, 1975".

(19) in section 826(b) by striking out "Within fifty days after the enactment of this Act, the" and inserting in lieu thereof "The", by striking out "sixty days after the date of enactment of this Act" and by inserting in lieu thereof "July 1, 1975", and by striking out in the second sentence "the date of enactment of this Act" and by inserting in lieu thereof "such date";

(20) in section 837 by inserting "of the Higher Education Act of 1965" after "section 1001(b)(1)"; and

(21) in section 845(c) by striking out "708(a)" and by inserting in lieu thereof "732(a)" and by striking out "continued" and inserting in lieu thereof "continue"; and in section 845(f) by striking out "310(b)" and inserting in lieu thereof "311(b)".

(b) Title I of the Elementary and Secondary Education Act of 1965 is amended—

(1) in section 126(b) by striking out "clauses (2), (5), (6), and (7) of section 103(a)," and inserting in lieu thereof "sections 103(a)(2), 121, 122, and 123,";

(2) in section 141(a)(13) by striking out "140" and inserting in lieu thereof "150";

(3) in section 141(a)(14)(A) by inserting "eligible" after "children";

(4) in section 151(g) by striking out "January 31, 1975" and inserting in lieu thereof "February 1, 1975", and by striking out "January 31" the second time it appears and inserting in lieu thereof "February 1";

(c) Section 204(b) of the Elementary and Secondary Education Act of 1965 is amended by striking out "1973" and inserting in lieu thereof "1978".

(d) Title VII of the Elementary and Secondary Education Act of 1965 is amended—

(1) in section 731(c) by striking out "November 1, 1975" and inserting in lieu thereof "November 1, 1976" and by striking out "of 1977" and by inserting in lieu thereof "February 1, 1978";

(2) in section 732(c) by striking out "November 1" and inserting in lieu thereof "March 31";

(3) in section 742 by inserting "of the National Institute of Education" after "Director" wherever that word appears.

(e)(1) Section 403(b) of the Elementary and Secondary Education Act of 1965 is amended by inserting at the end thereof the following new paragraph:

"(5) During the fiscal year preceding the first fiscal year for which funds are appropriated pursuant to any part of this title, the State educational agency may use administrative funds available to the State under any program specified in section 401(c) for the purpose of carrying out the requirements of this subsection.".

(2) Section 431(a)(2) of the Elementary and Secondary Education Act of 1965 is amended by striking out "or private educational organizations".

(f) The General Education Provisions Act is amended—

(1) in section 434(b)(1)(A) by adding after the first sentence the following new sentence: "The provisions of the preceding sentence shall also apply in the case of a State or other jurisdiction in which there is only one local educational agency or in which the State educational agency is also the only local educational agency.";

(2) in section 437(a) by striking out "within sixty days" and inserting in lieu thereof "within ninety days";

(3) in section 437(b) by striking out "October 15" and inserting in lieu thereof "March 31".

(g) Section 310A(b)(2)(A) of the Adult Education Act is amended by striking out "approval" and inserting in lieu thereof "approved".

(h) Sections 652(b)(3), 652(b)(4), and 652(b)(5) of the Education of the Handicapped Act are amended by striking out "grant and contract" and inserting in lieu thereof "grant or contract".

(i) Section 709(a) of the Emergency School Aid Act is amended by inserting "Assistant" before "Secretary".

(j)(1) Section 194(b) of the Vocational Education Act of 1963 is amended by striking out "Secretary" and inserting in lieu thereof "Commissioner".

(2) Section 197(a)(2) of such Act is amended by striking out "to an agency" and inserting in lieu thereof "by an agency".

(k) Section 651(a) of the Education Amendments of 1974 is amended to read as follows:

"SEC. 651. (a) Section 301 of the National Defense Education Act of 1958 is amended by striking out '1975' both times it appears and inserting '1978' in lieu thereof, and by adding at the end thereof the following new sentence: 'Notwithstanding the preceding two sentences, no funds are authorized to be appropriated for obligation during any year for which funds are available for obligation for carrying out part B of title IV of the Elementary and Secondary Education Act of 1965.'".

(l) Section 801(j) of the Elementary and Secondary Education Act of 1965 is amended by inserting "IV" after "title II, III,".

(m)(1) Section 103(a) of the National Defense Education Act of 1958 is amended by striking out "Puerto Rico," after "such term does not include".

(2) Section 302(a)(1) of such Act is amended by striking out "3 per centum" and inserting "1 per centum" in lieu thereof.

(3) Section 1008(A) of such Act is amended by striking out "Puerto Rico,".

(n) Section 403(17) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is amended by striking out "(but not including" and inserting in lieu thereof "; but at the option of a local educational agency, such term need not include"; and such section is further amended by striking out "residing in nonproject areas)" and inserting in lieu thereof "residing in noproject areas".

(o) Section 125 of the Elementary and Secondary Education Act of 1965 is amended by striking out "State agency" both places it appears and inserting in lieu thereof "State".

(p) Section 151(i) of the Elementary and Secondary Education Act is amended by adding at the end thereof the following new sentence: "In carrying out the provisions of

this section, the Commissioner shall place priority on assisting States and local educational agencies to conduct evaluations and shall, only as funds are available after fulfilling that purpose, seek to conduct any national evaluations of the program.".

(q) Section 406(g) of the General Education Provisions Act is amended by striking out "for the fiscal year ending June 30, 1977" both times it appears and by inserting in lieu thereof "for each of the fiscal years ending prior to October 1, 1978".

(r)(1) Section 403(a)(11) of the Elementary and Secondary Education Act of 1965 is amended by striking out the word "and" and inserting in lieu thereof a comma and by inserting after the word "agencies" a comma and the following: "and private schools in such State".

(2) Such section 403(a)(11) is further amended by striking out "section 421(a)" and inserting in lieu thereof "sections 421(a) and 431(a)".

(s) Section 406(e) of the Elementary and Secondary Education Act of 1965 is amended by inserting after the word "he" the following: "may waive such requirements and".

MISCELLANEOUS EDUCATION AMENDMENTS

SEC. 302. (a) Section 443(b) of the General Education Provisions Act is amended to read as follows: "(b) Members of Presidential advisory councils shall continue to serve, regardless of any other provision of law limiting their terms, until the President appoints other members to fill their positions."

(b)(1) Section 403(a)(8) of the Elementary and Secondary Education Act of 1965 is amended by striking out "and" at the end of clause (B), by redesignating clause (C) as clause (D), and by inserting after clause (B) the following new clause:

"(C) that not more than 2 per centum of the amount which such State receives pursuant to section 401(a) in any fiscal year, for the purposes covered by section 421(a)(3)(C), may be used for purposes of section 421(a)(3)(C) (relating to guidance and counseling programs, projects, and leadership activities), and".

(2) Section 403(a)(8)(A) of the Elementary and Secondary Education Act of 1965 is amended by inserting "section 421(a)(3)(C) and" immediately before "section 431(a)(3)" both places it appears in that section.

(c) In section 309 of the Adult Education Act strike "15 per centum" and insert in lieu thereof "10 per centum".

(d) Section 125 of the Elementary and Secondary Education Act of 1965 is amended by striking out "Except as provided in section 843 of the Education Amendments of 1974, no" and inserting in lieu thereof "No".

(e)(1) Section 5(c)(1) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), as amended by the Education Amendments of 1974, is amended to read as follows:

"(1) He shall first allocate to each local educational agency which is entitled to a payment under section 2 an amount equal to 100 per centum of the amount to which it is entitled as computed under that section for such fiscal year and he shall further allocate to each local educational agency which is entitled to a payment under section 3 an amount equal to 25 per centum of the amount to which it is entitled as computed under section 3(d) for such fiscal year.".

(2) Section 5(c)(2) of such Act, as so amended, is amended (A) by striking out "; and" at the end of clause (F) and substituting a period, and (B) by striking out clause (G).

(3) Section 5(c)(3) of such Act, as so amended, is amended by striking out "sections 2, 3, and 4" and substituting "sections 3 and 4".

(f) Section 401 of the Elementary and Secondary Education Act of 1965 is amended by adding at the end thereof the following new subsection:

"(d) There are authorized to be appropriated for obligation by the Commissioner during the fiscal year ending September 30, 1978, such sums as may be necessary for the purpose of increasing the allotment under section 402(a)(2) for that year to any State to a level of funding which equals the amount of funds received by that State for the fiscal year ending June 30, 1974, for programs under title II, title III, title V, and sections 807 and 808 of this Act, and title III (except for section 305) of the National Defense Education Act of 1958.".

PAPERWORK

SEC. 303. Section 406 of the General Education Provisions Act is amended by adding at the end thereof the following new subsections:

"(h)(1) The National Center for Education Statistics shall coordinate data collection and the formation and issuance of applications and all other reports for all applicable programs and for data and information requested by the Office for Civil Rights, in order to eliminate excessive detail or redundant information requests which may be involved in this information gathering. The National Center shall work with each bureau or agency directly responsible for an applicable program, and with the Office for Civil Rights, in performing this task of coordination, and shall require of each bureau or agency, and of the Office for Civil Rights, (A) a detailed justification of how information, once collected, will be used, (B) an estimate of the man-hours required to complete the request in each State, local educational agency, college and university, and other public agency, as applicable, and (C) the source and amount of funds which will be provided or are available to cover the cost of providing the information in each State. The National Center will make this information available to the States, local educational agencies, colleges and universities, and other public agencies, as appropriate. Each State or other agency shall have an opportunity to comment to the Administrator on each proposed application, report or data collection instrument of the Education Division before the Administrator approves the transmittal of the request for clearance to the Office of Management and Budget.

"(2) The National Center shall, insofar as practicable, provide States, local educational agencies, colleges and universities, and other public agencies with summaries of the data collected from such agencies or of the evaluation conducted by such agencies.

"(i) The National Center shall, insofar as possible, develop a common set of definitions and terms in consultation with each bureau or agency directly responsible for each applicable program.

"(j) The National Center shall, upon request, provide the Committee on Education and Labor of the House of Representatives and the Committee on Labor and Public Welfare of the Senate, with objective descriptions of the best manner in which to formulate pending legislation in order to avoid redundant information requests, duplicative forms, or excessive detail."

MAINTENANCE OF EFFORT

SEC. 304. (a) Section 143(c)(2) of the Elementary and Secondary Education Act of 1965 is amended by inserting "per student" immediately after "combined fiscal effort" each time that term occurs.

(b) Section 307(e) of such Act is amended by inserting "per student" after "fiscal effort" each time that term occurs.

(c) Section 403(a)(11) of such Act is amended by inserting "per student" after "amount" each time that term occurs.

(d) Section 710(a)(13) of the Emergency School Aid Act is amended by inserting "per student" after "fiscal effort".

(e) The General Education Provisions Act is amended by adding at the end of subpart 1 of part C thereof a new section to read as follows:

"WAIVER OF MAINTENANCE OF EFFORT PROVISIONS

"SEC. 430. The Commissioner may waiver for one fiscal year provisions under any applicable program requiring maintenance of effort by local educational agencies, if he or she determines, upon the application of any such agency, that very exceptional circumstances exist that year which render unattainable the compliance with such provisions and that every possible effort has been made by such agency to comply with such provisions.".

REPEALERS AND EXTENSIONS

SEC. 305. (a) Part B of title X of the Higher Education Act of 1965 is hereby repealed.

(b) Section 301 of the National Defense Education Act is amended by striking out "1977" and by inserting in lieu thereof "1978".

EFFECTIVE DATES

SEC. 306. (a) Except for section 101, section 104(d), section 108(a), section 108(c), section 112, title II, and title III, all sections of this Act shall be effective on October 1, 1977.

(b) Section 101, section 104(d), section 108(c), section 112, and all sections of title II and title III (except sections 302 (d) and (e) thereof) shall be effective on the date of the enactment of this Act.

(c) Section 108(a) shall be effective during the period which begins on the date of the enactment of this Act and ends on September 30, 1977.

(d) Section 302(d) and section 302(e) shall be effective as of July 1, 1975.

Mr. PERKINS (during the reading). Mr. Chairman, I ask unanimous consent to dispense with further reading of title III, that it be printed in the RECORD, and open to amendment at any point.

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

There was no objection.

AMENDMENT OFFERED BY MR. FORD OF MICHIGAN

Mr. FORD of Michigan. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FORD of Michigan: Page 190, immediately after line 3, insert the following:

(g) The fourth sentence of section 403(1) (20 U.S.C. 244(1)) of the Act of September 30, 1950 (Public Law 874, 81st Congress), is amended by inserting immediately before the period at the end thereof the following: ", except that such term shall include all real property owned by the United States Postal Service which is not subject to any State or local real property tax" used for the support of education.

POINT OF ORDER

Mr. QUIE. Mr. Chairman, I make a point of order against the amendment.

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

Mr. QUIE. Mr. Chairman, I make a point of order against the amendment offered by the gentleman from Michigan (Mr. FORD) on the grounds that it is not germane to the bill under consideration.

The gentleman's amendment seeks to amend the definitions title of impact aid, Public Law 874 of the 81st Congress. The bill before us contains only two technical amendments to impact aid. The amendment offered by the gentleman

from Michigan seeks to make a major change in the impact aid law by substantially increasing payments under the program. The gentleman seeks to include his amendment in title III, which relates to technical and miscellaneous amendments. Clearly, the amendment offered by the gentleman is not technical and is substantial in nature.

It is my view that the amendment is in violation of clause 7 of rule XVI of the Rules of the House of Representatives. I cite as precedent for my position the ruling of the Chair on November 29, 1971, when the Chair ruled that an amendment to regulate a broad scope of activities is not germane to a proposition imposing restrictions within a limited area of activities.

I would also cite as a precedent the ruling of the Chair on April 28, 1971, to the effect that an amendment proposing changes in another section of a law is not germane to a bill amending one section of existing law to accomplish a particular purpose.

I would note further that the title of the bill before us is limited to vocational education and NIE amendments. The other amendments in the bill contained in title III are protected by House Resolution 1179. Under the bill now being considered, however, that rule from the Rules Committee dealing with germaneness does not protect the offering of nongermane amendments to the bill.

The amendment is also in violation of clause 5 of rule XXI, relating to appropriations since the amendment is effective immediately and thereby affects already appropriated funds.

I urge the Chair to rule against the gentleman's amendment.

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

Mr. FORD of Michigan. Very briefly, Mr. Chairman.

Mr. Chairman, if we address ourselves to page 188 of the bill before us, we will find the specific language, the reference to the amendment of section 5(c)(1) of the act of September 30, 1950, for which shorthand purposes is referred to as Public Law 874 of the 81st Congress. That is the impact aid law.

The CHAIRMAN. Would the gentleman from Michigan please speak up. The Chair cannot hear the gentleman.

Mr. FORD of Michigan. Mr. Chairman, we find that this amendment to the allocation of funds under Public Law 874 of the 81st Congress deals with the allocation of funds. It goes into three sections of the allocation of funds in that act.

Furthermore, I might mention that all the so-called Elementary and Secondary Education Act, which is amended by this act, is a part of title II of Public Law 874, which was the vehicle by which we adopted the legislation. We attached it all to the Elementary and Secondary Education Act and its amendments are, in fact, amendments to Public Law 874.

The CHAIRMAN. The Chair is prepared to rule.

In connection with the point of order the gentleman from Minnesota makes regarding the question of germaneness, the Chair has examined the amendment and the legislation to which the amendment is offered. Upon an examination of title III, which is a very diverse title and is open to amendment at any point, that title actually amends Public Law 81–874 in two diverse respects, as indicated on pages 214 to 217 of the Ramseyer rule in the committee report, section 403 of that act is amended in the bill on page 186. This amendment would make a further change in that section of the law.

Therefore, on the basis of germaneness, it is the opinion of the Chair that the amendment is germane; however, with respect to the point of order that the amendment violates clause 5, rule XXI, it appears to the Chair, recalling the debate on the rule of yesterday where points of order were waived against the committee amendment, that there are in existence appropriated funds for impact aid purposes which this amendment would permit to be used for a new category of recipients. Since the amendment permits a new use of funds already appropriated, the Chair would have to hold that that amendment is a violation of clause 5, rule XXI and, therefore, would sustain that portion of the point of order.

Now, the Chair would state, of course, that we are dealing here with a point of order dealing exclusively with the reuse of funds already appropriated.

Therefore, the Chair sustains the point of order in connection with clause 5 of rule XXI.

Mr. FORD of Michigan. Mr. Chairman, I would like to first say that this is one of the most scholarly rulings I have ever heard, even though it hurts me from the depths of my heart.

Mr. Chairman, I ask unanimous consent to revise my amendment to make applicable the appropriations for fiscal year 1977 and thereafter.

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

Mr. MICHEL. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Are there further amendments to title III?

AMENDMENT OFFERED BY MR. ESHLEMAN

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

The Clerk read as follows:

Amendment offered by Mr. ESHLEMAN: On page 184, after line 18, insert the following new subsection:

(4) in section 440 by inserting "(a)" immediately after "Sec. 440" and adding at the end thereof the following new subsection:

"(b) The extension of Federal funds to a State or local educational agency or institution of higher education, community college, school, agency offering a preschool program or other educational institution through grant, loan, contract, student assistance or any other programs may not be limited, deferred or terminated by the Secretary before according such State or local educational agency or institution of higher education, community college, school, agency offering a preschool program or other educational institution the right of due process of law, which shall include a final judgment of non-compliance with a specific provision of Federal law after a hearing before a duly appointed administrative law judge or a Federal court of competent jurisdiction, except that this provision shall not apply to part B of Title IV of the Higher Education Act of 1965 (20 U.S.C. 1971–82).".

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

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

There was no objection.

Mr. ESHLEMAN. Mr. Chairman, the purpose of this amendment is to eliminate the Department of Health, Education, and Welfare, from withholding funds from any school, be it public school or college or university, without a hearing, as they now can do.

I would like to read one sentence from a letter received today from the National School Boards Association:

A mere letter from DHEW indicating that they have determined unilaterally a violation of Federal law exists is sufficient to curtail funds.

Now, we all have our opinion of what due process of law is, and I submit that Congress, by its inaction, has been going along with the denying of due process of law to our school districts and to our colleges and universities. This does not take away the penalty of withholding funds. HEW can still withhold funds if school district x is in violation, but at least school district x would be entitled to a day in court and be entitled to a hearing.

Mr. Chairman, I urge adoption of this amendment.

Mr. Chairman, the letter from the National School Boards Association follows:

MAY 11, 1976.

Representative EDWIN D. ESHLEMAN,
U.S. House of Representatives,
Rayburn House Office Building,
Washington, D.C.

DEAR MR. ESHLEMAN: The National School Boards Association enthusiastically supports your due process amendment and urges all Members of Congress to vote for same. The amendment should be viewed in its proper perspective related to the operations of the Department of Health, Education and Welfare and the manner in which that Department treats school districts.

Often, federal officials have dealt with school systems in an arbitrary or callous fashion in terminating, limiting or placing in hold federal funds desparately needed for the education of children.

A mere letter from DHEW indicating that they have determined unilaterally a violation of federal law exists is sufficient to curtail funds. There need be no independent unbiased hearing of the facts. In effect, school districts are presumed guilty. By way of contrast, students are guaranteed the rights of a due process hearing before they can be suspended or expelled, and teachers are guaranteed a due process hearing before their employment can be terminated. Justice demands that school districts receive the same degree of fair treatment.

Sincerely,

AUGUST W. STEINHILBER,
Assistant Executive Director, Office of Federal Relations.

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

If I read the gentleman's amendment correctly, it says that the right to receive funds continues until a final judg-

ment. In other words, the funds cannot be cut off until a final judgment of noncompliance with the specific provision of Federal law, after a hearing before a duly appointed administrative law judge or a Federal court of competent jurisdiction.

Mr. Chairman, my objection to the amendment is that this would mean that a school district could continue to receive funds until all appeals have been exhausted, including appeals to the Supreme Court. This could mean that years could elapse before HEW would be able to enforce the Civil Rights Act.

Mr. Chairman, I would hope that the gentleman's amendment would be voted down.

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

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

Mr. ESHLEMAN. Mr. Chairman, I would say to the chairman, respectfully, that every school district has access to our judicial system now, if they and their solicitors see fit to use it. What this would provide is that the school district could request the use of administrative law judges in the HEW, get a hearing within HEW—at least get a hearing. My interpretation of this is that it could be done in a matter of weeks, and it would not drag out in the court system.

Mr. PERKINS. If I understand the gentleman correctly, the right to receive funds continues through not only the administrative procedures, but also a final decision of any court. That means in the Supreme Court of the United States. Am I correct? Am I correct in that assertion?

Mr. ESHLEMAN. The terminology of the amendment is administrative law judge or a court. It does not say "and."

Mr. PERKINS. That means an appeal to the U.S. Supreme Court. In other words, there would be no withholding of funds, and that could last for several years, as much as 5 years or 6 years. I know the gentleman does not contemplate a situation such as that, but that is what it could mean. That is the reason I am opposed to the amendment.

Mr. KETCHUM. Mr. Chairman, I move to strike the last word, and I rise in support of the amendment.

Mr. Chairman, I congratulate the gentleman for introducing this amendment. This is precisely what has caused me to introduce the provision where administrative hearings must be held in the district where the alleged offense has occurred. This has occurred in the county of Kern, city of Bakersfield. HEW has alleged that the school district is in violation of title VI of the Civil Rights Act. Mind you, I said "alleged."

Mr. Chairman, due process here consists of an administrative law judge hearing the case, and in this case it is an HEW administrative law judge, with HEW attorneys presenting the suit.

They have alleged that the Bakersfield City School District is not in compliance.

Let me say to the Members here present that that hearing has been going on for 6 months. At the request of the acting general counsel of HEW, the attorneys from HEW were instructed by him to move for a change of venue before an HEW administrative law judge, for a change of venue to the city of San Francisco, at the convenience or "for the convenience" of the Government. "The convenience of the Government."

I asked the acting general counsel why. The acting general counsel said, "We have hearing rooms in San Francisco."

I submit we have hearing rooms all over the County of Kern and in the city of Bakersfield.

He said then that it was for the convenience of the administrative law judge.

I submit that the administrative law judge's residence was 100 miles south of Los Angeles and they moved the hearing to San Francisco, some 300 miles to the north.

For whose convenience? Only for the Government, HEW and the bureaucrats who run it.

The gentleman from Pennsylvania, Mr. ESHLEMAN, makes an excellent case.

First of all, mind you, one cannot appeal any decision of the administrative law judge, except to that same administrative law judge.

Second, after that so-called quasi-judicial trial has been held, it must be submitted for appeal to the Board of Commissioners at HEW, and if the Board of Commissioners uphold the judgment of the administrative law judge, then and only then does the Secretary of HEW become the judge, jury and executioner. And only after he has made his decision may the school district then resort to the court system, of which we are all so proud.

So I submit, Mr. Chairman, that it could take a year, a year and one-half, 2 years, and if in the end that school district has been upheld, they have been doing without their funding all that time.

If that is democracy, it is not the way I understand it.

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

Mr. Chairman, we complain now about our courts being clogged with unnecessary items and the slowness of the courts to act. If you read this amendment, we are talking about no final action on Federal assistance for preschool programs, grants, loans, contracts, student assistance, or any other programs—no final action, no termination, when there is a clear violation, until we have had a hearing. It just seems to me that that does not make sense.

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

Mr. SIMON. I yield to the gentleman from Pennsylvania (Mr. ESHLEMAN).

Mr. ESHLEMAN. I thank the gentleman for yielding.

Mr. Chairman, would the gentleman agree that a school district or college or university has the right to take their case to court now, so to speak, if they so choose, and if they so desire to spend the money, they have the right now to appeal a decision by taking it to court?

Mr. SIMON. That is correct.

Does the gentleman have any idea what percentage of the cases now go before the courts?

Mr. ESHLEMAN. If the gentleman will yield, it is a very small percentage, but I have no definite idea.

All this amendment would do is to say they are not judged guilty first. They continue to get the appropriation until they are found guilty. What we do now, HEW can take the money away from them right away and say, in effect, to them, "You prove yourself innocent." That is exactly the opposite of what we do in any other judicial proceeding.

Mr. SIMON. If I may respond to the gentleman, I think the gentleman is correct, it is a very small percentage now that gets into the Federal courts. And what the gentleman is doing in this process, I think, is that he is putting everything in.

Mr. Chairman, I do not see any point in that. I think that administratively this would make for some real headaches.

Mr. ESHLEMAN. Mr. Chairman, will the gentleman yield one more time?

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

Mr. ESHLEMAN. Mr. Chairman, as I said in speaking on my amendment, the only difference would be that they can go to court with my amendment and they can go to court without my amendment, but with my amendment they go to court adjudged innocent until their day of trial, while, with the way HEW is doing it now, they are guilty from the day they get the money withheld.

Mr. SIMON. The gentleman assumes it is a very small percentage of cases that go to appeal; let us say it is 5 percent, although my guess is that it is less than that. But what the gentleman is doing is adding another 95 percent to that burden, and I see no reason for doing that.

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

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

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

I think what we are missing here is that they cannot go to court. The fact is they cannot go to court until after they have had an administrative law judge hearing, the Commissioners have heard it, and the Secretary of HEW has made his decision. Then and only then can they go to court. That is the first point.

No. 2, they are adjudged guilty until they have been proven innocent, and that is not, I submit, the way we conduct justice in the United States, and it should not apply in this case.

Mr. SIMON. Mr. Chairman, what the gentleman from California (Mr. KETCHUM) is suggesting is that there is something wrong with the present procedures, and I concur in that. However, what the gentleman is suggesting here is a remedy that is out of all proportion to the problem, and it is a remedy that is going to be worse than the disease is right now.

Mr. KETCHUM. Mr. Chairman, if the gentleman will yield further, I would liken this to being accused of drunken driving or reckless driving and having the court remove one's license before he is found guilty.

AMENDMENT OFFERED BY MR. DENT TO THE AMENDMENT OFFERED BY MR. ESHLEMAN

Mr. DENT. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. DENT to the amendment offered by Mr. ESHLEMAN: In line 14 of the amendment, strike out the following: "or a Federal court of competent jurisdiction".

Mr. DENT. Mr. Chairman, as I understood the chairman of our committee, his objection is that this could result in a long, drawn-out affair before the various courts.

As the law is written now, the school boards and others who feel aggrieved may go to the court immediately, but in the meantime their funds have stopped. My amendment would strike out "or a Federal court of competent jurisdiction" and leave in the amendment the following words: "a final judgment of noncompliance with a specific provision of Federal law after a hearing before a duly appointed administrative law judge." That means that the funds will not be taken out or stopped until a competent, duly appointed administrative law judge, who is now already within HEW, makes a decision.

If the law judge determines that there is reason to stop the funds, the funds are stopped at that moment; it could happen in 1 day or 2 days, or it could be in the morning or in the afternoon. Then if the school board feels aggrieved by that decision, the funds will be stopped, but it does not take away from them the provision of law now provided for before the courts to have the funds restored.

What we are saying here is that we are adopting military law instead of civil law.

In military law one is adjudged to be guilty until he is found innocent; in civil law one is adjudged to be innocent until he is found guilty.

The great criticism in the United States is this: There is a war being waged all over the United States about the power of bureaucratic government and its action setting aside the intent of law passed by the Congress, because by interpretation and regulation, and with the power they have and the right of law, they have set aside definite law passed by the Congress of the United States.

We are going through an awfully terrible period at this time with the detention reform law. We are having the same problem with the Mine Safety Law regulations, which have wiped out what this Congress and other Congresses have intended to be the intent of Congress.

Mr. Chairman, I do not believe that any member on the Committee on Education and Labor actually believed that we were giving a department of Government the right, willy-nilly, only upon their own judgment, only upon their own determination, without notice of what the violation may be under the law as it is today and which we are trying to amend, to stop the funds without any consideration at all of the rights of the school board and its members.

Mr. Chairman, they should have a right to appeal. The appeal will not be long drawn out. If they want it to be long drawn out, it is then because HEW does not have a case on which to stand.

If they do have a case, they will, of course, take it immediately to their competent judge, and it will be all over with. Then the school board will at least have had its day in court. The determination then can be taken to a court, as it can be under the law today; but under the law today they take the funds from you first and then say, "Now prove that you deserve them. Prove that you are justified in your objection to having the funds lifted from you."

That was not the intent of this bill because if it was, I would not have voted for it in the first place.

Mr. Chairman, I do not think that anybody in this room feels that any bureaucratic setup ought to have the right to set aside the rights of anybody without some notification of some charge made. They do not even have to make a charge against the school board. They can justify this and say, "From today on your funds are stopped."

How do they prove what they are doing? They do not know what they are doing wrong.

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

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

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

I realize that the gentleman is trying to compromise the situation, and that is all right.

Is the gentleman sure that his deletion would not eliminate the right to judicial proceedings at all with respect to any school or college?

Mr. DENT. No; I do not think so because that is a right under law now. That is not being touched. It is inherent. It is the law even with respect to a court of equity, I think.

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

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

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

I respect his expertise in this field. However, I ask the gentleman, does it not bother him at all that the administrative law judge comes from within HEW, the attorneys trying the case come from HEW, and there might be a rather strong suspicion in the minds of that school district fighting that case that they are taking their instructions from HEW?

I am not alleging that they do. I am just saying that my district feels that way.

The CHAIRMAN. The time of the gentleman from Pennsylvania (Mr. DENT) has expired.

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

Mr. DENT. Mr. Chairman, I thank the gentleman for his observation, which I think applies not only to this particular department or bureau, but to other bureaus of Government. However, there is not anything else that we can do at this point today with this act before us except to either take the subject that way or let it go, whichever is worse.

I have to believe that these law judges are honest men and will do that which the law demands and will give justice where they can. I am sure that if they do not, then this House will have a greater problem to resolve at some later date.

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

Mr. Chairman, with all due deference to the gentleman from Pennsylvania (Mr. DENT) I am going to have to disagree with his suggestion.

I think it is best to stick with the usual procedures we have: first, that one should exhaust administrative remedies and then appeal to the courts.

I do not think that the funds of a school district should be taken away before the appeal has been used if desired.

Under the current situation, it is really not fair. Everything is on the side of HEW, and it is interesting that they put the screws on just before budget time.

Mr. Chairman, how can anyone negotiate with a regional office of HEW which has the power, and threatens and does use the power, to withhold funds from a district just before budget time? When a school district knows that if it does not go along and everything HEW wants and all is not sweet peace and niceness with this regional office, then their budget is just going to be shot to hell.

If there is a difference of opinion between HEW, on the one hand, and the school district on the other, let them go through administrative processes and court appeal before penalizing a school district by taking the funds away.

So, Mr. Chairman, I reluctantly disagree with the distinguished gentleman from Pennsylvania (Mr. DENT), who would strike out the review by the courts, and I feel that the amendment offered by the gentleman from Pennsylvania (Mr. ESHLEMAN) is in much better form.

Mr. DENT. Mr. Chairman, would the gentleman yield?

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

Mr. DENT. Mr. Chairman, I would prefer it to be this way but I am realistic and practical. If it is not contained in the bill when it passes here it is not even a question before the Congress because I do not think this proposition was brought up in the Senate at all, and it may not be, but, again, it may be. Legislatively you can never really get the ultimate. Legislation is a proposal and always subject to negotiation. I would suggest that we would be better off adopting my amendment than trying to take the amendment offered by my colleague, the gentleman from Pennsylvania (Mr. ESHLEMAN).

Mr. EVANS of Colorado. Mr. Chairman, I might reply to the gentleman from Pennsylvania that I have taken lessons many times from the gentleman from Pennsylvania who has said, "Let us realize we have to bargain in conference." I would suggest that the position of the gentleman from Pennsylvania previously many times on the floor of the House has been: "Let us ask as much as we can in the House because we may have to back up in conference."

So I would suggest that we do not adopt the amendment offered by the gentleman from Pennsylvania (Mr. DENT), and instead adopt the amendment offered by the gentleman from Pennsylvania (Mr. ESHLEMAN).

Mrs. MINK. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment, although I can fully understand the reasons for its being advocated and its general popularity, because I think most of us have been confronted at one time or another with the possibility that bureaucrats in HEW without understanding the local situation or conditions in a particular constituency, have issued either threats or suggestions of limitations, or deferral of Federal funds. I think this amendment, however, goes too far. It not only prescribes a total prohibition on the termination of Federal funds but it also prohibits the Secretary from temporarily limiting or deferring the issuance of a grant upon the finding of some noncompliance. It seems to me that in that regard this amendment is woefully defective. I would call my colleague's attention to a section in the Civil Rights Act, section 182, which the Congress has enacted, which has apparently worked well thus far. It directs that the Commissioner of Education shall not defer action or order action deferred on any application of a local educational agency except by providing that agency with 60 days notice that some deferral action or some limitation of funding was going to be instituted, and to notify promptly that local educational agency to afford that agency an opportunity for a hearing and to require that that hearing make an absolute finding as to whether there has been in fact compliance or noncompliance.

I call the attention of the House to this section to remind the House that the Congress has already taken action in an effort to try to prevent arbitrary actions on the part of the Secretary or Commissioner in cutting off funds to local educational agencies.

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

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

Mr. KAZEN. If I understand the gentlewoman from Hawaii correctly, what would be the purpose of the amendment that is now pending? If the funds were not being withheld by the HEW, there would be no reason for this amendment being offered.

That means that the law has not been followed, so why should not the committee accept the amendment offered by the gentleman?

Mrs. MINK. It is precisely for that purpose that I object to this amendment because it broadens the specifics of this section, as I just read, and which is already law, and which is a 60-day requirement for notice and a hearing before any fund cutoffs.

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

Mrs. MINK. No, I will not yield. I would like to explain my further objections to this amendment. If I can get additional time, I will be glad to yield to the gentleman.

Mr. KAZEN. I will ask that the gentlewoman get additional time, but right at that point what the gentlewoman is saying is that a hearing must now be held?

Mrs. MINK. Yes, precisely, and that does not change one iota. Again I will go back, if the gentleman will permit me, to finsh my argument, because title VI of the Civil Rights Act, which is very clear, says that under any such orders terminating or refusing to grant or continue assistance under any programs, there must be an opportunity for a hearing, and a failure to comply with such requirement shall nullify any such orders to terminate or to refuse.

Let me read the specific section. Section 603 says:

> Any department or agency action taken pursuant to section 602 shall be subject to such judicial review as may otherwise be provided by law for similar action taken by such department or agency on other grounds. In the case of action, not otherwise subject to judicial review, terminating or refusing to grant or to continue financial assistance upon a finding of failure to comply with any requirement imposed pursuant to section 602, any person aggrieved . . . may obtain judicial review of such action in accordance with section 10 of the Administrative Procedure Act, . . .

So there is complete protection in my estimation of either the local education agency or an individual who feels that a denial of a Federal grant or Federal funds is in any way not substantiated by allegations of noncompliance regarding the opportunity to have a hearing.

The CHAIRMAN. The time of the gentlewoman has expired.

(At the request of Mr. KAZEN, and by unanimous consent, Mrs. MINK was allowed to proceed for 3 additional minutes.)

Mrs. MINK. If I may be permitted to just explain this in half a minute, the mischief of this amendment is to say that the Secretary may neither limit nor confine the granting of an application or granting of funds under any of the programs established by Federal law until there has been a final judgment. The current law says in 60 days there shall be a hearing and a finding. The matter can be concluded with great simplicity and expeditiously. If this amendment were to follow, it would suggest that every agency should interminably extend judicial review, go to every length to seek judicial appeals and judicial review at every segment of the way, because by doing so, if this amendment should carry, it would mean that they would continue to receive the funds, and it makes no provision whatsoever as to that final moment when a judgment should be made against the agency as to how these funds are going to be returned. They could well continue for 1, 2, or 3 years over judicial action. The agencies or school districts would be absolutely confounded in trying to find a method to return these funds which they would have been receiving under the basis of this amendment.

Therefore, I think that although it seeks to try to assist the agency, it is going to do far more mischief than has been contemplated.

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

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

Mr. KAZEN. I thank the gentlewoman for yielding.

Regarding the bottom line, I would like to know if in the gentlewoman's opinion there will always have to be a hearing before money is withheld?

Mrs. MINK. Yes. The current law requires it.

Mr. KAZEN. If it should turn out that the gentlewoman is mistaken and that a hearing is not mandatory, then would she be in favor of this amendment?

Mrs. MINK. Then that action of the commissioner or the Secretary would be entirely unlawful and illegal, because the law now requires it.

Mr. KAZEN. Can some action be brought against him?

Mrs. MINK. Yes. In my view, section 182 would permit it.

May I just make one final comment. In the bill we are to take up next, the Higher Education bill, there is a specific provision with reference to the Student Aid program, because it is a unique program. We cannot continue to fund student aid or student assistance loans if there is a violation of the law, so we have a section here calling for the limitation of assistance and termination of these loans.

No period of suspension under this section shall exceed 60 days. I submit that that language was selected for the higher education bill not arbitrarily but because that is precisely the language which is under section 182.

I ask the House to vote down this amendment.

The CHAIRMAN. The time of the gentlewoman from Hawaii has expired.

(On request of Mr. DENT, and by unanimous consent, Mrs. MINK was allowed to proceed for 1 additional minute.)

Mr. DENT. Mr. Speaker, will the gentlewoman yield?

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

Mr. DENT. Mr. Chairman, if I understand the section the gentlewoman read, if she will read it again she will find it is upon application that they will be held up. It is upon application, not after it is approved and enforced. It is the stopping of funds after they are in force that we are trying to get at. It is upon application or request that they can be held up. What they are doing now all over the country, wherever they want to and feel they ought to, is that they are stopping funds that are already in force and in action without any kind of appeal. What we are asking is that a competent administrative law judge within their own judgment be able to receive at least an appeal and give a judgment. From then on they can stop if he rules against them. The gentlewoman is saying no school board has an opportunity to appeal a decision which arbitrarily takes away and stops their funds.

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

Mr. Chairman, as I have listened to this discussion of the Eshleman amendment it seemed to me the question raised by the gentleman from Kentucky (Mr. PERKINS) that this may be carried on for a long time on appeal, was removed by the amendment offered by the gentleman from Pennsylvania (Mr. DENT) that it be limited to an administrative law judge that is somebody hired by HEW.

If they are going to delay it that is their business, but their own personnel ought to get cranked up now and make a determination.

It seems to me that this money is not appropriated for the use of some administrator who is making off with the money. This money we are talking about is money for the schoolchildren to be used for their education. When we deny the money for that use, and that may be fairly judged by HEW, it seems to me they ought under the law to have a chance to bring this before the administrative law judge and he can make a determination. Maybe they can cut off the money after he makes a determination, but at least with the Dent amendment I do not see how anybody can be opposed to the amendment.

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

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

Mr. ESHLEMAN. Mr. Chairman, I would like to point out to the gentlewoman from Hawaii that the gentlewoman's main point was that we have an expeditious manner now, 60 days and so on.

Well, it is expeditious because we do not grant the due process. We do not grant to school districts, we do not grant to colleges and universities full due process.

I do not mean to be corny, but someone with a criminal charge against him, we grant him the full due process; but along comes a college or university in one of our school districts and we say, "You only get a partial due process. We are not going to give you a complete due process."

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

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

Mr. PERKINS. Mr. Chairman, I ask unanimous consent that all debate on this title and all amendments thereto close at 4:45.

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

Mr. QUIE. Mr. Chairman, reserving the right to object, I do not mind closing off debate as soon as the gentleman wants to, but I think we ought to protect some of the Members here. The gentleman from Michigan (Mr. FORD), I believe, has an amendment prepared now so as not to be subject to a point of order. The gentleman still wants to propose the amendment, and the gentleman from Pennsylvania (Mr. ESHLEMAN) also has an amendment.

Could we limit the time on each one?

Mr. PERKINS. Mr. Chairman, would the gentleman from Minnesota agree to 5 minutes for each one?

The CHAIRMAN. Let the Chair ask the gentleman from Kentucky, will the gentleman from Kentucky restate the unanimous consent request?

Mr. PERKINS. Mr. Chairman, I ask unanimous consent that all debate on this amendment and amendments thereto close within 5 minutes.

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

Mr. KETCHUM. Reserving the right to object, Mr. Chairman, I want to be absolutely sure I understand. The gentleman wishes to close debate on the amendment in 5 minutes?

Mr. PERKINS. On this particular amendment to the amendment and the amendment within 5 minutes, because it has been thoroughly debated.

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

Mr. KETCHUM. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

MOTION OFFERED BY MR. PERKINS

Mr. PERKINS. Mr. Chairman, I move that all debate on this amendment and all amendments thereto close in 5 minutes.

PARLIAMENTARY INQUIRY

Mr. DENT. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state the parliamentary inquiry.

Mr. DENT. Mr. Chairman, what if there is another amendment to this amendment that comes up?

Mr. PERKINS. Mr. Chairman, that could come up later.

Mr. DENT. Then it cannot be brought up.

The CHAIRMAN. In response to the parliamentary inquiry the amendment could be offered but not debated. The question is on the motion offered by the gentleman from Kentucky.

The motion was agreed to.

The CHAIRMAN. The Chair will state that all Members standing at the time the motion was made will be recognized for about 1 minute each.

The Chair now recognizes the gentleman from California (Mr. KETCHUM).

Mr. KETCHUM. Mr. Chairman, I know that the gentleman from Pennsylvania (Mr. DENT) is making an honest attempt to compromise. I would only state we are talking about an administrative law judge, not due process through the courts.

I really believe the amendment of the gentleman from Pennsylvania (Mr. ESHLEMAN) should be passed as it is. When this occurs in our districts, we will be back wishing we passed this amendment.

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

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

Mr. BLANCHARD. Mr. Chairman, I simply say that I happen to agree with the gentleman. This has, in fact, occurred in the Ferndale, Mich., school district. If anybody wonders what goes on and how much they can cut funds from this without a court adjudication, they should talk to me about the Ferndale situation. Ferndale has had funds cut off 6 years ago.

The CHAIRMAN. The Chair recognizes the gentlewoman from New Jersey (Mrs. FENWICK).

Mrs. FENWICK. Mr. Chairman, I would not rise in support of any amendment that weakens the Civil Rights Act. We fought hard for it; but what I have to know is who hears the cases now, under the section that was cited by the gentlewoman from Hawaii?

Are the funds to the school district held up during those 60 days until that hearing has been completed, or are they not held up? Will the gentlewoman from Hawaii tell me that?

Mrs. MINK. As far as I know, this section has been used with reference to the——

Mrs. FENWICK. Are the funds held up or not?

Mrs. MINK (continuing).—The race issue under the Civil Rights Act. This has not been used.

Mrs. FENWICK. Are they held up or are they not?

Mrs. MINK. Yes.

Mrs. FENWICK. That is wrong. Before the decision is made, funds should not be held up.

Mrs. MINK. They are deferred.

The CHAIRMAN. The Chair recognizes the gentlewoman from New York (Ms. ABZUG).

Ms. ABZUG. Mr. Chairman, I rise in opposition to the Eshleman amendment, as amended by the gentleman from Pennsylvania (Mr. DENT). I think due process rights of institutions are already guaranteed under title VI of the Civil Rights Act, title IV of the Education Amendments of 1972, and Executive Order 11246. What troubles me about this amendment is that if, indeed, there are instances institutions publicly announce that they will not comply with the law, under this amendment the hearing process would have to be followed and the money probably spent before a decision is rendered, even though both sides would concede noncompliance by the institution.

This amendment would also preclude the imposition of any conditions of eligibility prior to the award of a Federal grant or contract. All other Federal contractors or grantees must meet conditions of eligibility before funds are awarded. This would establish an unjustifiable exemption for educational institutions. Although HEW could hold a subsequent hearing to terminate a grant, no application for funds could be deferred, even if the applicant was clearly violating the law.

The due process rights of the institutions are already protected. The real effect of this amendment would be to delay and postpone enforcement of the law and the achievement of equal educational opportunities. I urge my colleagues to vote against this amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania (Mr. DENT).

Mr. DENT. Mr. Chairman, the decision is very simple. We either vote to give them an appeal—it is as simple as that—or we say no. That is all there is to it. If that is all we want, all the explanations made of the rights to judicial review and as to an appeal cannot help people on an application before the award. Once the award is made and it is taken from them, we will have schools that are without an award for a year and a half, and who go through judicial review. Let us at least hear their story.

The CHAIRMAN. The Chair recog-

nizes the gentleman from Kentucky (Mr. PERKINS) to close debate.

Mr. PERKINS. Mr. Chairman, I yield back my time.

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

The amendment to the amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. ESHLEMAN), as amended.

The question was taken; and on a division (demanded by Mr. PERKINS) there were—ayes 45; noes 15.

So the amendment, as amended, was agreed to.

AMENDMENT OFFERED BY MR. ESCH

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

The Clerk read as follows:

Amendment offered by Mr. ESCH: Page 179, after line 2, insert:

(3) in section 203(b) by inserting a period after "dual school systems" and striking out the remainder of the sentence.

And renumber the remaining clauses of section 301(a) accordingly.

Mr. ESCH. Mr. Chairman, this amendment strikes from title II of the Education Amendments of 1974—commonly referred to as the Esch amendment—the so-called Scott-Mansfield language which sought to modify the impact of the House action to limit court-ordered busing in desegregation cases to the "nearest or next nearest" appropriate school to a child's place of residence.

That language—which many of us at the time thought harmless because it simply states that there is no intention to interfere with the enforcement of rights under the 5th or 14th amendments to the Constitution—was utilized by the Sixth U.S. Circuit Court of Appeals to avoid passing upon the constitutionality of the busing limitations we had imposed, and to avoid even applying those limitations.

Thus the entire issue of whether the Congress may constitutionally limit the use of an equitable remedy which it finds odious—as it did in limiting the use by courts of injunctions in labor-management disputes through the Norris-LaGuardia Act—was entirely avoided. Worse, the express intent of the Congress to limit busing was entirely ignored.

By removing this language through the adoption of my amendment, we shall be reasserting our intention to limit forced racial busing of schoolchildren. We shall also be eliminating any loophole by which the courts can escape passing upon the fundamental constitutional issue which deserves to be decided.

It is time once and for all that this country put the issue of busing behind us and move on to our real responsibility and that is giving our children a proper education. The 1954 Brown decision stating that we should desegregate schools has been subverted by the courts and by the bureaucrats who suggest that we can only have effective quality education in arbitrarily bused, quota-controlled schools. As one who has fought for effective education and against the busing concept, let me state my views to you.

First, I believe in the right of every child in our Nation, regardless of race, to receive the benefits of a quality education. Second, I do not believe in busing of schoolchildren to achieve racial balance. It is neither good educational policy nor good social policy. Third, I believe that Congress must continue to give clear guidance to the courts that busing children to achieve racial balance is contrary to national policy.

Every American of good will believes in the right of all our 2.1 million students in the elementary and secondary schools to a decent education which will prepare them to lead fulfilling and reasonable lives as members of our society. I am wholly convinced that those who oppose busing do not do so on a basis of racism. The fact that they support equal educational opportunities and work for the improvement of the poor schools belies that charge. They believe, quite simply and quite correctly, that it is absurd to bus a student from a good school to a poor one. Such busing adds a monumental, totally unnecessary and unproductive expense to school budgets when the funds could and should be used for improving the schools. The sociologists and educators agree the most effective elementary and secondary education occurs when the family—the parents are involved in the educational process. How then can the courts continue to be blind and issue conflicting arbitrary actions spending millions of dollars for buses rather than for improved educational process?

The busing of schoolchildren to achieve racial balance in our schools is not a viable solution to the complex social and educational problems facing our Nation. Numerous analytical and scientific studies have fully demonstrated that busing does not, in and of itself, improve education for disadvantaged students or racial minorities.

The neighborhood school is an extremely valuable asset. The school should be an integral part of community life. Many parents have made their choice of housing based on the location of good school systems. The continuity and security offered by a neighborhood school can greatly strengthen the ability of a child to learn and to relate to the community as a whole.

There are, certainly, inferior schools in the Nation which do not offer their students a quality education. The answer to this problem, however, is not to lower the quality of the good systems, but to raise the quality of the poor ones.

The nonviolent manner with which the citizens of Detroit reacted to the imposed busing order is a tribute to them. But in no way should be interpreted that the order was a correct one either on a social or educational perspective. The parents put the safety of their children foremost and they are to be complimented for it. The future will verify, however, that the schoolchildren will not receive a better education.

The 30 hours spent in a classroom away from a problem neighborhood will not substitute for the hours spent when that child returns to the neglected neighborhood.

Through the Esch amendment HEW has begun to change their attitude toward court-ordered busing. President Ford's emphasis in supporting the Esch amendment is reflective in the changed attitude of the bureaucracy. The Esch amendment reinforces the concept of the belief of neighborhood schools and that we should move ahead to improve education by other means than busing. The more recent limitation on the Health-Education appropriations bill reinforces that concept and means that the HEW Department can no longer enforce arbitrary quota systems.

What we must do now is to clearly indicate to the courts the need to apply with full vigor the intent of the Esch amendment.

Mr. PERKINS. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments to this section close at 10 minutes of 5.

The CHAIRMAN. The unanimous consent request of the gentleman goes to title III and all amendments thereto?

Mr. PERKINS. Yes, Mr. Chairman.

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

Mr. FORD of Michigan. Mr. Chairman, reserving the right to object, I am not sure I understood the unanimous-consent request of the gentleman.

Is it the gentleman's request that all debate close on this amendment thereto, or the entire title?

The CHAIRMAN. Will the gentleman restate his unanimous-consent request.

Mr. PERKINS. Mr. Chairman, I ask unanimous consent that all debate on title III and all amendments thereto close at 10 minutes of 5.

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

Mr. FORD of Michigan. Mr. Chairman, reserving the right to object, am I correct in my understanding that there are only two amendments left?

Mr. CONLAN. Mr. Chairman, if the gentleman will yield. I have two amendments to offer.

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

Mr. FORD of Michigan. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. PERKINS. Mr. Chairman, I move that all debate on title III and all amendments thereto close at 4:50 p.m.

The motion was agreed to.

The CHAIRMAN. Members standing at the time the motion was made will each be recognized for approximately a minute and a quarter.

PARLIAMENTARY INQUIRY

Mr. QUIE. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. QUIE. Mr. Chairman, would it be in order for a Member to divide his minute and a quarter into parts if he wishes to speak on more than one amendment?

The CHAIRMAN. The gentleman

might make that request by unanimous consent.

(By unanimous consent, Messrs. MICHEL, ARMSTRONG, ABDNOR, and HAGEDORN yielded their time to Mr. CONLAN.)

(By unanimous consent, Mr. O'HARA yielded his time to Mr. FORD of Michigan.)

The CHAIRMAN. The Chair wishes to inquire, how many Members on the list wish to speak on the Esch amendment?

Mr. PERKINS. Mr. Chairman, I intend to speak on the Esch amendment.

Ms. ABZUG. Mr. Chairman, I intend also to speak on the Esch amendment.

The CHAIRMAN. The Chair recognizes the gentlewoman from New York (Ms. ABZUG).

Ms. ABZUG. Mr. Chairman, I rise in opposition to the Esch amendment.

I know that there are lots of differences of opinion as to how one achieves a quality education. Busing is certainly not intended as a remedy. We have argued this issue over and over.

What it is suggested that we do indirectly here by the Esch amendment is to nullify the authority of the United States to enforce effectively the 5th and 14th amendments of the Constitution as interpreted in Brown against Board of Education. I think this is counterproductive to whatever the gentleman from Michigan (Mr. ESCH) feels in his view he wishes to accomplish, as well as to those who may differ with him.

The Supreme Court has made its decision on this subject and has reaffirmed its constitutional commitment to end school segregation. Busing is only one of many court-approved tools for protecting the equal rights of our schoolchildren provided under the 5th and the 14th amendments. I do not think that a simple amendment to a statute will accomplish what the gentleman would perhaps like to do in lieu of providing a constitutional amendment.

Obviously, any action that we take here in our legislation can in no way diminish the authority of the courts of the United States to enforce the 5th and the 14th amendments. Diminution of the authority of the Federal courts to enforce the Constitution can only be accomplished by an amendment to the Constitution. This is an attempt to circumvent the constitutional amendment process and should be defeated.

The CHAIRMAN. The Chair recognizes the gentleman from Kentucky (Mr. PERKINS).

Mr. PERKINS. Mr. Chairman, I want to reiterate what the gentlewoman from New York (Ms. ABZUG) stated and spoke in opposition to the Esch amendment.

The Congress has no constitutional right to restrict the Federal courts in carrying out the Constitution; and therefore, this language is needed to show that the Congress is not trying to do anything unconstitutional.

Furthermore, Mr. Chairman, if the amendment is adopted, it will cause disruption in thousands and thousands of school districts throughout the country which have adjusted their school assignments under court order.

Mr. Chairman, it would be my hope that the amendment will be defeated.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois (Mr. SIMON).

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

I think one of the simple realities that we have not faced is that there are communities around this Nation in which they are busing and busing successfully. One is the community where I live.

In fact, Mr. Chairman, the Esch amendment does not do one single thing. It takes away no authority from the courts. It does nothing. I think we ought to recognize that it gives hope to people where hope should not be given. It raises an emotional issue where I do not think it should be raised, and I think we would be wise in defeating the amendment.

The CHAIRMAN. The Chair recognizes the gentleman from California (Mr. ROUSSELOT).

Mr. ROUSSELOT. Mr. Chairman, I rise in support of the Esch amendment because I think the Esch amendment eliminates the confusion that was created by this Congress as a result of the way in which we wrote this language. Therefore, the gentleman from Michigan (Mr. ESCH) clarifies the language and makes it more clear to the courts that the Congress expects the busing restrictions in the 1974 Esch amendment to be applied.

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

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

Mr. ESCH. Mr. Chairman, I appreciate the gentleman's yielding.

The point is this: The courts have not taken it upon themselves to determine the constitutionality of the Esch remedy. Rather, they have been avoiding the issue by utilizing the so-called Scott-Mansfield language.

Mr. Chairman, we in the Congress can give clear indication that we wish to use other remedies than busing; and if we adopt my amendment and eliminate Scott-Mansfield, then the court will have to decide the constitutionality of the limitations the Congress has placed on the use of busing as a remedy in desegregation cases. That is their constitutional function and obligation, and we ought not give them a loophole to escape it.

The CHAIRMAN. The time of the gentleman from California (Mr. ROUSSELOT) has expired.

The Chair now recognizes the gentleman from Michigan (Mr. ESCH) in his own right.

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

Mr. ESCH. I yield to the gentleman from South Carolina.

Mr. HOLLAND. Mr. Chairman, I would like to associate myself with the remarks of the gentleman from Michigan (Mr. ESCH) and with those of the gentleman from California (Mr. ROUSSELOT), and I urge my colleagues to support the Esch amendment.

Mr. ESCH. Mr. Chairman, I appreciate the gentleman's remarks.

I think that what we have before this body today is, again, a clear indication to the courts that we wish to remove the confusion that is rampant today in terms of the inequitable determinations on the busing issue.

Mr. Chairman, it is up to the Congress to make a determination that we support a program of quality education and that there are, indeed, other remedies than busing through which we can achieve quality education. I think, further, that by removal of the Scott-Mansfield language, which weakened a series of provisions which this body overwhelmingly supported at a previous time, we can, once and for all, give clear indication to the courts as to what the intent of Congress is on this issue.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan (Mr. ESCH).

The question was taken; and on a division (demanded by Mr. PERKINS) there were—ayes 40, noes 12.

So the amendment was agreed to.

AMENDMENT OFFERED BY MR. FORD OF MICHIGAN

Mr. FORD of Michigan. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FORD of Michigan: Page 190, immediately after line 3, insert the following:

(g) The fourth sentence of section 403(1) (20 U.S.C. 244(1)) of the Act of September 30, 1950 (Public Law 874, 81st Congress), is amended by inserting immediately before the period at the end thereof the following: ", except that such term shall include all real property which is owned by the United States Postal Service which is not subject to any State or local real property tax" used for the support of education.

This amendment shall apply only to funds hereafter appropriated.

Mr. FORD of Michigan. Mr. Chairman, my amendment would redefine the definition of the term "Federal property" in Public Law 874—impact aid—to include all real property owned by the U.S. Postal Service which is not subject to any State or local tax for the support of education. The present definition includes virtually all other nontaxable Federal property and there is no logical reason why a post office on nontaxable property should be treated any differently than the local Federal courthouse.

By adopting this amendment, we will restore the eligibility of a number of former General Services Administration buildings located throughout the country which lost their eligibility because they were transferred to the new U.S. Postal Service pursuant to the enactment of the Postal Reorganization Act. In addition, we will be making all other nontaxable buildings eligible so long as they are in school districts which meet the other requirements of the law.

This amendment would only affect about 10 percent of all Postal Service buildings—the ones on which no taxes are paid. The other 90 percent—over 32,000 buildings—would not be affected because they are leased buildings situated on taxable property.

The amendment is not an expensive one but it would do equity to the local education agencies affected by it. According to an estimate based on figures from the U.S. Postal Service, the Bureau of the Census and the Library of Congress, it would cost approximately $6.86 million if Public Law 874 is funded at the second-tier level. This is well within the level anticipated under the first budget

resolution, and it amounts to only about 1 percent of anticipated impact aid appropriations for fiscal year 1977.

Furthermore, the amendment is totally consistent with the purpose of Public Law 874 which declares it to be "the policy of the United States to provide financial assistance to the local educational agencies which are affected by the Federal activities."

Post offices are just as much a part of Federal activities as are veterans hospitals, Federal court buildings, and other Federal office buildings.

Mr. Chairman, my amendment is supported by the National School Boards Association, the American Federation of Teachers and the National Education Association.

At this point I would like to insert the following matter into the RECORD:

EXPLANATION OF THE AMENDMENT

The amendment would amend the existing definition of Federal property to include "all real property owned by the U.S. Postal Service which is not subject to any state or local real property tax used for the support of education."

1. Number of Buildings Affected:

It would affect 3,421 (or approximately 10%) of the 32,950 buildings which are presently under the jurisdiction of the U.S. Postal Service.

2. Number of School-Age Children:

As of March 26, 1976, the U.S. Postal Service had 678,301 employees. Assuming a relatively even distribution between owned and leased buildings, the percentage of owned buildings (10.3%) was applied to the total number of employees and we arrived at a figure of 69,865 employees who are estimated to be working on U.S. Postal Service-owned facilities which are not subject to local taxation.

The estimated number of employees (69,865) was then applied to a Census Bureau statistic of 0.8 children (ages 6–17) per family and we arrived at an estimate of 55,892 school age children.

3. Cost:

This data was applied to Impact Aid data from the Library of Congress and we arrived at an estimate of $6,860,341.

CHILDREN OF POSTAL WORKERS EMPLOYED IN FACILITIES OWNED BY U.S. POSTAL SERVICE—ESTIMATES OF THE PUBLIC LAW 874 IMPACT AID ENTITLEMENTS AND PAYMENTS FOR FY 1976

SUMMARY

If the estimated number of children of postal workers who work in facilities owned by the U.S. Postal Service is 55,892 as reported, then an estimated 41,198 of these children might actually be in average daily attendance in the public schools in FY 1976. If this is the case, the estimated cost of including these children under P.L. 874 impact aid program (sec. 3) is estimated as follows:

Payment at 2 Tiers—$6,860,341 (Range ±20%: $5,488,273 to $8,232,409).

Description of Estimates

The estimated number of children of postal workers who work in facilities owned by the U.S. Postal Service has been estimated at 55,892 (ages 6–17 years). If we assume this estimate to be correct, the estimated number of children who might actually be in average daily attendance (ADA) is estimated at 41,198, derived as follows:

(1) Information from 1975 Digest of Education Statistics indicates that approximately 91% of the Nation's elementary and secondary school children attend public schools in the 1975–76 school year. If we assume that the children of postal workers follow this national pattern, then approximately 50,862 of these children could potentially be in average daily membership (ADM).

(2) Assuming that the actual number of potential postal children in the public schools is 90% of the maximum total (taking into account dropouts, etc.), then the actual total of postal children in ADM in the public schools would be approximately 45,776.

(3) Assuming that of the 45,776 postal children in ADM the actual number in ADA (the number counted for purposes of P.L. 874 calculations) is 90% of the ADM figure, then the actual total of postal children in ADA would be approximately 41,198.

Assuming that of the 41,198 postal children in ADA, 2% are in the 3(a) civilian category, then 824 children would be in this category. Assuming that the remaining 98% of the postal worker children are in either the 3(b) in-county or out-of-county categories (split 62% in-county and 38% out-of-county based on USOE estimates of April 1975), then approximately 25,032 postal children in ADA would be in-county, and 15,342 postal children in ADA would be out-of-county.

Using the estimated number of postal children in ADA as determined in the preceding paragraph, and using estimated FY 1976 local contribution rates for category 3(a) civilians, 3(b) in-county, and 3(b) out-of-county (based on USOE estimates of April 1975), the FY 1976 entitlements and payments at 2 tiers for these postal children are as follows:

Category	Children in ADA	Estimated local contribution rate (LCR)	Estimated fiscal year 1976 full entitlement	Estimated fiscal year 1976 payment at tier 2 level
3(a) Civilian	824	$670.90	$552,822	$486,483
Percent				(88)
3(b) In-country	25,032	296.13	7,412,726	4,225,254
Percent				(57)
3(b) Out-of-country	15,342	264.24	4,053,970	2,148,604
Percent				(53)
Total			12,019,518	6,860,341

Note: Estimated fiscal year 1976 tier 2 level payment: $6,860,341 (+20 percent: $5,488,273 to $8,232,409).

A HISTORY OF THE ELIGIBILITY OF CHILDREN OF POSTAL WORKERS FOR THE PURPOSES OF P.L. 874

I. 1950-1958—Only Postal Workers in Regional Facilities Were Eligible.

Sec. 9(1) of the original bill which became law on September 30, 1954, provided that "The term 'Federal property' means any real property which is owned by the U. S. or is leased by the U. S., and which is not subject to taxation by any state or political subdivision of a state or by the District of Columbia."

It provided further that "Such term does not include (A) any real property used by the U. S. primarily for the provision of services to the local area in which such property is situated . . ."

The only discussion of this provision is what was contained in the House Report which accompanied the bill. Referring to Sec. 9(1)(A) the House Report said in part: "facilities such as local post offices and district court houses would be excluded. However, central facilities and facilities serving several states such as regional offices, veterans hospitals, and similar facilities would be included . . ." (House Report 2287, 81st Congress, 2nd Session at p. 25).

This language was construed by the Office of Education to exclude from eligibility all U. S. Post Office employees except postal workers employed at certain regional postal distribution centers (at the time, there were evidently only about a half dozen of such facilities in the entire country).

II. 1958-1966—No Postal Workers Were Eligible.

In 1958, new language was added to Section 9(1) (the definition of the term "Federal property"). A new clause (c) was added which provided for the exclusion of "any real property under the jurisdiction of the Post Office Department . . . used primarily for the provision of postal services."

This new exclusion, when combined with the "primarily for the provision of local services" exclusion (Sec. 9(1)(A)), was interpreted to exclude from eligibility all postal employee children (including the employees of the regional facilities who had previously been determined as eligible), and, according to the Library of Congress, "between 1958 and 1966, it thus appears that no Department of the Post Office employee was eligible for participation under P.L. 874."

III. 1966–1974—Postal Employees Who Work in GSA-owned Buildings or in Post Office-owned Buildings in which 50% or Less of the Usable Space is Used for Postal Services are Eligible.

In 1966, the definition of Federal property for the purposes of P.L. 874 was again amended.

The exclusion of former section 9(1)(A) (Section 303(1)(A) in 1966) relating to "provisions of services to local areas" was deleted. (P.L. 89–750, Sec. 206(b)—Nov. 3, 1966).

The effect of this amendment was to make eligible for P.L. 874 purposes the previously excluded Federal property used primarily to provide a local service so long as it qualified under all other provisions of the law.

P.L. 874 as amended in 1966 had the following effect on postal employees according to a bulletin sent to State Educational Agencies from B. Alden Lillywhite, Director of S.A.F.A., on Nov. 15, 1966.

"That ('primarily local services') was eliminated by . . . P.L. 89–750, and such property will be considered as eligible Federal property for the purposes (of P.L. 874) . . . However, the prohibition against counting as eligible Federal property post office buildings under the jurisdiction of the Post Office Department and used *primarily* for postal services was not changed or eliminated, and such buildings are not eligible for the purpose of this Act.

This means that the entire area of any Federal building under the jurisdiction of the Post Office Department in which fifty per cent or more of the usable, assignable square feet of floor area is used for postal services is ineligible. *Any building under the jurisdiction of the Post Office Department with fifty per cent or less of the usable, assignable square feet used for postal services is Federal property in its entirety.*

"Likewise, any Federal property under jurisdiction of the General Services Administration is eligible in its entirety, regardless of the amount of the floor space used for postal services."

IV. 1974 through present—Only Postal Employees Who Work in Buildings Owned by the U.S. Postal Service in Which Fifty Per Cent or Less of the Usable Space is Used for Postal Services are Eligible.

The Postal Reorganization Act became law in 1970. In the process of reorganizing, nearly all Federally owned postal buildings, including a number of former GSA facilities were transferred to the new Postal Service. School districts with GSA facilities which were transferred to the Postal Service were notified by the U.S.O.E. that the children of postal employees who worked in these buildings would no longer be eligible for P.L. 874 purposes.

Congress reacted by passing a law (P.L. 92–277) which continued the eligibility of

the transferred facilities for two more years (FY 1972 and 1973).

Beginning with FY 1974, the former GSA facilities lost their eligibility.

According to U.S.O.E., 126 buildings were affected. The policy of allowing as eligible children of postal employees who work in buildings owned by the Postal Service which use only fifty per cent or less of their space for postal service work remains in effect. However, this affects only twelve of the 3,421 buildings which are presently owned by the U.S. Postal Service.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota (Mr. QUIE).

Mr. QUIE. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Michigan (Mr. FORD).

Mr. Chairman, this would add postal employees into the impact aid. Postal employees are not Federal employees. We treated them as such for 1 additional year of impact aid to provide an orderly phaseout. I do not see any reason why we should put the postal employees back into the program again. These postal employees do not live on Federal properties, they pay taxes, they do not go to PX's. There is not any reason why we should increase the impact aid on their account. The impact aid is desperately short of funds now; we have limited funds for other impact aid and this would decrease that amount. So I urge my colleagues to defeat the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan (Mr. FORD).

The question was taken; and on a division (demanded by Mr. FORD of Michgan) there were—ayes 9, noes 40.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. CONLAN

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

The Clerk read as follows:

Amendment offered by Mr. CONLAN: On page 190, between lines 3 and 4, add the following new subsection:

"SEC. 302. (g) The General Education Provisions Act is amended by adding the following new section:

" 'SEC. ( ). No grants, contracts, or support are authorized under this or any other Act for any purpose in connection with the *Man: A Course of Study* (MACOS) curriculum program or materials, or in connection with the high school sequel to MACOS, *Exploring Human Nature.*' ".

The CHAIRMAN. Let the Chair ask the gentleman from Arizona a question. Does the gentleman have an additional amendment to the one now pending?

Mr. CONLAN. Yes.

POINT OF ORDER

Mr. PERKINS. Mr. Chairman, I make a point of order against the amendment because it is not germane.

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

Mr. PERKINS. It is funded by the National Science Foundation, Mr. Chairman. It affects the National Science Foundation; therefore, it is not germane.

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

Mr. CONLAN. I do, Mr. Chairman.

Mr. Chairman, the National Institute for Education, which is a part of this bill, has the educational resource information clearinghouses—18 of them—across the Nation, including the one at the University of Indiana, which is totally computerized and which disseminates information in this area. So I do think the matter is germane.

The CHAIRMAN (Mr. SISK). The Chair is prepared to rule.

The gentleman from Kentucky makes a point of order against the amendment offered by the gentleman from Arizona on the basis of germaneness. The Chair in a quick examination of the amendment notes that the amendment reads:

No grants, contracts, or support are authorized under this or any other Act . . .

And on that basis the Chair is going to sustain the point of order because of the fact that the amendment goes beyond the scope of this pending bill.

The Chair sustains the point of order.

AMENDMENT OFFERED BY MR. CONLAN

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

The Clerk read as follows:

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The CHAIRMAN. The gentleman from Arizona has 30 seconds remaining.

Mr. CONLAN. Mr. Chairman, after lengthy controversy in this Congress over the highly questionable "Man: A Course of Study,"—MACOS—school program for 10-year-olds, Congress voted overwhelmingly to stop further Federal funds from the National Science Foundation to promote and market the MACOS program.

Hundreds of thousands of citizens nationwide had strongly protested Federal subsidies for this curriculum. MACOS is a subtle but sophisticated attack on Judaic-Christian family values. The course approvingly teaches children that the Netsilik Eskimo practices of killing old people and baby girls, wife swapping and wife stealing, were necessary for survival—and therefore acceptable.

Only NSF grants to certain proponents of MACOS for promotion and marketing activities were keeping the program alive. But once NSF funds dried up, the MACOS promotion network found a new source of taxpayer dollars from the Department of Health, Education, and Welfare under the Elementary and Secondary Education Act and the National Institute of Education.

These funds are now allowing the MACOS publisher to influence and manipulate adoption of the MACOS program by still more school districts, even though public opposition to the program in those districts is very high.

A classic example of how Federal funds from HEW are being used to manipulate local adoption of MACOS in a small community whose citizens do not want the program can currently be found in Wallkill, N.Y.

Promoters of MACOS from a college near Wallkill came to the town last October, and urged the Wallkill social studies department head to seek adoption of MACOS for use in Wallkill Middle School. This could be done, she was told, by applying for funds under the Elementary and Secondary Education Act for a new open classroom program at the school, not for MACOS particularly. This would, therefore, camouflage the fact that the funds were principally for implementing MACOS.

Obtaining Federal funds in this manner to implement MACOS would help prevent local controversy, it was thought, since no local funds would have to be appropriated to implement the program.

In fact, the school district's application for Federal funds to implement the MACOS curriculum in Wallkill was submitted and approved by Albany and Washington officials before the local board itself was even informed of efforts to implement MACOS in their district schools.

Local news accounts later reported for the first time that MACOS would be taught in Wallkill, and that only the availability of Federal subsidies for the full cost of implementing the course prompted the board finally to approve the teaching of MACOS in Wallkill starting next fall.

The school district's application for federally-funded adoption of MACOS was submitted for approval before either the social studies department head herself or the school board had seen the entire MACOS program. No parents were ever consulted about adopting the MACOS curriculum with Federal funds. And not a single set of MACOS materials existed anywhere in Wallkill for inspection by the school board or concerned citizens until last week.

The impossibility in obtaining any information about MACOS locally once the federally funded implementation plan became known by Wallkill citizens prompted several of them to contact my Washington office for help. Among them was a Wallkill high school official who wrote and complained that he had been unable to learn anything locally about the MACOS program, and that he had only learned 10 days earlier that it would be implemented with Federal funds during the next school year.

Several parents told me that they had to travel to a nearby college library to see any of the MACOS materials. I was finally able to convince the MACOS publisher here in Washington to waive the company's policy of refusing to sell MACOS materials to anyone who had not taken the complete teacher training course, so parents could purchase and review the program.

Strong citizen protests against the decision for federally funded adoption of MACOS in Wallkill have now mounted. Parents have organized and submitted a detailed request for factual data about the program, and justification for its local adoption. I am told that about 400 parents crowded into the last school

board meeting—many of them to protest MACOS. A school board candidate was elected to fill a vacancy there last week solely on an anti-MACOS platform.

Despite this overwhelming public sentiment against MACOS, the attraction of Federal funds to implement the program has caused the school administration to stand firm against local pressure to choose a more acceptable sixth grade social studies program.

Mr. Chairman, we should not allow the use of Federal funds to permit a few people to push their particular brand of school programs into public schools anywhere in the United States. This is a dangerous subversion of the local decisionmaking process. Federal funding for curriculum promotion and teacher training in certain preferred programs cannot help but give the favored few an unfair advantage in the textbook field. The ultimate losers are parents and students themselves.

MACOS has been supported by the Federal Government for about the past 14 years. NSF put about $7.5 million into MACOS development, promotion, and marketing activities—nearly $3 million alone into promotion and marketing. As a result, MACOS is now in about 1,700 schools nationwide. One would think that after 14 years of uninterrupted Federal subsidies that MACOS could make it on its own.

I am sure that MACOS could make it on its own if it were truly a good program. Yet MACOS promoters—who have established a tremendous nationwide educator promotion and marketing network with Federal funds—state that MACOS cannot make it without the continued massive infusion of taxpayer dollars.

If MACOS cannot make it on its own after 14 years, it should be allowed a quiet and well-deserved death.

The cost of implementing MACOS is increasing because more and more parents are rising up in opposition to the program. Just this past year, the parents in Reston, Va.—Fairfax County—won their battle to have MACOS taken out of the Forest Edge Elementary School, where the course was being taught to fourth graders.

Reston is a progressive community. Apparently, however, parents found after examining MACOS that it is educationally inferior to other available social studies courses.

I have received thousands of complaints about MACOS, and continued Federal support for this program. I received another just yesterday, from an Alexandria, Va., parents organization which clearly expresses the growing frustration of concerned parents about controversial textbook materials being taught to their children. I will quote just the first paragraph of the letter from Mrs. Judith Almquist, director of Parents Action Committee:

Parents in our organization want to know why we should have to pay Federal taxes for the development, promotion, and marketing of courses such as "Man: A Course of Study" (MACOS) that can be damaging to their families. Why is the Federal government trying to find ways to push curricula that challenge American values and freedoms and that question our religious beliefs? Is the government for us, or against us?

Mr. Chairman, I would like to include the full text of Mrs. Almquist's letter to me for the RECORD, along with several news and magazine articles about the continuing MACOS controversy that fully explain why voters throughout the country keep telling Congress to cut off taxpayer dollars for MACOS.

I urge the adoption of my amendment, which will stop Federal funds for MACOS once and for all.

The letter follows:

PARENTS ACTION COMMITTEE,
Alexandria, Va., May 10, 1976.

Hon. JOHN B. CONLAN,
140 Cannon Building, U.S. House of Representatives, Washington, D.C.

DEAR MR. CONLAN, Parents in our organization want to know why we should have to pay federal taxes for the development, promotion, and marketing of courses such as Man: A Course of Study (MACOS) that can be damaging to our families. Why is the federal government trying to find ways to push curricula that challenge American values and freedoms and that question our religious beliefs? Is the government for us or against us?

We urge you to oppose sections of HR 12851 relating to the National Defense and Education Act that would permit the federal government to continue funding MACOS and other objectionable value laden courses. Congress voted just this past year to terminate further promotion and marketing of MACOS with federal funds. That was a wise decision. It should not be undone.

Peter Dow, a developer and promoter of MACOS, in a May 3, 1976 Washington Post article entitled "Educators Power Disputed" admits that MACOS "questions values that might be regarded as characteristically American." He further states that MACOS—developed with 7.5 million tax dollars furnished by the National Science Foundation—"challenges the notion that there are eternal truths that must be passed down from one generation to the next." That statement would seem to challenge much if not all of the King James version of the Bible.

MACOS spends six months teaching school children about the nearly extinct Netsilik Eskimo tribe. Why? Because, the Netsiliks' daily life was replete with violence and hero images who engaged in wife swapping and wife stealing and who killed infant girls and who placed old people on the ice to die. In the Netsiliks, they found a subculture sufficiently harsh to break through the fragile defense mechanisms of eight, nine, and ten year old children. Cultural shock scenes of the brutal killing of seals and caribou cut through the defense mechanisms of small children. MACOS instructs teachers to employ group psychotherapy techniques at these moments when the children are upset. The MACOS teacher guide requires the teacher to probe to find out why the children react as they do—what makes them tick. The instruction handbook follows up with such questions as: "What things are important to you?"; "What things do you believe are true?"; and "Why were you taught these things?"

MACOS promoters say that the course does not teach values. But clinical psychologists have told us that exposing a child's deep feelings about his behavior to a peer group where his values and attitudes may be challenged and criticized is extremely likely to produce "disillusionment and value disintegration" and encourage the child to "accept group values."

Dr. Jerome Bruner, one of the chief creators of MACOS, stated in an article in a recent issue of *American Scientist* that some of the best tools for bringing about value changes are the legends and myths of other cultures. And that is precisely what MACOS is all about—the legends and myths of the Netsilik Eskimo. There can be no question that MACOS is effective in changing values as evidenced by a 15 May 1975 interview with a "MACOS child" in the Montgomery County Sentinel (Md) who when asked whether he would put his mother-in-law out on the ice to die replied, "I'm saying I would probably do this. I don't know if I really would if I really had to. I don't know what would be right."

MACOS promoters say that regardless of all other considerations MACOS is a matter of local choice and option. Yet Peter Dow states that without federal funding MACOS cannot be moved into additional schools because of its high cost. The fact is that Dow et al have, with federal funding, developed a massive MACOS promotion and marketing network nationwide that includes universities in all sections of the country and more than 1700 MACOS change agents in as many elementary schools. Incentives including graduate credit are offered to those who teach the course and who train others to teach it. This "Tupperware" type promotion and marketing network is moving to get MACOS into all elementary schools nationally. Local option is more mythology than fact. In talks with Fairfax County, Virginia, School Board member Tony Lane we parents learned that members of the Board were not shown the MACOS material before or after it was adopted by the school administration. MACOS was in six schools in Fairfax County before the School Board and parents had any real idea of the content of MACOS. And after a program is "in" the school, the parents have learned that any attempt to question the material is met with "Joe McCarthy-like" tactics which have been finely honed by the MACOS pushers. Parents who complain are labelled "right wing reactionaries," "neo-Fascists," "book burners" and the like. It is clear that local option has been preempted by the MACOS propaganda machine.

Greasing the tremendous promotion and marketing machinery requires huge sums of money. We do not believe that it is in the best interest of parents, children, or the nation to perpetuate the MACOS marketing network. As a result of parent's complaints, MACOS has been dropped by: Prince George County, Maryland; Forest Edge Elementary School, Reston, Virginia; three towns in New Jersey and Phoenix, Arizona. Additionally, the Georgia Baptist Convention is calling for its removal from classrooms in that state.

Again, we urge you to oppose changes to the Higher Education Bill which provide funding for MACOS and many other objectionable school courses.

Sincerely,

JUDITH A. ALMQUIST,
Director,
Parents Action Committee.

[From Conservative Digest, November 1975]

MACOS: CREATING CHAOS IN THE CLASSROOM

(By Susan M. Marshner)

Mention "textbook controversy," and most people immediately think of West Virginia. This fall the "controversy" can't be limited to the hills of West Virginia. In community after community, concerned parents are organizing and making themselves heard.

One particular curriculum has aroused the almost unanimous ire of parents, "Man: A Course of Study," (MACOS), a fifth-grade, social studies and behavioral science course.

MACOS was designed by the Education Development Center of Cambridge, Mass., (EDC), under grants from the National Science Foundation (NSF). Between 1963, when the project was first begun, and the present, approximately $7 million of taxpayers' money has been spent to develop and promote the

course. It is currently in use in some 1700 schools in 470 school districts nationwide.

In 1970 when it first became available commercially, more than 50 publishers rejected it. Finally, Curriculum Development Associates, (CDA), a Washington, D.C., firm headed by former Secretary of Labor Willard Wirtz, published the course, but under special royalty arrangements. The CDA had to pay only a three percent royalty to the federal government—about half the normal rate.

Since 1971 the NSF has continued to spend an average of $220,000 per year on MACOS "awareness" conferences, teacher training sessions and other promotional activities.

While parents complain most frequently about the violence, murder and wife swapping condoned in MACOS, the heads of several private textbook firms have expressed concern about the unfair competition caused by the preferential government treatment given CDA.

In addition, a "needs assessment" is usually conducted for new NSF programs to determine whether or not the finished product will be in demand. No "needs assessment" was conducted for MACOS. It seems that whether or not the country needs or wants another social studies course, the NSF has provided us with one.

What is the purpose of MACOS? According to Frances Link, an associate of Curriculum Development Associates, the course attempts to develop crosscultural understanding and reduce the tendency to draw negative value judgments about alien customs.

Jerome Bruner, presently Watts Professor of Psychology at the University of Oxford and the guiding intelligence behind MACOS, outlines three basic questions the course tries to answer: What is human about human beings? How did they get that way? How can they be made more so?

Both Link and Bruner emphasize that the course studies "man." Yet, the first half of the course is devoted to the study of animals, and the second half to the study of one primitive, virtually extinct Eskimo tribe, the Netsilik Eskimos of Pelly Bay, Canada. The recommended length of the course is one year, and grades are not given.

No single textbook is used by the children. Many of the more innovative curricula on the market today depend on what is known as the multimedia approach to learning, and MACOS is clearly one such curriculum.

The children are given a wide variety of books, pamphlets, posters, maps, games and cards. They are shown films of animals and Eskimos with no dialogue so that they can make their own judgments.

In MACOS, not only is the traditional classroom abandoned, it is condemned. Bruner informs us that the traditional classroom situation, where the teacher instructs students from a textbook, is to be avoided at all costs. Such teaching methods did not encourage students to think for themselves, to seek answers to questions on their own, or to work with fellow students.

To remedy these past mistakes, Bruner recommends the "discovery" or "inquiry" method of learning. In the "discovery" classroom, the teacher endeavors as much as possible not to correct students. She tries to encourage the children to speak freely, as though they and she were on equal terms.

Similarly, the course books are designed to give "support to open ended discussions where definitive answers to many questions are not found." Almost every day the discussions take up value questions and moral problems.

Old grandmother Kigtak has become a burden to her family. Should she be left out on the ice?

Or, boys are more useful than girls in Eskimo society. If a family has a baby girl and does not need one, is it right for them to leave her on the ice?

Or, several years ago a young male Eskimo ran off with someone else's wife. Should he be ostracized, made to give her up as a condition for readmission to the group, or simply forgiven?

"Seminars for Teachers," the MACOS teacher's manual, tells the instructor not to correct a child who cheats. Yet the teacher who allows cheating is asking for chaos in the classroom. Worse than that, she is not fulfilling a moral obligation to correct an injustice and to teach its opposite.

In a recent interview with Peter Dow, course director for MACOS at the Educational Development Center, Dow stated that a main goal of the course is to give children "a sense of the common humanity that all share." How can a child learn to appreciate all of humanity when he is not first taught to respect his neighbor?

In MACOS children are asked to fill in an attitudes chart and discuss it. There are three columns, the headings of which read: How do you feel about. . . ? How did you begin to feel that way? What would change your feeling?

Some of the items for column one are: babies, Russia, guns, old people, stealing, girls, boys, urges, being alone. Is it desirable for a ten year old, who is still young enough to be swayed from the beliefs his parents taught him at home, to be asked to consider, "What would make him change his feeling about stealing?"

Furthermore, does the phrase "open-ended discussion" have any real meaning to ten year olds? The teacher's refusal to take sides could easily influence a child to believe "that it doesn't matter which side you take," and there are no absolute answers to moral problems.

Children plainly are not capable of arriving at their own answers to complex moral dilemmas apart from the influence of parents and teachers.

There is another assumption made by those who believe in "discovery" education. They believe that the course materials are to be used as "raw" materials, so that like little scientists the children can mine them and make discoveries.

But in MACOS, the "raw" materials have been prepackaged to allow the teacher to "use students' writings and drawings to guide [her] teaching." In other words, the teacher can "engineer" (Bruner's word) discovery in situations where discovery is needed.

The children are confronted with violence and brutality in every aspect of the course—in the films, books and even in "games."

In several films, Eskimos are shown cutting open caribou, gouging out the eyes and eating them raw.

A dance teacher who taught children coming directly from their daily MACOS lesson commented:

"I am growing increasingly disturbed over how the new films must be affecting the children in their regular classes. Film has the power to exaggerate. . . .

"The exaggerations of the media have always been modulated, however, by the use of black and white and by narrated interpretations, both of which remove the viewer from actuality and offer a point of view. The new films are in vivid color and are silent. . . . Every day it is violence and death."

Other examples of such emotionally charged material abound. In two stories taken from "On Firm Ice," Alornek insults his friend, Kunak. They have a fist fight from which Kunak emerges the victor.

Alornek becomes mad for revenge, stabs his own wife for no reason and performs evil magic against Kunak. The outcome is that the group decides Alornek must be put to death because of his insanity.

After reading the story, it is suggested "the children might enjoy choosing an adversary and composing songs of derision pertinent to Eskimos or their own lives."

Children are also asked: What are some of the ways you express anger? Do they make you feel less angry? When, if ever, do you wish you could practice evil magic against someone?

Kiviok is the Eskimo equivalent of Hercules. He is a hero who becomes involved in many adventures, for which the Eskimos admire him. The children have a separate booklet containing short adventure stories about Kiviok. More than half are about his "adventures" with different wives.

In one story Kiviok comes upon some women bathing naked in a lake. He watches and then steals the clothes of one woman. He then shows himself and they all escape except the one whose clothes he has. She says to him, "Will you give me my clothes?" "No," says Kiviok. "I want you. . . ."

There is no doubt from reading statements by course developers that such material is deliberately inserted into MACOS to solicit an emotional reaction from the children. Richard Jones, author of "Fantasy and Feeling in Education," urges teachers not to avoid class discussions centering around even the most intensely personal experiences.

MACOS is not unique. A sequel to MACOS, "Exploring Human Nature," (EHN), intended for the tenth grade, is now in the pilot stage. Since February 1970 the Education Development Center has been given $2.5 million to develop and promote it.

Although the chances now appear good that Congress will vote to cut off further promotional funding, the EDC had plans for a rigorous campaign to sell MACOS to an additional 1900 schools every year.

MACOS has been the subject of controversy since it first became commercially available in 1970. Parents first brought the course to the attention of Congressman John Conlan (R–Ariz.) while he was still in the Arizona legislature. Since February of this year, Conlan has worked diligently to cut off funds to MACOS and similar courses, and to reform the entire grant approval system within the National Science Foundation.

The congressman introduced an amendment to H.R. 4723, the National Science Foundation Authorization Act of 1976, to end implementation funding for social studies curricular unless Congress receives concise summaries of their purpose and approves them. The amendment failed by a close vote of 196–215 last April 9th.

At the present time, however, it appears that funding to implement MACOS will be cut off by another means. H.R. 8070, an authorization bill for various federal agencies including the NSF, has passed both houses. No funds were included in the bill for the dissemination of courses such as MACOS and EHN.

But the EDC will be able to continue developing them. In order to require that these courses be justified before they are funded for development, Senator Jesse Helms (R-N.C.) has reintroduced the Conlan amendment, S. 2160, as a separate bill.

Helms also plans to introduce a bill to drastically alter the entire system of reviewing and approving grant applications by the NSF, which heretofore has been conducted in complete secrecy. Not even the Congress is able to obtain copies of the reviews written by handpicked scientists (known as peers) on which approval for the grants is entirely based. The bill is currently being drawn up and introduced.

The Conlan-Helms proposal to open up the completely secret "peer review" system has sent shock waves through the scientific community.

At a time when national Scholastic Aptitude Tests show declining scores, we hardly need another experimental curriculum which deliberately deemphasizes literacy in favor of "groupiness" and oral discussions.

MACOS does more than take valuable

school time away from more substantive social studies subjects, such as history, economics and geography.

In the process of teaching about values, MACOS causes children to question values they already have been taught at home. In its presentation of emotion-laden scenes of violence and brutality it goes beyond interference with parental rights to interference with the child's emotional life.

It is time that federal support for such courses comes to an end. What has MACOS really taught us? That professional educators all too frequently do *not* know what is best for our children.

[From the Washington Post, May 3, 1976]

EDUCATORS' POWER DISPUTED—REVIEW PANELS EXAMINE PUBLIC SCHOOL CURRICULA

(By Bart Barnes and Noel Epstein)

Last December, a Columbia, Md., woman named Kristine McGough was asked by the National Science Foundation to help evaluate a high school curriculum being developed with $2.5 million of federal funds.

Though lacking professional experience, McGough was told she could answer one critical question: "Would you permit your child to take this course?" So she read and answered—with unqualified anger.

No, she would never let her two daughters study it. No, she could not accept the course's premise that much of human behavior is controlled by our genes. No, she would not let her children decide what kind of genetic engineering they would prefer if they could manipulate future human beings, as suggested by the curriculum.

McGough, a Roman Catholic, was part of a 12-member panel whose attacks on the course, "Exploring Human Nature," pressured the NSF into ordering its publication delayed at least until the contents are revised.

She also is part of a growing parent revolt against the authority of educators—a revolt evidenced in the creation of 19 such review panels last December, the first in the NSF's 20-year history of funding public school courses.

The panels have swiftly demonstrated their power in the battle to influence children's minds.

As a result of their criticisms, the foundation last month dropped five school projects on which it had spent $5 million, substantially cut three more, and ordered others changed to meet panel complaints.

While a number of panel objections have been leveled at math and natural science projects, the most heated attacks have been in behavioral sciences, subjects like anthropology or sociology, which examine how much our lives and values are determined by free choice, spiritual factors, the environment or—the most controversial issue—our genes.

An elementary school curriculum stressing environmental influences was what got the NSF into hot water with many parents and with Congress and led to creation of the panels, which include teachers and psychologists as well as parents.

The curriculum, called "Man, A Course of Study" (MACOS), has been criticized chiefly for exposing young children to one Arctic culture's belief that, for others to survive, families sometimes must choose to let old people or female infants die.

Developed and marketed with $7.5 million in NSF funds, MACOS has been dropped, following parent protests, in several school districts, including Prince George County, Phoenix, Ariz., and Montclair and Westfield, N.J. The Georgia Baptist Convention has called for its removal from classrooms in that state.

Although it is currently used in more than 1,700 schools and has the support of many parents, students and teachers, it remains the target of vocal opposition.

"Embedded in the MACOS material," charges Rep. John B. Conlan (R-Ariz.), "is an 'anything goes' philosophy which subtly unteaches morality, patriotism, American values, Judeo-Christian ethics and beliefs, so that children will be more accepting of a 'world view' rather than an American view."

The NSF's leading congressional critic, Conlan has blocked spending of any NSF funds to market curricula. He also helped convince Congress to slash the agency's curriculum development budget from a requested $4 million to $1.4 million, and to halt funding of any new course designs this year.

One of MACOS' developers, Peter B. Dow, acknowledges that the course questions "some values that might be regarded as characteristically American" and challenges "the notion that there are 'eternal truths' that must be passed down from one generation to the next."

But he adds: "Our object is not to break down American values but to generate sensitivity to other values. We are trying to break down the view that because your culture is good for you, it is necessarily good for someone else."

Dow is senior associate at the Educational Development Center of Cambridge, Mass., where both MACOS and "Exploring Human Nature" were created.

It is in trying to "generate sensitivity to other values" that the most controversial stories, dealing with the Netsilik Eskimos of Pelly Bay, Canada, are presented.

In one, an old woman is left to perish on the ice when she grows too frail to keep up with her daughter and son-in-law, who must move on with the rest of their family to stay alive.

In another, female babies are sometimes left to die at birth because the Netsilik believe the rigors of the Arctic climate, where survival depends on the hunt, dictate that only males will have the stamina to endure the winter search for food.

Many parents are confident their children can deal with such moral dilemmas. "I just don't see how anyone could object to it," said Gail Nordheimer, whose 5th grade son studies the MACOS curriculum in Bannockburn Elementary School in Montgomery County.

But other parents sharply object. MACOS tries to "teach our children political values that are not our values," said Joanne McAuley of Dallas, who heads a conservative education group. "While the schools are doing all this, they are not teaching our children the basic skills."

If the assumptions are debatable in MACOS, they are explosive in "Exploring Human Nature," its intended high school sequel, which includes a genetic view of human behavior and which now may never reach a classroom.

Starting with the politically controversial idea that the nation ultimately will move to control population, for example, the curriculum's teacher guide examines the dilemmas of increasing deaths or reducing births, then states:

"As the population crunch becomes more severe and as more is learned about the genetic basis of particular human traits, it is likely that there will be increasing advocacy of various sorts of eugenic measures [manipulation of genes].

"It will be proposed . . . that society identify what are thought to be the most beneficial and most harmful existing genes, and that policies then be instituted to promote widespread reproduction of the former, while the latter are systematically culled out.

"Such policies could be enforced with the aid of various types of coercion, ranging from propaganda and tax incentives to government licensing of the right to reproduce."

The guide concedes the "serious moral and emotional objections" to any form of population control. Then it suggests "starting the discussion" in class with the idea that in several decades the students will be able to identify and manipulate all human gene traits.

"How could we, as a society, decide which genes to favor and which to select against?" it asks. "Who would make these decisions, and how would they obtain the authority to do so? What qualities do we value most in human beings?"

The genetics issue has been a subject of heated and recurring controversy among academics, erupting most recently over a book called "Sociobiology: The New Synthesis," by Harvard University zoologist Edward O. Wilson.

Sociobiology, as Wilson has described it, largely seeks to compare "societies of different kinds of animals and of man . . . to devise and to test theories about the underlying hereditary basis of social behavior."

The book has been attacked in several journals and Wilson essentially has replied that the question is not whether, but to what degree, biology determines behavior.

The issue, however, has not been common in high school curricula, and it was chiefly this that led McGough's panel—which included a history professor, a public school teacher and others recommended by various organizations—to conclude that the course "conflicts with the Judeo-Christian ethic."

Harvard anthropologist Irven DeVore, who led the team that developed "Exploring Human Nature," acknowledges its reliance on genetic—as well as environmental and cultural—influences over human behavior. But he does not see it undermining the Judeo-Christian ethic.

"I guess I have more faith in the Judeo-Christian tradition than some of the critics if they think a single course is going to undo those beliefs," he said.

DeVore also has been near the center of the sociobiology dispute, siding with Harvard colleague Wilson, but he says there is only a "very limited" element of sociobiology in "Exploring Human Nature."

Nevertheless, the genetic references will almost certainly be revised out of the course according to a spokesman for the Educational Development Center.

The genetic dispute also has obscured what would otherwise be controversial questions in themselves about the proposed course.

In a section on adolescence, for example, students are asked to read diaries in which youths discuss sexual experimentation and premarital sex relations.

The panel objected to students' reading the diaries and writing sex diaries of their own in a related course called "Human Behavior."

"The assumption that the student may be sleeping with someone is dynamite," commented historian Douglas Adler of Utah State University, another panelist. "There are still a few people around who don't think that is the norm."

"Human Behavior," on which NSF had spent more than $675,000, was among the courses ordered discontinued after the panel's report.

The broadest question raised by the panel is whether the federal government should be in the curriculum-development business at all anymore.

Says McGough: "I am basically opposed to federal involvement in curriculum areas. By its very nature it tends to remove control of education from the local community. By the time the community has had a voice in deciding whether or not to adopt a given curriculum, many millions of public tax dollars have already been spent."

The same question is on the mind of the NSF, which has spent nearly $200 million in its 20 years of aiding 53 curriculum projects.

Harvey Averich, the foundation's acting assistant director for science education, says the entire effort is being reconsidered with an

eye on the intentions of commercial developers.

"We should be prepared," he said, "to take NSF and other agencies out of curriculum development" if private enterprise can meet the need for curriculum innovations.

But since private publishers are also reluctant to develop sensitive school material like "Exploring Human Nature," it remains unclear who, if anyone, will ever support such work.

[From the Highland (N.Y.) Wallkill Valley World, Mar. 3, 1976]

OPPOSE COURSE CHANGE

WALLKILL.—That a great deal of concern and possible opposition exists in regard to the proposed change to the social studies curriculum at the Middle School was made clear to the Wallkill School Board at its meeting on March 1st. This concern on the part of many parents within the District involved what they felt was the haste approval by the Board of the controversial Man: A Course of Study for sixth grade students at the Middle School.

Mr. Joseph Egan, president of the School Board, commented that he had received five letters from parents and a petition of over one hundred red names in regard to this. The letters and the petition requested that the School Board not approve this federally funded change to the curriculum until parents had been given the opportunity to examine the material to be taught and express any objections they might have to this material. Mr. Egan informed those present that no final decision on this matter had been made or could be made until the District knew if it was going to receive the federal grant for the program or not. If they should not receive the money then the program would not be implemented.

A brief outline of the purpose and content of the proposed course was presented to the Board members at their meeting on February 2nd. At that time it was explained by Ms. Estelle Caswell that the Man: A Course of Study Program would be paid for out of the $9,442 the District could receive under the new Title 4B program. She went on to say that the proposed $3,000 program would allow them to greatly improve the social studies curriculum for the Middle School which has been a source of dissatisfaction for a number of years.

This program which would cover a year of study is the highest ranking federally funded program and was developed by Dr. Gerome Brunner, a professor of psychology at Harvard University. It proposes to develop such valuable basic skills as defining terms, raising questions, forming judgments and revising ideas based on new information discovered. These skills were, in the view of Ms. Caswell, not only something which would help a child entering the sixth grade, but would continue to be of use to the child throughout his academic career.

An example of material within the course which has been objected to by some parents with regard to the course is found in a section dealing with Eskimo culture. At one point in a lesson an Eskimo family is forced to leave behind its grandmother because she can no longer keep up and the rest of the family will suffer if the father must continually go back to check on her. It is felt by some parents that this is teaching children to have no respect for the value of the elderly people within our society. Defenders of the program, on the other hand, claim that this section is handled so well that there is no danger of this view being transferred to the students.

A final point which was presented to the members of the Board of Education at that February 2nd meeting was that the $3,000 price tag will include an 8mm sound projector, records, maps, charts, booklets for the use of the students, teaching media, casettes and a whole range of media equipment with which to teach the course. This point was made following a question from one of the Board members as to what would happen to the course if the federal money was to run out. Ms. Caswell stated that the District would receive this equipment at the start of the program and so they would not have to worry if money ran out at a later date.

It was not only the expression of parental concern which caused discussion among the School Board members on Monday night. Mr. Terry Terwilliger also questioned why these people had not been placed on the agenda if they had fulfilled the regulations of the Board which had been established for this purpose.

Ass't Superintendent Dwight Aller replied that while these people had met the requirements he had been attempting to interpret the intent of the Board members in regard to this matter when he had written to inform them that they would not be placed on the agenda at this time. He stated further that in his view it had been the feeling of the Board not to discuss this subject further until it was known whether or not the District would in fact, receive the grant for the program. Mr. Egan agreed that this had been the feeling of the members and he still did not wish to discuss the program at that time because unless the District received the federal grant for the program there would be nothing to discuss.

Mr. Terwilliger agreed also that Mr. Aller had been correct in his assumption of the Board's intent, but he still felt that since a written request had been received asking for time before the Board it should have been given to them. He added that perhaps next time Mr. Aller should check out such requests with the president of the School Board. To this, Superintendent Leonard Gunsch, speaking in defense of Mr. Aller stated that this had been done but they had been unable to reach Mr. Egan as he was out of town.

The result of the discussion was a motion by Mr. Terwilliger requesting that his original motion on this matter be amended making final approval conditional on the promise of the federal grant and only after the public had been given sufficient chance to examine the material to be used and to state whatever objections they might have to it. This was, Mr. Terwilliger felt, the only fair thing to do since so many people had done so much work to bring information regarding this program to the Board members.

[From the Newburgh (N.Y.) Evening News, May 1, 1976]

WALLKILL HUMANISM COURSE PROTESTED

(By Robert Richards)

WALLKILL.—Some parents in the Wallkill School District believe a proposed new social studies program in humanism teaches that there is no God. The head of the social studies department said the parents misunderstand the program.

As the result of the difference of opinion a large turnout is expected at Monday's Wallkill Board of Education meeting in the Middle School at 8 p.m.

Mrs. Joan Piperato, one of the concerned parents, said Friday: "We feel we have a right to review the materials for this program because they are so controversial. Humanism is a system of belief which teaches that man is all there is and that there is no God. The program called Man—A Course of Study (MACOS) has been thrown out of schools nationwide once parents realize what it is.

"MACOS comes out of a multi-million dollar federal grant and the course is developed by the National Science Foundation."

Mrs. Clifford Caswell, head of the school's social studies department, explained Friday: "The humanism course has absolutely nothing to do with religion or belief in God. You can have a very strong belief in God and still study the humanities. If anything it enforces belief in God.

"Humanism is any system of thought or action concerned with human interest. The study of the humanities spread in Europe during the Middle Ages when scholars began studying Latin and Greek culture. The result of this revival of art and learning is called the Renaissance."

Mrs. Piperato said that although there are workshops scheduled on MACOS in May, they limit the number of parents. "At these workshops no more than 20 parents will be allowed to see the materials and report back to the parents club. I feel it should be made available for all parents to view the courses."

"There are 31 textbooks and nine teacher training manuals and 16 films. I don't feel that allowing only 20 parents to see this complies with the requests of the parents," Mrs. Piperato asserted.

Mrs. Caswell noted: "We don't have the course materials to show as yet but everyone will be able to see everything about these courses. At the workshops 35 parents plus teachers will be allowed.

"The materials will be available for everyone's view in the district office on May 11 and May 18 from 2 p.m. to 4 p.m. and on May 13 and 20th from 7 p.m. to 9 p.m."

Mrs. Caswell described MACOS as a one-year course of study "taught widely in Westchester schools" and "a well-accepted and an exciting course."

Mrs. Piperato said 140 parents and taxpayers have signed a petition requesting the Board of Education to investigate MACOS before making it part of the curriculum. The petitioners also requested a well-publicized workshop on the program be held for all interested parents, teachers and taxpayers.

"Superintendent Leonard Gunsch signed an application for federal funds for the MACOS program on Jan. 14 and on Feb. 2 the Board of Education approved the new social studies curriculum change," she told The Evening News.

Gunsch said Friday that all comments on the program would have to come from Mrs. Caswell.

"MACOS workshops have been scheduled for May 14, 15, 21 and 22 and a public hearing date on the program has not been announced by the board as yet," Mrs. Piperato stated.

[From the Evening News, May 6, 1976]

DISPUTE OVER MACOS

The U.S. Constitution and a series of rulings by the Supreme Court have been invoked repeatedly to prohibit the teaching of religion in the public schools.

Equal care must be taken to guard against any public teaching of material that could be regarded as anti-religious or immoral.

If schools can be barred from teaching about God, they should also abstain from dealing in subject matter that suggests there is no God.

This fundamental belief in the freedom of conscience and worship is at the heart of the current controversy in the Wallkill School District over the introduction of "Man: A Course of Study," more commonly known as MACOS.

The head of the Social Studies Department and other proponents describe the course as challenging and educationally sound.

Opponents, including a large number of parents in the district, contend that it has sexual and anti-religious connotations that should have no place in the classroom.

There is an argument that children must be prepared to cope with the "new morality" which they will encounter in adulthood.

Exposure to some forms of it—in the sixth

grade—could turn some into proponents of such morality. Why gamble?

A series of workshops will be conducted for a limited number of representatives of parents' groups. This is a laudable effort to present the pros and cons without emotion or hysteria.

But that may not be enough. Since comparatively few parents will be able to attend the workshops, all those who desire to do so should be given the opportunity to examine the materials for the proposed course and decide whether they want their children exposed to it.

Then the Board of Education should be guided by the majority opinion presented at a public hearing.

[From the Walden (N.Y.) Citizen Herald, Apr. 28, 1976]

PARENTS ASK SCHOOL TO JUSTIFY MACOS

WALLKILL.—A number of parents of school children have requested Wallkill school officials to justify selection and use of the highly controversial sixth-grade school program entitled Man: A Course of Study (MACOS) in the Wallkill Middle School.

A formal request for school accountability with respect to the program, containing more than 120 names of parents, was submitted Monday to Superintendent Leonard Gunsch. The parents seek detailed information about MACOS which, they say, has not yet been adequately revealed to the community and families that will be affected if the course is used in the school system.

Mrs. Shirley Styles of Wallkill, a representative of the concerned parents, said she and other parents are prepared to seek relief in the courts if school officials fail to fully justify adoption of MACOS and satisfy parental concerns about what will be taught their children.

The parents group seeks information concerning inclusion of violence and immoral conduct in the content of MACOS and the potential psychological or emotional harm and invasion of privacy that could result from clinical psychological techniques and in-depth teacher interviews used in the MACOS program. Several practicing New York psychologists have stated the role playing of gruesome stories and classroom discussions concerning amoral behavior and violence in MACOS are threats to the emotional and mental stability of many fifth and sixth grade children.

Parents also have requested information concerning the federal role in funding development and promotion of the course, and alternative school programs that will be offered for children whose parents object to MACOS.

Represented by Mrs. Styles, the citizens group submitted a six-page questionnaire for completion by school officials. Said Mrs. Styles: "We need this information in writing because parent questions and concerns about MACOS have so far not been fully or adequately addressed at public meetings."

Questions concerning MACOS submitted by parents include such matters as: Whether the official policy of the district upholds and practices the basic principle of paternal rights? Who will assume responsibility for any damage, emotional, mental, moral, physical or otherwise, that may be caused from use of MACOS material? Were officials aware of controversy over the material in other school districts? What specific action is being taken to protect students from feeling odd, peculiar, different or isolated from their peers when parents or guardians question school subject matter?

The parents also requested information about Federal funds used to develop MACOS and implement the program in Wallkill, any conditions involved in use of the program, and all local costs to implement and use MACOS.

[From the Evening News, May 4, 1976]

WALLKILL THRONG APPLAUDS CRITIC OF MACOS

(By Leroy Fein)

WALLKILL.—A proposed sixth grade course called "MACOS," described by some as having sexual connotations of "try it, you might like it," brought an estimated 400 Wallkill School District parents to a school board meeting Tuesday night. However, only a few were allowed to speak.

Wallkill School Board President Joseph Egan said that only seven persons had asked to speak before the meeting started, and that no one else would be allowed to be heard.

He said a public hearing will be held on the proposed course, but no date has been scheduled.

Robert S. Waltke, Beecher Hill Road, Wallkill, who received a standing round of applause following his talk on the subject, said that when children are subjected to listening to teachers talking about "wife swapping and child marriages amongst Eskimos, the children then say, if they can do it, why can't we?"

Literature was passed out to board members by parents which stated that "in MACOS, students attempt to learn about humanity by studying animals and Eskimos who practice cannibalism, adultery and turning old people out to die."

Also, it says that children will be "forced to wrestle with" such topics as murder, divorce and trial marriage, killing female infants . . ."

It describes some of the main beliefs as: all ideas of the supernatural (God) are to be rejected, traditional religions are to be rejected, and total sexual freedom should be the norm.

Waltke said: "MACOS is a religion and cannot be taught in Wallkill Schools." He said, "It teaches against religious doctrines," adding, "It will teach there is no God—MACOS is a religious course."

The Rev. Richard D. Emmons, pastor of the Leptondale Bible Church, said the course is offered to 11-year-olds, "who, at that age, are hero worshippers." He said if a child asks a teacher a question, the teacher asks the child, 'What do you think?' and he is told to look up the answer."

"MACOS is the closed system," asserted Rev. Emmons, "and undermines all concepts of absolutes and teaches from negative to positive, rather than positive to negative."

Although Rev. Emmons was allowed to speak over the five-minute limit set by Egan, he was not allowed to speak again.

Egan said that workshops on the proposed course will be conducted on May 14, 15, 21 and 22 and that five persons from local citizens groups will be invited to participate.

He said that other school districts have been invited to send representatives and invitations have already been sent out by Mrs. Clifford Caswell, head of the school's social studies department.

Waltke criticized the fact that other schools have been invited at the Wallkill taxpayer's expense. Egan denied it will cost the district anything.

Mrs. Caswell said that virtually all of the school districts surrounding Wallkill have been invited including some in Dutchess County.

Egan said that "materials" on the subject will be available May 11 in the district office on Main Street, and at the workshops, people will be allowed to ask questions "the same as a student would." Films will be shown at the workshop, "provided by a private company," he said.

Said Mrs. Caswell: "We obviously have a strong disagreement before us. On both sides of the controversy there have been statements made which should disturb any thinking person.

"Personalities have come under attack, misunderstandings have occurred, feelings of members of our community have been damaged and emotion has acted in place of reason. The results are causing damage to our whole community," she urged parents to be patient.

The social studies head continued: "Reason and respect must be maintained at all times and any attack on these principles from either side is detrimental to us all. The interests of all the children and all the parents of our community must be our main concern."

Mrs. Caswell said the Middle School Social Studies Department has sought a modern, challenging, educationally sound program.

"No individual came to these teachers and sold them a program. Instead, we sought outside funds for this particular purpose and worked hard to get outside dollars for what was considered a worthwhile endeavor," she added.

"Administration, a psychologist, guidance counselor, teachers and some parents were involved in the examination of this material. Every parent has the right and, in fact, the obligation to see that his child is being given the best opportunity for growth and development into a respectable adult."

She concluded: "Each one of us should dedicate ourselves to an honorable resolution to this problem, one that we and our children can be proud of."

[From the Times Herald Record, May 6, 1976]

COURSE CRITIC WINS IN WALLKILL SCHOOL VOTE

(By Fred Bloch)

WALLKILL.—Wallkill School District voters Tuesday soundly defeated the district's proposed $5.72 million budget and unseated incumbent Beatrice Elliott in favor of Donald W. Richter, an avowed opponent to the controversial MACOS social studies program.

The budget vote was 422–687.

In a turnout that could set a record here, Richter and Arthur L. Erickson won narrow victories over their next closest opponents. Mrs. Elliott lost by 72 votes to Richter, 450–378. Richter's tally represented about 39 per cent of the vote.

Erickson, with strong support from the western half of the school district around Wallkill, beat Mrs. Beverly Santarelli by just 15 votes 289–274, according to preliminary tallies.

It was Richter's overwhelming majority in the Plattekill and Leptondale voting district which spelled defeat for Mrs. Elliott, who is completing her first year on the school board. She held a 38 vote advantage before the Plattekill results came in, but lost in that eastern part of the district 198–87.

A total of 1,272 district voters went to the polls—a 50 per cent increase over last spring's school board election.

Interest this year was stirred by the ongoing debate about MACOS, a proposed social studies curriculum for the sixth grade. Richter, who announced his candidacy before the MACOS controversy surfaced, had adopted his opposition to the program as a plank in his platform.

A hastily organized write-in campaign for another MACOS opponent, Carl A. Piperato, garnered that candidate 164 votes in the race with Erickson, Mrs. Santarelli, Leon G. Violante and Joseph J. Dembroski.

When district administrators learned Wednesday morning there would be a write-in campaign, they quickly contacted the Town of Montgomery in Orange County to borrow the town's machines. The ones scheduled for use in the school election did not have the capability for write-in votes.

MACOS, which stands for "Man: A Course of Study," has been labeled anti-God and anti-religious by its opponents. The anthro-

pology-based course, being taught in about 1,700 schools in 47 states, uses innovative teaching techniques to focus on a central question: "What makes human beings human?"

To do this, the curriculum studies animal cultures—salmon, herring, gull, baboons—and then examines the cultures of the Netsilik Eskimos of Pelly Bay, Canada.

It is the material of the Netsilik Eskimo section that is stirring the most conflict. Parents here and at other school districts throughout the country have objected to reference to infanticide, promiscuous sex and wife swapping.

Piperato's candidacy was conceived the night before at a Leptondale meeting of parents opposed to MACOS. At the middle school Wednesday, Piperato distributed small slips of paper with his name and urged voters to write it in.

Part of the delay at the polls was apparently due to voter confusion about how to write-in votes.

A proposition to permit the district to contribute $5,000 each to the Wallkill and Plattekill libraries was defeated 399–730, but voters approved a proposition to reduce length of terms of school board members from five to three years. That vote was 656–484.

[From Social Education, Oct. 1975]

MACOS: THE PUSH FOR A UNIFORM NATIONAL CURRICULUM

(By Congressman JOHN B. CONLAN)

(The MACOS Controversy—In recent months there has been considerable national discussion of *Man: A Course of Study* (MACOS), a social studies program of the Education Development Center. In an effort to clarify some of the issues. *Social Education* is publishing the following two statements: one is a commentary by Peter B. Dow of EDC on the most frequently asked questions about MACOS; the other is a statement by Congressman John B. Conlan (R-Arizona), a member of the Committee on Science and Technology of the U.S. House of Representatives.)

The controversial fifth-grade social studies program "Man: A Course of Study," and the federal government's role in helping its small group of ardent promoters to spread its use throughout the nation, has placed teachers and school officials squarely in the middle of a political thicket.

Thousands of parents across America view MACOS as a dangerous assault on cherished values and attitudes concerning morals, social behavior, religion, and our unique American economic and political lifestyle.

As Peter Dow states elsewhere in this issue, MACOS "is designed to raise questions, not to answer them." The course allots half a year to study the social behavior and mating habits of birds, fish, and baboons, with the implicit view that man not only evolved from lower animals but also derived his social behavior from them.

Children are then exposed for a full semester to the alien Netsilik Eskimo subculture, in which the following practices are rationalized and approvingly examined in free-wheeling classroom discussions.

Killing the elderly and female infants
Wife-swapping and trial marriage
Communal living
Witchcraft and the occult
Cannibalism

Many educators, including an anthropologist at Cornell University originally associated with the MACOS project, have condemned the course as impairing a dishonest view of man. They say it is a "brainwash," stifling academic freedom of teachers and the development of children. These educators view the federal government's role to promote MACOS and other curriculum programs as an ominous move toward a uniform federal standard in education.

Parents also consider the National Science Foundation's aggressive role to induct teachers and school decision-makers into the university-based MACOS promotion and marketing network—to spread the MACOS "gospel"—as an insidious attempt to take over education and the upbringing of their children.

In areas where school districts and universities are participating in these efforts to bring MACOS and similar federally-funded programs into local schools, an adversary relationship is building up between parents and their local school systems. Political leaders are being asked to help parents and local school officials regain local control, free from federal interference, that they consider rightfully theirs.

DUBIOUS JUSTIFICATION FOR NSF'S MACOS ROLE

Defenders of MACOS and other radical departures from traditional education made their pitch for federal funding and massive implementation efforts by claiming that the complex multimedia approach and controversial materials of this "innovative" approach to teaching were unacceptable to commercial publishers, thus justifying considerable government support to get their program off the ground and into schools.

While this begs the question of why any federal agency would spend $4.2 million developing an unmarketable program, they accurately state the problem. MACOS was rejected by 58 major publishers of school instructional materials. Only through some highly questionable arrangements between Education Development Center, the MACOS developer, and the National Science Foundation was it possible to put Curriculum Development Associates in the business of publishing MACOS commercially.

A special discount on royalties owed to the federal government was arranged to make MACOS commercially viable. Royalties are required so that federally-funded curriculum materials will not undercut competition from other publishers of school programs. In this case, to make MACOS fly, NSF cut the royalty rate owed by CDA by half so MACOS could undercut competition.

In addition, NSF spends between $200,000 and $250,000 or more each year to help promote and market MACOS. This money is used to hold promotion conferences for school decision-makers and officials, to lobby them to buy the program. Universities throughout the country apply for and receive substantial NSF grants to train teachers in the MACOS philosophy and pedagogy, and to enlist the support of other local educators and school officials for the program.

All these arrangements are currently being investigated by Congress, and the House of Representatives has ordered NSF not to subsidize promotion and marketing of elementary and secondary school materials next year. Congress said no federal funds should be used to promote school materials unless parents and educators have given widespread assurance that a real national need exists for such involvement.

MACOS is not the only program affected by this funds cut-off. NSF is currently promoting about 50 different school programs for nationwide dissemination. Education Development Center is this month holding its initial educator promotion conference, with a $96,000 NSF grant, to launch its promotion and marketing educator network for "Exploring Human Nature," the tenth-grade sequel to MACOS. NSF will have to stop funding the marketing of all these programs.

CURRICULUM "INNOVATION" HAS BECOME BIG BUSINESS

Make no mistake about it: Curriculum "innovation" is Big Business for EDC. This multi-million dollar operation, which gets more than 87 percent of its funds from U.S. and foreign government agencies, is involved in a worldwide effort to push its particular brand of education. EDC receives almost 33 percent of its funds from NSF, which has pumped more than $33.6 million its way since 1963. EDC's social studies programs are developed by Jerome S. Bruner and like-minded behaviorists, whose philosophy has come under increasing fire in academic and professional circles.

Among the thousands of letters I have received from throughout the country since the MACOS issue came before Congress, one typically perceptive writer—a clinical psychologist from the East—recently wrote me this personal view about the type of operation EDC and NSF are involved in:

Public schooling in the past 20 to 30 years has become Big Business in every unfortunate sense of the word. It has spawned an entirely new professional, the Educator. An administrator and authority on education whose knowledge and experience are often sadly lacking as to teaching, children, or the classroom itself.

Schools have become the arena for the productions of social and behavioral scientists, to whom progress is all too synonymous with change and reform. Schools are the scene of all sorts of quasi-experimentation and, I am tempted to add, exploitation. At times it seems that the child and parent, whose interests should be primary, are in danger of becoming mere grist for the mill of the educational program and theory.

We have seen an incredible expansion of school programs to include almost every aspect of the child's life, his physical health, recreation, mental health, and now his social well-being. There has been an endless succession of revisions of educational practices, innovative procedures, or "enrichments." Hopes have been raised for the Open Classroom and Permissiveness. Children have been spared the indignity of grades.

Parents have struggled with New Math, tried to adapt to patterns of social and emotional guidance. Teachers have struggled with new methods of teaching, tried to tailor subject matter to the individual child and to be counselor and friend to both parent and child, not "just teacher."

The public has meekly, even proudly met the astronomical costs, approved new bond issues and paid the taxes. Yet today we are confronted with increasingly bitter evidence that our schools are failing in a large degree to teach basic knowledge or skills, and their social efficacy is deteriorating rapidly and tragically.

MORAL RELATIVISM TO BLAME FOR SOCIAL ILLS

Onalee McGraw, parent and housewife whose doctorate in government makes her a particularly effective coordinator and spokesman for the National Coalition for Children, recently spoke about deteriorating education and school standards in testimony before the Senate subcommittee that authorizes the NSF's budget.

She appeared to urge an end to MACOS funding and a drastic reform of NSF education grant management practices, saying that current NSF policies were responsible for supporting a growing monopoly over education by social engineers and experimental psychologists.

She cited courses like MACOS as the cause of frightening functional illiteracy, and social and moral confusion among today's high school students. The inability of young adults to communicate effectively—to speak or write in a way that will allow them to compete effectively in the competitive world of work—and their lack of hard factual knowledge or understanding of their own country and the world around them she laid at the feet of behavioral social studies and "hip" literature courses that have replaced other good courses in geography, history, economics,

English, and hard sciences, especially in the early and middle grades.

"This adversely affects their decision-making ability, as well as their appreciation and understanding of other people and complex issues," Mrs. McGraw told the Senators.

She further declared that the education philosophy of MACOS that all questions, values, and moral issues are "open" and relative is to blame for the nation's most pressing social problems. Contemporary courses teaching children to question and discard their parents' views, moral standards, and religious beliefs, she said, are largely responsible for:

The tremendous upsurge of teenage violence and vandalism, teen gang vigilantism, and disrespect for adult authority.

Uncivil behavior and disregard for sensitivities of others.

Disregard for property rights and the importance of private ownership in a free society.

Alcoholism and drug use among young people.

An epidemic venereal disease rate, unmarried living, and a high divorce rate among young married couples.

Disdain for the work ethic.

Callousness, cynicism, growing hedonism, and belief in the occult among young people.

Many professional people blame Bruner and other educational theorists, whose courses are vehicles for moral relativism and behavior modification, for these social ills. And from another scholar who has worked intensively with children and parents for a number of years as a clinical psychologist comes this hardhitting observation:

I have great awareness and respect for that fine line which exists between the legitimate use and dangerous abuse of psychological knowledge and practice. Educators and psychological "experts" may develop programs or advocate techniques with the best of intentions. But we are learning from experience that these scientific experts are not necessarily right and do not have all the answers. Many things they have proposed have not borne the expected fruit or have back-fired.

It is also fairly obvious that the climate of opinion today among most behavioral scientists and educators is that it is both justified and desirable to change or mold children's social attitudes, "free" them from traditional ways of thinking which are considered "prejudiced" or "stereotyped" and viewed, behavioristically, as the more or less superficial learned products of cultural patterns.

The impact of such thinking and attitudes on the part of our social scientists has had and is having increasingly far-reaching effects on our social and political life. These effects are subtle, hard to evaluate, much less to fully anticipate, especially when they are made a part of the educational process itself.

They undoubtedly affect those less obvious and less well understood aspects of children's emotional and intellectual development: Their security, identity, and their capacities for personal commitment and feelings about themselves in relation to others in ways which are unpredictable and may be undesirable.

NO WONDER PARENTS ARE UP IN ARMS

Hundreds of thousands of parents and teachers share this concern about the education theories of Bruner and Dow, which thanks to massive infusions of taxpayers' dollars are being experimented on thousands of children in MACOS classrooms. What should be done?

[L]et us not impose or unticipate [moral relativity and cultural eclecticism] by spurious scientific meddling. Certainly not at the expense of the securities of tradition or of family solidarity, least of all in young children who desperately need for healthy development feeling that there are those who know, at least in part, what is right and good for them. With such security, they can grow toward a maturity which allows for a secure independence with capacities to make realistic and appropriate choices as to what is right and good for themselves.

We see failure to achieve this kind of maturity in far too many of our young adults today. Those who have no clear sense of themselves, their own identity or others, unable to define their own values or chart their course, without landmarks in a shifting world. They are dissatisfied, unhappy, and unproductive.

These are not the children of a rigid traditional Victorian background or narrow authoritarian schooling. Far from it. They are largely the product of our modern school system, our liberated homes and intellectualized society. We had better take a second look at where we are "at."

This is the view of thousands of parents who have written to Members of Congress, bitterly complaining about the National Science Foundation's support and promotion of MACOS and similar school programs.

Many of them had no idea that courses like MACOS were in their local schools until Johnny and Mary started coming home with some of the outragous notions that so many children pick up in MACOS classrooms. Take for example this conclusion recorded in Richard M. Jones' "Fantasy and Feeling in Education," following an actual classroom discussion between teacher and students about the Netsilik custom of killing unwanted female babies.

Teacher: "This has been a very good discussion. Now I'd like to tell you something. When I first heard about this custom that the Netsilik have [of killing girl babies], I almost had a sick feeling much like you had: 'It's mean, it's cruel, it's stupid.' Then I found out something else that made a difference. The Netsilik don't really like to abandon babies, but they believe a baby has no soul until it has a name. So what might they do to help their feelings out?"

Student: Not name the baby if they're going to abandon it."

Teacher: "Right."

Student: "Then they're not murderers. . . ."

Another student, similarly set adrift morally after MACOS instruction, was recently asked by a reporter for the *Montgomery County (Md.) Sentinel* to comment on the Netsilik pactice of senilicide.

"I'm saying I would pobably do this," mused one youngster on abandoning his mother-in-law. "I don't know if I really would if I really had to. I don't know what would be right."

Students throughout the country are facing the same moral and spiritual quandary as the result of MACOS teaching. Following criticisms about MACOS in Congress, Peter Dow sent letters to almost 1,000 key educators in his EDC promotion network throughout the country, urging their letter-writing campaign and other activities in support of MACOS.

I received several packets of letters from entire classes of students as a result of Dow's appeal, as well as copies of letters to editors from teachers. It was sad to see some children, obviously at the urging of teachers, rationalize Netsilik killing of the elderly by claiming it is no different or worse than life in American nursing homes.

Other children's letters rationalized Netsilik wife-swapping with the argument, "They have to if their own wives get sick." No wonder parents are up in arms.

LOCAL DIVERSITY OR A NATIONAL CURRICULUM?

This is where the political crunch I initially referred to comes in. Our system was not devised so that an elite corps of unelected professional academics and their government friends could run things regardless or in spite of public wants and needs. Local control of schools means local control by citizens and school officials to commission and choose particular course materials they want—not the nationwide promotion and lobbying for particular curriculum materials, using tax dollars, by EDC and NSF, with inducements for local educators to lobby local school districts to select them.

This is how the EDC–NSF relationship works, and this is what local citizens want Congress to stop. It's not a question of censoring materials or stopping local school districts from choosing whatever courses they want on their own. It's a question of stopping a dangerous trend toward a uniform national curriculum in social studies, in complete defiance of the need and popular demand for diversity in American education.

What's good for Phoenix schools might not be good for New York, and vice versa. What my Navajo Indian constitutents want may not be what is needed in schools of Peoria, Illinois.

It is my view that the National Science Foundation should get out of the promotion and marketing business for all curriculum programs. This means that NSF must conduct a thorough "needs assessment" before it even develops such programs, to make sure there is a substantial national need, and then let programs sell on their own merits in the commercial marketplace, without federal subsidies, once they are available.

NSF should not give preferred royalty discounts to commercial publishers of federally-developed school materials. Federal funds should not absorb any part of the publisher's normal cost for teacher training to bring down a program's total cost, thus undercutting competition from other good or better programs.

NSF should not provide massive outlays of taxpayers' dollars to universities to "implement" particular courses, adding more leverage for the adoption of courses endorsed by "certain" academic circles and their bureaucratic friends.

Universities in the NSF-funded EDC promotion and marketing network should not be permitted to give graduate credit for higher salaries to local teachers who learn how to use EDC curriculum materials, as inducements for those teachers to become lobbyists for local adoption of EDC courses.

And NCF should not commit itself to fund future grant applicants lobbied by EDC to adopt or promote their curriculum programs at various national professional educator conventions. Such a scheme for about $1.2 million of future funding for the promotion and marketing of "Exploring Human Nature" was tentatively approved by NSF in its recent $96,000 initial grant for disseminating the course.

In the final analysis, this is a political issue that will be settled in Congress, unless NSF officials and responsible educators lance the boil within the education profession. Both parents and teachers have a vital stake in the outcome of this issue, because academic freedom of both hangs in the balance.

But most importantly, the American public's willingness to continue paying the very high price for all education rests on its continued faith in teachers and schools as perpetuators of the community's way of life, its basic belief, its moral standards, its religious convictions, and our nation's political and economc freedom.

That continued faith is the ultimate prize to be won or lost by the education community in this curriculum controversy.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. CONLAN).

The question was taken; and on a divi-

sion (demanded by Mr. BLOUIN) there were—ayes 41, noes 28.

So the amendment was agreed to.

AMENDMENT OFFERED BY MR. CONLAN

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

The Clerk read as follows:

Amendment offered by Mr. CONLAN: On Page 190, between lines 3 and 4, add the following new subsection:

"SEC. 302. (h) The General Education Provisions Act is amended by adding the following new section:

" 'SEC. ( ). No grants, contracts, or support are authorized under this or any other Act for any educational program, curriculum research and development, administrator-teacher orientation, or any projects involving one or more students or teacher-administrators involving any aspect of secular humanism unless there is also a fair and equal teaching of the world and life view of Judaic-Christian principles set forth in the Old and New Testaments.' ".

POINT OF ORDER

Mr. PERKINS. Mr. Chairman, I make a point of order against the amendment on the ground that it is not germane.

The CHAIRMAN. Does the gentleman from Arizona wish to be heard on the point of order?

Mr. CONLAN. Mr. Chairman, yes, I acknowledge the gentleman's point of order.

The CHAIRMAN. The point of order is conceded and sustained.

AMENDMENT OFFERED BY MR. CONLAN

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

POINT OF ORDER

Mr. BLOUIN. Mr. Chairman, I make a point of order on the offering of the additional amendment. Is it not so that once the time has expired any further amendments can be offered but they cannot be debated. They can be offered.

The CHAIRMAN. Any further amendments can be offered but they cannot be debated. They can be offered.

The Clerk read as follows:

Amendment offered by Mr. CONLAN: On Page 190, between lines 3 and 4, add the following new subsection:

"SEC. 302 (h). The General Education Provisions Act is amended by adding the following new section:

" 'SEC. ( ). No grants, contracts, or support are authorized under this Act for any educational program, curriculum research and development, administrator-teacher orientation, or any porjects involving one or more students or teacher-administrators involving any aspect of the religion of secular humanism.' ".

Mr. CONLAN. Mr. Chairman, this amendment prohibiting taxpayer support for any educational program or activity involving any aspect of the religion of secular-humanism is a legislative and constitutional necessity.

The amendment touches the heart of the concept of academic freedom—a concept which has been virtually destroyed by the false assumption that the "secular humanist" stance taken by many administrators and teachers in public educational theory and practice is fundamentally religiously neutral.

Nothing could be further from the truth.

The U.S. Supreme Court stated clearly in the 1961 decision in the case of Torcaso against Watkins that secular humanism is a religion—a world and life view.

The highest Court perceptively declared in this case that:

Among religions in this country which do not teach what would generally be considered a belief in the existence of God are Buddhism, Taoism, Ethical Culture, Secular Humanism, and others.

Secular humanism declares that there is no God. Man is his own god. Educators advocating a secular humanist view consistently exclude from the classroom any teaching of moral and ethical principles based on the Judaic-Christian belief in God.

Historically, the increasingly vehement attack upon and exclusion of certain Biblical views of origins and ethics has falsely been thought to be the upraising of the banner of "scientific or humanistic neutralism."

But we must remember that in Abington against Schempp, in 1963, the U.S. Supreme Court again ruled that—

The Government may not establish a "religion of secularism" in the sense of affirmatively opposing or showing hostility to religion, thus "preferring those who believe in no religion over those who do believe."

In vogue among educationists is the belief that ethics are situational—never absolute. That is a religious stand.

Also in vogue among many educationists is the belief that the idea of culture is completely relative. For those persons, there are no norms for evaluating barbarism as distinct from civilization. That is a religious stand.

Mr. Chairman, it is clear that Federal funds have been used in grants, contracts, and support for educational programs, projects, and activities which give preference to the religion of secular humanism. That fact is appalling. And those preferential fundings should be stopped.

For this Congress to finance preferential treatment for secular humanism in public school educational content is to rebuke the tens of millions of Christian and Jewish men, women, and children in America who do believe in God the Creator and Sustainer—who do embrace a faith in that God—who actively subscribe to Judaic-Christian principles and ethics and do not want to see those principles they teach in the home later destroyed in the school.

I urge passage of this amendment. If you believe, as I do, that hundreds of thousands of your constituents do not want their tax dollars financing the destruction in the public schools of the Judaic-Christian ethic, then you will want to vote "yes" on this amendment.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Arizona (Mr. CONLAN).

Mr. CONLAN. Mr. Chairman, I have time. Five minutes were allowed.

The CHAIRMAN. The time was set certain and, unfortunately, the time has expired.

Mr. CONLAN. Mr. Chairman, this was for the purpose of seeing to the separation of church and state, that no religion would be favored.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. CONLAN).

The question was taken: and the Chairman announced that the noes appeared to have it.

Mr. CONLAN. Mr. Chairman, on that I demand a recorded vote.

A recorded vote was refused.

So the amendment was rejected.

The CHAIRMAN. Are there further amendments to title III? If not, the question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. SISK, 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. 12835) to amend the Vocational Education Act of 1963, and for other purposes, pursuant to House Resolution 1179, 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.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, 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.

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

Mr. QUIE. 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 390, nays 3, not voting 39, as follows:

[Roll No. 259]

YEAS—390

Abdnor	Bedell	Burke, Calif.
Abzug	Bennett	Burke, Fla.
Adams	Bergland	Burke, Mass.
Addabbo	Bevill	Burleson, Tex.
Alexander	Biaggi	Burton, John
Allen	Biester	Burton, Phillip
Ambro	Bingham	Butler
Anderson, Calif.	Blanchard	Byron
	Blouin	Carney
Anderson, Ill.	Boggs	Carr
Andrews, N. Dak.	Boland	Carter
	Bolling	Cederberg
Annunzio	Bonker	Chappell
Archer	Bowen	Chisholm
Andrews, N.C.	Brademas	Clancy
Armstrong	Breaux	Clausen, Don H.
Ashbrook	Breckinridge	
Ashley	Brinkley	Clawson, Del
Aspin	Brodhead	Clay
AuCoin	Brooks	Cleveland
Badillo	Broomfield	Cochran
Bafalis	Brown, Calif.	Cohen
Baldus	Brown, Mich.	Collins, Ill.
Baucus	Brown, Ohio	Collins, Tex.
Bauman	Broyhill	Conable
Beard, R.I.	Buchanan	Conlan
Beard, Tenn.	Burgener	Conte

Conyers
Corman
Cornell
Cotter
Coughlin
D'Amours
Daniel, Dan
Daniel, R. W.
Daniels, N.J.
Danielson
Davis
de la Garza
Delaney
Dellums
Dent
Derwinski
Devine
Dickinson
Diggs
Dingell
Dodd
Downey, N.Y.
Downing, Va.
Drinan
Duncan, Oreg.
Duncan, Tenn.
du Pont
Early
Eckhardt
Edgar
Edwards, Ala.
Edwards, Calif.
Emery
English
Erlenborn
Esch
Eshleman
Evans, Colo.
Evans, Ind.
Fary
Fascell
Fenwick
Findley
Fish
Fisher
Fithian
Flood
Florio
Flowers
Flynt
Foley
Ford, Mich.
Ford, Tenn.
Forsythe
Fountain
Fraser
Frenzel
Frey
Fuqua
Gaydos
Gibbons
Ginn
Goldwater
Gonzalez
Goodling
Gradison
Grassley
Gude
Guyer
Hagedorn
Haley
Hall
Hamilton
Hammer-schmidt
Hanley
Hannaford
Harkin
Harrington
Harris
Harsha
Hawkins
Heckler, Mass.
Hefner
Helstoski
Hicks
Hightower
Hillis
Holland
Holt
Holtzman
Horton
Howard
Howe
Hubbard
Hughes
Hungate
Hutchinson
Hyde
Ichord
Jacobs
Jarman
Jeffords
Jenrette
Johnson, Calif.
Johnson, Colo.
Johnson, Pa.
Jones, Ala.
Jones, N.C.
Jones, Okla.
Jones, Tenn.
Jordan
Kasten
Kastenmeier
Kazen
Kelly
Kemp
Ketchum
Keys
Kindness
Koch
Krebs
Krueger
LaFalce
Lagomarsino
Landrum
Latta
Leggett
Lehman
Lent
Levitas
Lloyd, Calif.
Lloyd, Tenn.
Long, La.
Long, Md.
Lott
Lujan
Lundine
McClory
McCloskey
McCollister
McCormack
McDade
McEwen
McFall
McHugh
McKay
McKinney
Madden
Madigan
Maguire
Mahon
Mann
Martin
Mathis
Matsunaga
Mazzoli
Meeds
Melcher
Metcalfe
Meyner
Mezvinsky
Michel
Mikva
Milford
Miller, Calif.
Miller, Ohio
Mills
Mineta
Minish
Mink
Mitchell, Md.
Mitchell, N.Y.
Moakley
Moffett
Montgomery
Moore
Moorhead, Calif.
Moorhead, Pa.
Morgan
Mosher
Moss
Mottl
Murphy, Ill.
Murphy, N.Y.
Murtha
Myers, Ind.
Myers, Pa.
Natcher
Neal
Nedzi
Nichols
Nolan
Nowak
Oberstar
Obey
O'Brien
O'Hara
O'Neill
Ottinger
Passman
Patten, N.J.
Patterson, Calif.
Pattison, N.Y.
Pepper
Perkins
Pettis
Peyser
Pickle
Pike
Poage
Pressler
Preyer
Price
Pritchard
Quie
Quillen
Rangel
Regula
Reuss
Rhodes
Richmond
Rinaldo
Risenhoover
Roberts
Robinson
Rodino
Roe
Rogers
Roncalio
Rooney
Rose
Rosenthal
Rostenkowski
Roush
Rousselot
Roybal
Runnels
Ruppe
Russo
Ryan
St Germain
Santini
Satterfield
Scheuer
Schneebeli
Schroeder
Schulze
Sebelius
Seiberling
Sharp
Shipley
Shriver
Shuster
Sikes
Simon
Sisk
Skubitz
Smith, Iowa
Smith, Nebr.
Snyder
Solarz
Spellman
Spence
Stanton, J. William
Stark
Steed
Steelman
Steiger, Ariz.
Steiger, Wis.
Stokes
Stratton
Stuckey
Studds
Symington
Talcott
Taylor, Mo.
Taylor, N.C.
Teague
Thompson
Thone
Thornton
Traxler
Treen
Tsongas
Ullman
Van Deerlin
Vander Jagt
Vander Veen
Vigorito
Walsh
Wampler
Waxman
Weaver
Whalen
White
Whitehurst
Whitten
Wiggins
Wilson, Bob
Wilson, Tex.
Winn
Wirth
Wolff
Wright
Wylie
Yates
Yatron
Young, Fla.
Young, Ga.
Young, Tex.
Zablocki
Zeferetti

NAYS—3

Crane McDonald Paul

NOT VOTING—39

Bell
Burlison, Mo.
Derrick
Eilberg
Evins, Tenn.
Giaimo
Gilman
Green
Hansen
Hayes, Ind.
Hays, Ohio
Hébert
Hechler, W. Va.
Heinz
Henderson
Hinshaw
Karth
Litton
Macdonald
Mollohan
Nix
Railsback
Randall
Rees
Riegle
Sarasin
Sarbanes
Slack
Staggers
Stanton, James V.
Stephens
Sullivan
Symms
Udall
Vanik
Waggonner
Wilson, C. H.
Wydler
Young, Alaska

The Clerk announced the following pairs:

Mr. Hébert with Mr. Bell.
Mr. Waggonner with Mr. Heinz.
Mr. Staggers with Mr. Stephens.
Mr. Litton with Mr. Symms.
Mr. Burlison of Missouri with Mr. Derrick.
Mr. Eilberg with Mr. Evins of Tennessee.
Mr. Giaimo with Mr. Karth.
Mr. Green with Mr. Railsback.
Mr. Hays of Ohio with Mr. Rees.
Mrs. Sullivan with Mr. Van Deerlin.
Mr. Slack with Mr. Wydler.
Mr. Udall with Mr. James V. Stanton.
Mr. Charles H. Wilson with Mr. Gilman.
Mr. Henderson with Mr. Hansen.
Mr. Nix with Mr. Hayes of Indiana.
Mr. Mollohan with Mr. Macdonald of Massachusetts.
Mr. Riegle with Mr. Hechler of West Virginia.
Mr. Sarbanes with Mr. Sarasin.
Mr. Vanik with Mr. Young of Alaska.

Mr. PAUL changed his vote from "yea" to "nay."

So the bill was passed.

The title was amended so as to read: "A bill to amend the Vocational Education Act of 1963, to extend the authorization of appropriations for the National Institute of Education and establish priorities on which resources of the Institute will be concentrated, to make certain technical and perfecting amendments to the Education Amendments of 1974 (Public Law 93-380), and for other purposes.".

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MEEDS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed.

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

There was no objection.

U.S. AID TO ITALY FOLLOWING THE DESTRUCTIVE EARTHQUAKE ON MAY 6, 1976—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 94-490)

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

To the Congress of the United States:

On May 6, an earthquake of great destructiveness hit the northeastern portion of Italy. The Italian Government currently estimates that this disaster has left over 800 persons dead, more than 2,300 injured, and from 40,000 to 60,000 people homeless.

In the message I sent to President Leone immediately following the news of the earthquake, I expressed our sympathy for those who are suffering and indicated that the United States stands ready to provide assistance. Initial U.S. aid, under U.S. Ambassador John Volpe's direction, has been speedy and has included:

—Emergency shelters, medical supplies and foodstuffs provided through the Agency for International Development and the Department of Defense.

—Transportation and medical facilities, including medical evacuation helicopters from the Department of Defense.

—Reconstruction and heavy earth moving equipment from three of our bases in Italy.

—Disaster relief specialists to assist Italian Government authorities in planning and implementing relief programs.

While this initial assistance has been helpful, more aid is needed to help the survivors to rebuild their lives and to help the Italian nation recover from this tragedy. Accordingly, I have asked the Congress to provide $25 million in disaster relief as part of the Second Supplemental Appropriations Bill for FY 1976.

At the same time, at my request, Vice President Rockefeller will visit Italy this week to receive a firsthand report on the impact of the earthquake and on the ways in which the United States can best be of assistance. He will be accompanied by my Special Coordinator for International Disaster Assistance—AID Administrator Daniel Parker—who has been instructed to review the situation in the fullest possible detail. Based on the firsthand assessment resulting from this mission, I will immediately inform the Congress should there be further steps required to permit the United States to assist as fully and effectively as possible.

In the US-Italian Joint Statement of 1974, President Leone and I took note of the extraordinarily broad human ties between Italy and the United States of America, and the shared values and goals which bind together the Italian and American peoples. Now, at a time when natural disaster has brought such great tragedy to the people of Italy, Americans everywhere are moved to respond quickly and in the spirit of profound friendship between our countries.

The request I have sent to the Congress for $25 million in disaster relief assistance will enable us immediately to translate our concern into action to help alleviate the suffering in Italy.

GERALD R. FORD.

THE WHITE HOUSE, *May 11, 1976.*

CONFERENCE REPORT ON H.R. 9721, INTER-AMERICAN DEVELOPMENT BANK ACT

Mr. GONZALEZ, on behalf of Mr. REUSS, filed the following conference report and statement on the bill (H.R.

9721) to provide for increased participation by the United States in the Inter-American Development Bank, to provide for the entry of nonregional members and the Bahamas and Guyana in the Inter-American Development Bank, to provide for the participation of the United States in the African Development Fund, and for other purposes:

CONFERENCE REPORT (H. REPT. NO. 94–1121)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 9721) to provide for increased participation by the United States in the Inter-American Development Bank, to provide for the entry of nonregional members and the Bahamas and Guyana in the Inter-American Development Bank, to provide for the participation of the United States in the African Development Fund, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 2, 4, 6, and 7.

That the House recede from its disagreement to the Senate amendment numbered 3 and agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows:

Omit the matter proposed to be inserted by the Senate amendment and on page 13, line 2, of the bill (H.R. 9721) immediately after "person," insert the following: "and including providing refuge to individuals committing acts of international terrorism such as the hijacking of an aircraft,"

And the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the Senate amendment numbered 8, and agree to the same with an amendment as follows:

In the Senate amendment, strike out "Title IV" and "SEC. 401." and insert in lieu thereof "Title III" and "SEC. 301.," respectively.

And the Senate agree to the same.

H. S. REUSS,
HENRY GONZALEZ,
ROBERT G. STEPHENS, Jr.,
PAUL E. TSONGAS,
LINDY (MRS. HALE) BOGGS,
ALBERT W. JOHNSON,
HENRY J. HYDE,
Managers on the Part of the House.

JOHN SPARKMAN,
HUBERT W. HUMPHREY,
GALE W. MCGEE,
GEORGE MCGOVERN,
CLIFFORD P. CASE,
J. K. JAVITS,
HUGH SCOTT,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 9721) to provide for increased participation by the United States in the Inter-American Development Bank, to provide for the entry of nonregional members and the Bahamas and Guyana in the Inter-American Development Bank, to provide for the participation of the United States in the African Development Fund, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

TITLE I—INTER-AMERICAN DEVELOPMENT BANK

The Senate amendments numbered 1, 2, and 4 struck section 102 of the House bill (and made corresponding technical changes) which repealed a provision under the heading "Investment in Inter-American Development Bank" in title III of the Foreign Assistance and Related Programs Appropriations Act, 1975. The Senate receded to the House.

The Senate amendment numbered 3 amended section 103 of the House bill to change the word "Governor" to "Executive Director". The House receded to the Senate amendment.

TITLE II—AFRICAN DEVELOPMENT FUND

The Senate amendment numbered 5 added a new section, section 212, to the House bill directing the United States Executive Director of the African Development Fund to vote against any loan to any government which provides refuge to individuals committing acts of terrorism, such as the hijacking of an aircraft. The House bill contained no comparable provision. The House receded to the Senate amendment with an amendment placing similar language in section 211.

The Senate amendment numbered 6 added a new section, section 213, to the House bill stating that none of the funds authorized to be appropriated in the bill shall be granted, loaned to, or otherwise used for the benefit of the nation of Uganda. The House bill contained no comparable provision. The Senate receded to the House.

TITLE III—AUTHORIZATION FOR INTERNATIONAL ATOMIC ENERGY AGENCY

The Senate amendment numbered 7 added a new title to the House bill authorizing funds for the International Atomic Energy Agency. The House bill contained no comparable provision. The Senate receded to the House.

TITLE IV—SWINE INFLUENZA

The Senate amendment numbered 8 added a new title to the House bill stating that Congress finds that the problems posed by swine influenza transcend national and political boundaries and that it is the sense of Congress that the President should furnish assistance to foreign countries and international organizations for the investigation and planning for the control of swine influenza. The House bill contained no comparable provision. The House receded to the Senate amendment with a technical amendment which renumbers the title and section added by the Senate amendment.

H. S. REUSS,
HENRY GONZALEZ,
ROBERT G. STEPHENS, Jr.,
PAUL E. TSONGAS,
LINDY (MRS. HALE) BOGGS,
ALBERT W. JOHNSON,
HENRY J. HYDE,
Managers on the Part of the House.

JOHN SPARKMAN,
HUBERT H. HUMPHREY,
GALE W. MCGEE,
GEORGE MCGOVERN,
CLIFFORD P. CASE,
J. K. JAVITS,
HUGH SCOTT,
Managers on the Part of the Senate.

PERMISSION FOR COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE TO FILE CERTAIN REPORTS

Mr. HALL. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce may have until midnight tonight to file certain reports.

The SPEAKER pro tempore (Mr. BEDELL). Is there objection to the request of the gentleman from Illinois?

There was no objection.

PROPOSAL TO SPLIT AND SEPARATE HEW INTO THREE SEPARATE DEPARTMENTS

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

Mr. ALLEN. Mr. Speaker, the citizens of this Nation are justifiably concerned about the sprawling, proliferating and tax-eating bureaucracy of the Federal Government. What was once the reform of consolidation of some executive departments has now grown into a nightmare of unmanageability. The Department of Health, Education, and Welfare, consolidated and brought into being with good and noble intentions during the Eisenhower administration, is a prime example of reform gone berserk.

Mr. Speaker, it defies the intelligence of the American people to continue to ask them to accept a single executive Department, under the management of a single Secretary, to respond to the tremendous—indeed, almost limitless—requirements in this Nation in the field of health, in the field of education, and in the field of welfare, which includes among other functions the administration of social security, medicare, medicaid, welfare, and on and on.

Trying to cope with an impossible assignment, we have seen HEW grow into a hydraheaded monstrosity, unmanageable and unresponsive to the needs of the people, and beyond the ability of even the most competent administrator to supervise properly and efficiently.

Indeed, this huge bureaucracy has grown to such mammoth size with more than 143,600 employees on the payrolls of innumerable divisions and countless agencies in all 50 States of the Nation, that it is now beyond the capabilities of any one person, even with superhuman intelligence, to keep truly informed as to what is going on in all of its far-flung and diverse operations.

In the interest of economy and efficiency, HEW simply must be reorganized and streamlined, if we are to make it more responsive to the real needs and wants of the people, and their demand to slash the millions of dollars of waste and their hard-earned tax dollars, which are now being squandered through waste and inefficiency by this monstrous, unmanageable Federal bureaucracy.

Accordingly, I am today introducing a bill to split and reduce HEW into three separate Departments of manageable size, which can properly and efficiently be administered to serve the people, without all of the present confusion, duplication of efforts and working at cross purposes. This bill calls upon the President, within 6 months of enactment, to submit to the Congress a plan for such reorganization, subject to Congressional approval and complying with the purpose of the bill.

We need a separate Department of Education to be headed by a Secretary of Education, with full Cabinet status and answerable directly to the President. We need a separate Department of Health to be headed by a Secretary of Health, with full Cabinet status and answerable directly to the President. And we need a

separate Department of Welfare to be headed by a Secretary of Welfare, with full Cabinet status, and likewise answerable directly to the President. This is what my bill is intended to accomplish, with each of the three new Departments charged with the general area of responsibility which now exists in the present subdepartments.

Under this proposed reorganization, there could be a more efficient allocation of our manpower and a great savings to the tax-weary citizens who are now footing the bill for services they are not receiving. Each new department would be required to streamline its operations, and its Secretary required to justify to the Congress every single dollar of its proposed budget, rather than to have Congress try to deal, as it now must, with a gigantic, multibillion dollar combined proposal for expenditures—over $145 billion for 1977—vastly beyond the ability of Congress properly to evaluate and scrutinize. By splitting this huge and monstrous bureaucracy into three separate Departments, we can intelligently use the pruning knife to cut the fat from its budget and relieve the taxpayers of the multimillion dollar waste of their hard-earned dollars.

Rather than the sprawling, disconnected conglomerate we have now, separate Departments would mean that Congress and its committees could develop more of the expertise we need to establish budgetary priorities and to provide a really adequate job of the oversight of the activities of these Departments. We could even begin to reduce the Federal payroll!

I feel sure that no matter what congressional district you may represent, my esteemed colleagues, you know full well that the citizens are looking to all of us to establish more order, more responsiveness and more savings of tax dollars in their Federal Government. This bill will be one step in that direction.

EXTEND TIME LIMIT ON USE OF VETERANS' EDUCATIONAL BENEFITS

(Mrs. SCHROEDER asked and was given permission to address the House for 1 minute and to revise and extend her remarks and include extraneous matter.)

Mrs. SCHROEDER. Mr. Speaker, I have today filed a discharge petition on H.R. 11717, a bill which I first introduced on February 4, 1976, to extend the delimiting date for veterans' educational benefits for 5 years. I have reintroduced the bill twice since February, and it now has 20 cosponsors.

Veterans now have 10 years in which to use their educational benefits. The first 10-year period, however, expires May 31, 1976. Since H.R. 11717 would give all veterans an additional 5 years to use their educational benefits, veterans whose 10-year period expires on May 31, 1976, would have until May 31, 1981, to use their benefits.

I know that many Members are often reluctant to sign a discharge petition, preferring that a bill go through the normal legislative process. However, in this case, we simply do not have the time for the normal legislative process to run its course if thousands of veterans are to continue their educations after May 31.

I was told in April that hearings would be held by the Veterans' Affairs Subcommittee on Education and Training on all bills dealing with the delimiting date in the middle of May. Yesterday, however, I was told that it now looks like it will be "a little later than the middle of May." What I am afraid of is that by the time hearings are held and the remainder of the legislative process is completed, many veterans whose time period expires on May 31 will have dropped out of school. I think it would be especially unfortunate for veterans to be forced to drop out of school when they still have not used all the benefits which they have earned.

I think it is important to keep in mind that the veterans who are facing the expiration of their 10-year time period on May 31 are veterans of the Vietnam war era. From 1966 to 1972, it was difficult for many of these veterans to take advantage of their educational benefits due to overcrowded colleges and the harassment they received on the campuses. Also, many veterans suffered from emotional problems which slowed down their educational progress. For many veterans, it took some time to get over the trauma of war and reorder their lives.

For veterans whose time period would not expire on May 31, 1976, but at some later date, an extra 5 years in which to use their educational benefits would give give them added flexibility to combine work and study, raise a family, and lead a normal life.

I ask for your help in getting the 218 signatures that are needed for the discharge petition on H.R. 11717 to be successful. The petition is now on file in the Office of the Clerk of the House.

I have said before that the veterans deserve a fair break. Let us give them one.

FEDERAL PROGRAMS, REGULATIONS, AND AGENCIES MUST BE REFORMED TO RESERVE FREEDOM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. KEMP) is recognized for 60 minutes.

Mr. KEMP. Mr. Speaker, I introduced legislation this afternoon to help reform and restore control over the Federal Government. This legislation is of great importance, especially when its purpose and procedures are coupled with the other reforms I have proposed.

The legislation which I introduced this afternoon would do a number of things at this Bicentennial year.

First, it provides for the elimination of inactive and overlapping Federal programs.

Second, it requires authorizations of new budget authority for programs and activities at least every 4 years, and no authorization could be for longer than 4 years.

Third, it mandates a procedure for zero-base review and evaluation of programs and activities, again on a 4-year cycle, assuring that each program and activity either rejustify itself to the satisfaction of the Congress or be eliminated.

Fourth, it requires a consolidated financial statement for each fiscal year based on an accrual system of accounting, so we know exactly to what we are obligating ourselves in dollar terms each year.

Last, it requires disclosure of the projected costs and savings of actions proposed through bills and joint resolutions of the Congress at the time of their introduction.

In short, this legislation is a Federal "sunset law".

Sunset laws have already been enacted by some of the States, and several measures have been introduced in Congress with respect to the Federal Government. The bill which I introduced today, for example, is patterned after but builds upon a measure introduced on February 3, by Senator EDMUND MUSKIE of Maine, the chairman of the Senate Committee on the Budget, S. 2925.

These measures are called sunset laws because of the procedure they set forth. A program, an activity, an agency put in place to administer a program or activity, and a bureaucracy to sustain it—the Sun sets, so to speak, upon each of these unless they are rejustified and reauthorized in a specific time frame. Instead of a program or activity being continued and funded year after year—for no apparent reason other than the fact that it existed during the prior year—these sunset laws establish a mechanism to force a reexamination of the value of the program of activity.

A sunset law gives us an opportunity, therefore, to eliminate or reform programs and activities, to reduce costs to the taxpayers, to reduce the number of Government workers, to enhance efficiency and reduce redtape by combining otherwise duplicating functions, and even to more carefully examine programs before they become law in the first place.

Sunset laws alone will not do all that is necessary to bring Government under more effective control of the legislative branch, and the Constitution is very clear on this point that it is the legislative branch which has this responsibility. Government will not be brought back into its rightful—that of servant to the people instead of their master—until a change in attitude about the role of Government in relation to society as a whole takes effect and is felt in the legislative chambers. But the sunset laws are, beyond question, very important steps in the right direction.

THE WAY GOVERNMENT FUNCTIONS TODAY

The significance of putting these procedures into place cannot be overstated. These procedures stand in marked contrast with the way government functions today, and there can be little doubt but that the Federal Government is virtually out of control.

It continues to accumulate power over our lives—and to exercise it.

It spends more money in every year that goes by, and it persists in mortgaging our future by deficit financing much of that spending.

It continues to grow out of proportion to the rest of society.

It willingly—forcefully, if need be—assumes responsibilities which previously rested with the people.

Its rules and regulations have grown so cumbersome as to tie down almost any decisionmaking into a bundle of red tape.

And, if all of these things are not bad enough, consider the reality that neither the Congress nor the administration, today's or yesterday's with respect to both, have dealt effectively with the problem.

In far too many instances, the Congress has become captive of the Government workers who advocate a continuation or expansion of their own programs, budgets and agencies, and of the special interests which threaten retaliation at the voting booths in the next election unless their projects are kept going or new ones started, no matter what the effects on the common good, the general welfare, the general interest.

In far too many instances, the elected heads of the Government—the President and Vice President—and the appointed and confirmed heads of the departments and agencies have become little more than spokesmen for the bureaucracy below them, responding more to what the bureaucrats think should be the administration's program than to what the people think should be such a program, a process known colloquially here in Washington as "marrying the natives."

GOVERNMENT TODAY IS INCREASINGLY ACTING IN ITS OWN INTEREST AND NOT IN THE PEOPLES'

The effects have become obvious. Inefficiency in government has become the norm instead of the exception. So has delay. Confused as to both purpose and means, government alternates erratically between doing too much and doing too little. In sum—and I believe this is the question to which the reforms now being proposed ultimately turn—government in America today increasingly acts in its own interest and not in the interest of the people whose purpose it ought to be to serve.

Let me speak for a moment to this point.

The most common ways in which any government advances its own interests were spelled out quite clearly in the Declaration of Independence: Burdensome taxes, excessive regulation, creation of a multitude of offices and appointments of agents, altering the Government, frustration of the people's aspirations, regarding rights as alienable, depriving people of much of their earnings, and in undermining that "pursuit of happiness" to which the Declaration refers.

There is a very familiar ring in 1976 to those points. Instead of being the principal means of protecting individual freedom, government has become the means by which it is most often infringed. Instead of facilitating the pursuit of happiness, it has become a burden to be borne by the people. And this has come as a product of the growth of Government and the pursuit of Government's own self-interests.

We see more clearly every day that the vision of the Government in Washington as a benevolent, grandfather-image Uncle Sam—acting always in the best interests of the people—is out of touch with the reality of a government there increasingly serving its own ends. And those ends are reinforced through a triangular power structure—the majority party leadership of the congressional committees, the bureaucracy, and the special interests. And, there is little input by either the people, or by the President, or even by a majority of Members of Congress irrespective of party.

When government reaches the point that it is more to be tolerated than to be supported, something is wrong with the relationship between the people and government—regarding their relative positions as to which is the master and which is the servant. This is 1976.

There has been an erosion of freedom within the United States. It has been gradual, but it seems to be gathering momentum.

A gradual erosion is freedom's most effective enemy. Freedom is not generally lost by the forces of violent attack. Those specific incidents when revolution and upheaval did quickly destroy freedom were preceded by an intellectual evolution which made those acts both possible and allowable.

The danger to freedom is not as obvious as it was in 1776. Today the enemy is not resplendent in bright Redcoat uniforms. The outcome is not as definitive as to be measured in terms of "liberty or death."

These less immediately obvious threats must, therefore, be a cause of great concern among all who cherish freedom. The nature of the remainder of our natural lives and those of future generations will be governed in great degree by our present ability to perceive these threats and to undertake successfully those efforts required to restrain them. These are the efforts which ought to form the basis for a renewed American spirit.

We must remember that when Government intervention is sought, freedom runs that risk of further decline to which I have already made reference. And, inasmuch as those within Government—elected or appointed—to often regard their roles as, and measure their successes through, the promulgation of Government initiatives, the results should be obvious. More and more Government. Less and less freedom.

Through the enactment of a multitude of program activities, Government has taken unto itself the exercise of functions once regarded as the province of private conduct. And, whether one regards a specific Government intervention or influence as good or bad, one still ought to weigh the impact of the totality of extensive and still growing Government regulation over the exercise of personal freedom.

It is almost impossible to itemize the areas of conduct now subject to Federal regulation because there are so many, but a cursory examination of any Government organizational chart shows us the areas of our lives now subject to that regulation: health, education, welfare, labor, commerce, housing, transportation, finance, agriculture, environment, communications, wages and prices, energy, labor-management relations, trade, alcohol, tobacco, firearms, savings, community relations, civil affairs, land use, natural resource use, recreation, commodities, securities, insurance, marketing, consumer affairs, productivity, nutrition, travel, economic development, shipping, vocational and career opportunities, employment standards, occupational safety, child development, retirement, rehabilitation, interest rates, credit availability, land sales, aviation, railroads, highways, safety, institutionalized voluntarism, arts and humanities, equal employment opportunity, export-import terms, trucking, small business, veterans, postal service, ad infinitum.

The point is this: As Government assumed each of the many components within each of these subject areas, it removed decisionmaking from the people, a process inherently antithetical to the exercise of free choice. Some of these are, indeed, necessary and are clearly in the interest of the people, the general welfare. But, taken all together, government as a cure-all is diminishing freedom.

Unfortunately, this process of rapid and substantial growth of Government is not diminishing. It is not even slowing.

Federal budget outlays have doubled in the 6 years in which I have been in the Congress—as has also the public debt. The Federal budget for fiscal year 1977 will be at least $395 billion—some $111 billion over the budget only 2 years ago. It took this country 185 years to get to an annual Federal spending level of $100 billion, but it took only 9 more years to double that to the $200 billion level, only 4 more years to reach the $300 billion annual level, and ony 2 more years to reach the amost $400 billion mark—from $100 billion to $400 billion in only 15 years.

The mushrooming national public debt has reached $627 billion—nearly two-thirds of a trillion dollars. It took us over 150 years after 1789 to reach the $200 billion debt mark, then less than 20 years to double it to $400 billion, and then only 10 more years to add another $100 billion. But the rise in the debt quickened in the past year. We have added another $127 billion in the past 16 months.

The average amount of taxes the Federal Government will have to collect from every man, woman, and child in the Nation to meet expenses this year is $1,750—or $7,000 for the average family of four. Of course, because deficit financing is a principal source of financing Federal programs today, the Federal Government will actually collect in taxes an average of about $1,415 for every man, woman, and child in the Nation—or $5,660 for that family of four. The remainder will be taken from them, of course, in decreased purchasing power—inflation arising from monetizing the deficit.

Look at the bureaucracy which this spending sustains. Between 1789 and 1974, the population of our country multiplied by 60 times. The bureaucracy multiplied by 8,170 times. Between 1930 and 1976, while the population grew 71 percent, the bureaucracy grew by 462 percent. In 1930, 1 of every 204 people was employed by the Federal Government. Today, it is 1 of every 77. And, in our work force of about 85 million, 1 out of every 6½ employees is on a Government payroll of one form or another.

Look at the controls over our lives—

and our economy—which this funding and this bureaucracy sustain. The United States Code Annotated, the basic compilation of congressionally enacted statutes, now totals more than 55,000 pages. The Code of Federal Regulations—consisting of the rules and regulations which carry those statutes into effect and which have the same full force of law—totals hundreds of thousands of pages. The Internal Revenue Code—the tax laws under which we all live—is now nearly 1,900 pages long, and the regulations which carry those tax laws into effect constitute another 4,500 pages. In addition, one is governed by the rulings and regulations of a myriad of Federal agencies, bureaus, departments, commissions, administrations, offices, and boards, as well as the rulings of our vast court networks.

We have come a long way since Moses brought the Ten Commandments down from the Mount—only 10 rules to govern our lives.

WHY THE BUREAUCRACY GROWS AND GROWS

Why has there been such an inordinate growth in government in recent years?

There are many reasons for this growth. For example, the general interest has been repeatedly forced to yield to an ever increasing number of special interests. Members of Congress, wishing to enact new and larger programs which would be subject to their control through the committee process and this triangle of power to which I have referred, have contributed to this growth. There are many other reasons too.

But there is a reason for the growth of government which relates specifically to our discussion today. It is the inherent characteristic of government to grow. And the best way to look at this reason is to contrast motivations in the private and public sectors.

The free enterprise economy—the economy of the private sector—dictates that waste and duplication be guarded against. In such an economy it is in a person's self-interest to serve the interests of others. In order to gain access to material goods and thus satisfy his own wants and needs, a person must first earn income by supplying in a market something which is valued by other people. This individual must of necessity consider the wants and needs of others. This is the way to assure the greatest growth in the common good too, for the best way to promote the welfare of all the people is to allow people the maximum amount of personal liberty, individual action, and freedom of enterprise.

These self-interests do not stop in a person when he assumes a position in government. The market restraints which channeled that self-interest to the benefit of society do stop. Without these market restraints, the pursuit of self-interest can become identified too readily with those of government, or one of its departments or agencies, or one's own position within it. For example, a problem resolved is one less from which to justify increases in statutory or regulatory power and agency authority, and one less from which to justify more funds and staff slots in the budget and management process. In a government of fiercely vying interests among departments and agencies for percentages of overall employee slots and funds, the greater the likelihood of getting them if you have more and more to do—year after year. The best way to assure this, of course, is to constantly add to the workload. And the best way to do that is to finish less and less. Delay is the best way to do it. This observation is not to cast a blanket aspersion on government employees' conduct, for this is often an unconscious process. But the consequences are the same.

GROWING AWARENESS OF PROBLEM WILL MAKE ITS RESOLUTION MORE POSSIBLE

I am encouraged by a rapidly growing awareness of the problem of government grown too big. A better understanding of the problem will lead, inevitably, to attempts to deal with it.

What is most encouraging of all, however, is the way in which efforts to deal with the problem cut across—as they should and must—the traditional separations of political party and philosophy.

Both Republicans and Democrats are at the forefront of this issue, as are liberals, moderates, and conservatives.

It cannot be overlooked either that the principal Senate bill, S. 2925, was introduced by Senator MUSKIE, the Democratic Party's nominee for Vice President in 1968 and an acknowledged spokesman for liberal forces in our country, and was cosponsored by Senator BARRY GOLDWATER of Arizona, the Republican Party's candidate for President in 1964 and an acknowledged spokesman for conservative causes in our country.

Because I am offering an amended text of Senator MUSKIE's bill, I would like to take a moment to quote from the Senator's remarks at the time he introduced his measure:

A variety of factors have brought me to this point today.

First and foremost, I suppose, are the regular public opinion polls telling us that the American people have lost faith in their Government. People do not think they are getting their money's worth out of Government; people believe that the Government does not care what they think any more; the only Government worker getting high marks from the public is the local trash collector, because at least people know whether he is doing his job.

A second factor has been my experience this year on the Budget Committee. If there is one point that has been brought home to me during my brief tenure as chairman of that committee, it is that during any given year, we have only a limited amount of resources to commit to solving serious national problems. There may have been a time when we could afford nearly a thousand different legislative solutions to a few dozen national problems—when we did not have to worry which programs were working and which ones were not, because we knew there was enough in the till for everyone.

Today, we no longer have those options.

The third factor which has led me to introduce this legislation is also related to my experience with the Budget Committee—more specifically, to the tremendous successes we have had in our first year of operation.

Through the new budget process, Congress is finally beginning to regain control over the Federal budget—the most important statement of national priorities that we have. Yet it becomes clearer to me every day that even if the process works better than any of us had dreamed, that statement of priorities will not be complete unless we have control over the services which the budget is intended to buy.

Budget reform by itself is an essential element in regaining this control. Nevertheless, I have come to see the budget process not as an end in itself, but as a first step in a broader effort we need. Budget reform gave us a badly needed method for looking at the picture as a whole. The legislation I am introducing today will make us take a closer look at all the component parts of that picture, to insure that we are getting the most for the money we spend. It is a logical second step.

Why is such a second step necessary?

One way to answer that question would be to have a dramatic reading from the catalog of Federal domestic assistance. I think most of us would be astonished at what we heard: That we have 228 health programs, 156 income security and social service programs, 83 housing programs, et cetera, et cetera that all in all, we have nearly 1,000 Federal programs, touching on virtually every aspect of life in these United States.

Or we could turn to the Federal Government manual, where we would discover that in addition to the 11 Cabinet departments, we require 4 independent agencies and 1,240 advisory boards, committees, commissions, and councils to run the Federal Government. In 1974 alone, 85 separate government bodies were created, of which only 3 were subsequently abolished.

Or we could look outside Washington, where we would find over 4,000 geographic program areas recognized under 24 different Federal programs—quasi-governmental units such as law enforcement planning regions—481—comprehensive areawide health planning agencies—195—air quality regions—247—and many more.

Or we could turn to the dozens of GAO reports and audits done every year, detailing the administrative chaos in Federal aid to vocational education or to the handicapped for example—or explaining how this Federal agency had no information on what it was spending on administrative costs as opposed to actual services.

What any of these exercises would tell us is that Government has become out of touch and out of control. And clearly this is a finding with which an increasing number of Americans would agree.

What happens to a Federal program after it leaves the Congress?

Where is Congress going with the grant-in-aid programs? Will there be more proliferation of separate programs?

How well are Federal departments coordinating their programs and services both within their agencies and with other departments?

Today, hundreds of well-intentioned new programs and billions of dollars later, we still do not have satisfactory answers to those questions.

Even worse, we still have not solved the basic problems which prompted us to enact all these programs in the first place.

We have spent billions on health care, and enacted hundreds of health-oriented programs, yet we still have not cracked the fundamental problem—providing high-quality care at a price people can afford.

We have spent billions on education, only to find that our high school graduates are not learning even the basic reading and writing skills.

And we have spent billions on the problems of our cities, yet the root cause of those problems, defined so eloquently by the Kerner commission several years ago, still remains.

Solutions to these problems elude us not

because we have not tried. But in too many cases we in Congress have satisfied ourselves with the rhetoric of legislation, leaving the hard work of implementation—from rulemaking to evaluation—to the executive branch. To put it another way, we in Congress have not paid enough attention to how well the programs we adopted were working—at least not beyond a cursory review every few years.

And now these years of inattention to performance are taking their toll, as we reap a bumper crop of public disenchantment with Government so unresponsive that it cannot even perform the simple day-to-day tasks that need to be done.

I offer this not as a suggestion that we abandon our commitment to solving the Nation's problems.

On the contrary, I offer this legislation in recognition of the fact that until we bring what programs we now have under control, we simply may not have the reserves we need—either in the budget or the public's trust—to pursue new legislative solutions to pressing national problems.

Senator MUSKIE's observations are widely shared, and perhaps in the coming months they will become the majority opinion in both Houses sufficient to assure the passage of a Federal sunset law.

I believe other measures should be passed too, and I have introduced legislation addressed to them, including a moratorium on new Federal programs, the testing of proposed Federal programs before they become fully operational, balanced budgets and limitations on Federal revenue in relation to aggregate national income, a uniform requirement that no departmental and agency rules and regulations go into effect without prior review or approval by the Congress, and the reprivatization of functions assumed by Government.

I hope that the consideration of—and hopefully the adoption of—these sunset law proposals will facilitate a movement within the Congress to restore a more rational balance between the role of Government and the role of the private sector. Whether one's viewpoint is that we should undertake these reforms to cut back drastically on the size of Government or whether one's viewpoint is that it is the only way to assure more effective Government exercise of its responsibilities, a Federal sunset law should be adopted and as soon as possible.

INTERNATIONAL INVESTMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. BIESTER) is recognized for 5 minutes.

Mr. BIESTER. Mr. Speaker, in an attempt to evaluate the activities and potential consequences of international investment within, and by, the United States, I have, together with the gentleman from New York (Mr. GILMAN) introduced a bill requiring the President, through the Council on International Economic Policy, to collect relevant information on foreign portfolio investment in the United States, as well as information regarding U.S. direct investment abroad. The bill provides that an analysis of these surveys be made available to the Congress, the executive branch, and the general public.

Under present authority, the U.S. Government can collect flow data on international investment in the United States by provision of the Bretton Woods Act. This authority provides, as well, for collection of data on American investment abroad. With the exception of a one time provision in the Foreign Investment Study Act of 1974, the last benchmark survey of foreign investment in the United States was conducted in 1941. The scope of international investment has changed considerably since enactment of Bretton Woods. It has become clear that this measure no longer meets the Government's need for information regarding the effects of investment on national security, commerce, employment, and U.S. foreign policy, especially as it applies to developing nations.

Our bill, to be known as the "International Investment Survey Act of 1976," will require the conduct of a benchmark survey at least once every 5 years, coupled with quarterly supplemental reports. Five years is not a time period that should prove excessively cumbersome to business or to Government. All companies whose business exceeds $10 million per year will be subject to the provisions of this legislation. Our intent is to provide information relevant to a variety of economic questions concerning investment activity, cash flows, borrowing practices, transfer payments, and the price of export technology.

To adequately answer these questions it is necessary to identify the location and nature, magnitude, and changes of total investment by a parent in each affiliate and financial transactions between a parent and each of its affiliates. Further, the Government must have the authority to secure current information on international capital flows, information necessary for computing and analyzing the U.S. balance of payments, employment and taxes, and information regarding our international investment position including income statements of gross sales by primary line of business and with as much significant product line detail as feasible.

Our bill will provide for the collection of employment data showing both the number of United States and foreign employees of each U.S. parent and each affiliate and the level of compensation by country, and will study the adequacy of information, and disclosure and reporting requirements and procedures.

Finally, this legislation seeks to obtain information on tax payments by parents and affiliates, and to determine the total dollar amount of research and development expenditures by each U.S. parent and by each affiliate, information on payments between parents and affiliates for the transfer of technology, and payments received from the transfer of technology to unrelated foreign firms or State enterprises.

This legislation should not be viewed as an end in itself, but rather, the first step in the process of analyzing investment activity so as to more accurately monitor foreign and multinational investment.

It is one of my hopes that this bill, coupled with international acceptance of a code of conduct for multinational corporations—adopted with the inclusion of representatives of the developing world—might prove immeasurably helpful in stabilizing U.S. relations with the world's investor countries, and in particular, with the world's host governments.

WOMEN'S DIVISION OF THE JOINT COMMITTEE OF ITALIAN AMERICANS CELEBRATES ITS 10TH ANNIVERSARY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. ANNUNZIO) is recognized for 5 minutes.

Mr. ANNUNZIO. Mr. Speaker, on Saturday, May 8, the Women's Division of the Joint Civic Committee of Italian Americans celebrated its 10th anniversary. This outstanding auxiliary group in Chicago has performed yeoman service on behalf of people.

It has created many worthwhile programs such as sponsoring Italian cuisine dinners from every region of Italy and scholarship awards that are given to young women entering college every year. It created for the first time a cotillion where the young ladies are introduced to society.

The Women's Division also sponsors folk costume contests and the winners of the annual Festa Della Moda fashion show are seen on the floats each year during the Columbus Day parade. It also organizes the annual Holiday Folk Fair, and the ladies are responsible for many fundraising activities as well as helping charitable groups such as the Aylesford Charity Luncheon for the National Scapular Shrine of the Carmelite Fathers, and Villa Scalabrini, the Italian Home for the Aged.

I take this opportunity to congratulate all of those associated with this fine organization for their dedication, devotion, and generosity to the public good.

Mrs. Serafina Ferrara, who died last year, was a philanthropist and a business woman as well as a warm, loving, and devoted mother, grandmother, and aunt. Special tribute was also paid to her by the Women's Division as one of the outstanding ladies of the Italo-American community in Chicago during this celebration of 10 years in service to humanity.

The program for the 10th anniversary celebration follows as well as a brief history of the Women's Division of the Joint Civic Committee of Italian Americans:

FOUNDERS ORGANIZING COMMITTEE

Dr. Mary Ellen (Mancina) Batinich, Tena Amico, Norma Battisti, Gene Bruno, Rose Flood*, Elena Jo Frigoletti, Carolyn Lucchese, Anette Salvatore, Ann Sorrentino, Mary Spatilla, Bonnie Tisci, and Ann Yelmini.

* Deceased

FIRST OFFICERS

Carolyn Lucchese, *President;* Ann Sorrentino, *1st Vice President*; Elena Jo Frigoletti, *2nd Vice President;* Norma Battisti, *Treasurer;* Tena Amico, *Recording Secretary;* Lucille Brahill, *Corresponding Secretary;* and Dr. Mary Ellen (Mancina) Batinich, *Advisor.*

PAST PRESIDENTS

Carolyn Lucchese, Ann Sorrentino, Elena Jo Frigoletti, Ann Yelmini, and Gene Bruno.

PRESENT OFFICERS

Norris Battisti, *President;* Mary Spatilla, *1st Vice President;* Josephine Ortale, *2nd Vice President;* Elvira Panarese, *Recording Secretary;* Phyliss Schoene, *Corresponding Secretary;* Josephine Bianco, *Treasurer;* and Gene Bruno, *Advisor.*

BOARD OF DIRECTORS

Tena Amico, Dr. Mary Ellen (Manchina) Batinich, Stella Boschelli, Ruth Burtell, Pauline Jo Cusimino, Marie Davino, Josephine DeStefano, Antoninette Garofao, Judith Guzaldo, Ann Menconi, Rose Ortale, Virgina Page, Marie Palello, Ann Parisi, Annette Salvatore, Angeline Tufano, and Claire Vasilovik.

THE 10TH ANNIVERSARY COMMITTEE

President, Norma Battisti.

Chairwoman, Ann Sorrentino.

Program Book Cover Design, Dr. Mary Ellen (Mancina) Batinich.

Reservations, Elena Jo Frigoletti & Ann Yelmini.

Decorations, Gene Bruno.

Committee Member, Carolyn Lucchese.

PROGRAM

Greetings and Introduction of Chairman, President, Norma Battisti.

Invocation, Rev. Gino Del Piaz, C.S.

DINNER

Introduction of Special Guests and Charter Members, Chairman, Ann Sorrentino.

Remarks, Chairman of Founders Committee, Dr. Mary Ellen (Mancina) Batinich.

Presentation of Special Award, President, Norma Battisti.

Greetings and Remarks, Honorable Frank Annunzio, Congressman, 11th District.

Greetings and Remarks, James E. Coli, President, Joint Civic Committee of Italian Americans.

Benediction, Rev. Gino Del Piaz, C.S.

BRIEF HISTORY

In March of 1966 at the insistence of Vincent E. Ferrara, then president of the Joint Civic Committee of Italian American, a group of women were invited to a meeting for the purpose of learning of the serious need for a Women's Auxiliary to assist the men in the many activities of their fast growing organization. It had long been Mr. Ferrara's contention that a women's group would greatly enhance and compliment the work being done by the men of the Joint Civic Committee of Italian Americans. It is a proven fact as the saying goes, that behind every successful man there is a good woman and behind every successful men's group there is a hard working women's group—so were the thoughts of Mr. Ferrara.

Only a year before, Dr. Mary Ellen (Mancina) Batinich was asked to take on the chairmanship of an Authentic Italian Regional Costume Committee, which she graciously accepted and for the first time a truly colorful Columbus Day Parade was held with many women gracing the floats along the parade route in beautiful costumes of many regions of Italy. If this success could be duplicated in many other areas of work it would represent quite an accomplishment for the Joint Civic Committee of Italian Americans.

At the first meeting, in addition to Dr. Batinich, invitations were sent to wives of the Board of Directors, students of the Sojourn In Italy and some other interested women. The meeting was held in the meeting room at 127 North Dearborn Street and about 25 women were in attendance. The meeting was of short duration once its purpose was explained and assurance given that they would have the women's cooperation.

An organizing committee was selected and once again Dr. Batinich was asked to accept the chairmanship of this group. In addition, the following were assigned to the committee: Gene Bruno, Rose Flood, Elena Jo Frigoletti, Carolyn Lucchese, Ann Sorrentino, Mary Spallitta, Bonnie Tisci and Ann Yelmini. Some women from the Filippo Mazzei Post Ladies Auxiliary who were unable to attend the first meeting due to a conflict with their regular meeting were subsequently invited by Dr. Batinich to join the committee. They were Norma Battisti, Annette Salvatore and Tena Amico. It was agreed that a Sunday Afternoon tea would be the best avenue in which a large group of women could be invited. The list would be compiled of wives from a list of names on file at the Joint Civic Committee of Italian Americans office, and in addition each committee member was to turn in a list of names of her relatives, friends and acquaintances.

We had the idea—but where to hold the Tea? The Chateau Royale was suggested, but we were without funds. Ann Sorrentino offered to speak with the ever gracious Serafina Ferrara for the use of one of the rooms. Mrs. Ferrara was as always willing, however, she regretted that the only room available for the date we had selected was her smallest. So anxious were we to embark on our venture we decided to accept.

So it was that on the appointed day of May 22, 1965, an overflowing crowd of women responded to our invitation to Tea. We could scarcely accommodate them adequately, but the tea was a great success. Key members of the Joint Civic Committee of Italian Americans were on hand to greet us. Of course, in the forefront, the ever beaming Vincent E. Ferrara and by special invitation from Dr. Batinich, the Honorable Frank Annunzio who at that time served as Congressman in the 7th District. Congressman Annunzio prepared a keynote address on the history of women's clubs, their power as a group, their value to society and more importantly, the role of Italian women—first in the family and then how our powerful force could be used in the community. He cited our need to support the Human Relations Committee of the Joint Civic Committee of Italian Americans, Fra Noi, our Italian American newspaper published by the Villa Scalabrini and Villa Scalbrini itself. He felt that by planning and running a variety of fund raising functions we could raise the funds necessary to support the above.

Armed with this warm send-off and having once more approached Mrs. Ferrara for a meeting place the group met for its first meeting and election of officers at the Chateau Royale, on Monday, June 13, 1966. Elected to office were: Carolyn Lucchese, President, Ann Sorrentino, 1st Vice President, Elena Frigoletti, 2nd Vice President, Norma Battisti, Treasurer, Tena Amico, Recording Secretary, Lucille Brahill, Corresponding Secretary and Dr. Mary Ellen Batinich, Advisor.

On a suggestion made by Ann Sorrentino that the name "Women's Division" would imply being a part of, instead of an "Auxiliary" to the JCCIA and with approval of the parent organization, the By Laws Committee moved and seconded that the group would henceforth be called the Women's Division of the JCCIA.

Space here will not permit describing our busy ten years which followed, however, the flames in each of the ten candles on our birthday cake will tell you something of the many activities we have embarked upon. We hope to have our projects and interests grow with each new year.

(Excerpt taken from History prepared by Ann Sorrentino May 1976.)

IF THE SHOE FITS * * *

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. BURKE) is recognized for 10 minutes.

Mr. BURKE of Massachusetts. Mr. Speaker, it was not too long ago that I sat in this Chamber and listened to speech after speech, and read editorial after editorial waxing eloquent on how we in this Chamber had allowed the executive branch of Government, an all-powerful President, to amass great powers, and how we had all but given up our constitutional authorities.

The debate raged for months and years, and legislation was proposed, theories were expounded and propounded, and ultimately we passed some landmark legislation to reaffirm our legislative functions under the Constitution; to wit, the War Powers Act and the Impoundment Control Act. Those were important times. We were bringing Government back to the people, a process that had drifted farther and farther off target. It was one of our finest hours.

Mr. Speaker, I ask you, where are those voices today? I warned this Chamber when we considered the Trade Act of 1974 that what we were really passing was the "Transfer of Powers act." This prediction, unfortunately, has come true, and it has come back to haunt us in the decision by the President on relief to the shoe industry. The legislative intent of the Trade Act is being flagrantly abused by the Executive. The Congress has been effectively precluded from any role in determining this Nation's trade policies which are inextricably tied to this Nation's economic health.

On the other hand, Mr. Simon and Mr. Kissinger, who are not elected officials and whose philosophies are the subject of increasing criticism, apparently are setting the tone and trend of our trade policies for years to come. To whom are they accountable? Not Congress, and certainly not the public. Mr. Simon, who played a key role in the President's decision on footwear, is unavailable for comment. He has apparently flown to Brazil hoping to open up American markets still wider to Brazilian imports.

To say that the shoe decision had little to do with shoes is an understatement. To state that it had a lot to do with Mr. Simon's and Mr. Kissinger's economic philosophy is perhaps the only thing that can be said.

Mr. Speaker, whether or not you are a free trader, protectionist, or somewhere in the middle, I contend that you have quite a bit to be alarmed about in this decision. Congress has quite willingly abdicated its role in foreign trade. This is an extremely dangerous precedent. I hope that those newspapers that have hailed Ford's decision on shoes would look a little closer at what they are praising; it is the same thing they were decrying just a few short years ago.

Mr. Speaker, Nancy Ross of the Washington Post has done an anatomy of the shoe decision which appeared in Sunday's Post. She concluded that the decision had little to do with shoes. I agree and submit her article for the edification of the Members of this body:

IF THE SHOE FITS * * *

(By Nancy L. Ross)

The shoe decision had little to do with shoes.

That, in summary, is the reaction of many

shoe industry representatives—as well as others—to the White House announcement last month that the United States would not impose quotas or tariffs on imported shoes and boots.

Instead, President Ford ordered assistance in the form of increased unemployment benefits and job retraining for the beleaguered American footwear industry.

Overlooked—or overruled—according to manufacturers, were the International Trade Commission's 5–1 recommendation in favor of some kind of tariffs and/or quotas, commitments to the industry made by a succession of presidential special trade representatives, the steady decline of domestic manufacturing and growth of imports, and Mr. Ford's own record of support for the shoe industry when he was in Congress.

"The shoe industry was crucified on the cross of free trade," declared an industry representative, referring to the Good Friday (April 16) announcement. Seymour Fabrick, president of Vogue Shoe, Inc., of Los Angeles, said, "On Wednesday (April 14), we had a deal on 1974 quotas. On Thursday, there was a new deal set up by the Secretaries of Treasury and State and, on Friday, in a sneaky way, they gave us a burial service."

Others in the retail shoe business and in government insist the issue was decided on its merits, and that the shoe industry's recovery from the recession precluded the imposition of quotas or tariffs to curb imports. "The domestic manufacturing industry is enjoying virtually unprecedented prosperity," the Volume Footwear Retailers of America announced on March 15.

In fact, the official announcement made by special trade representative Frederick Dent, plus accounts of the internal debate in the administration that preceded the announcement, tend to support the claim that both domestic and international political considerations helped to shape the final decision.

The official announcement states that import restraints would result in higher shoe prices for consumers, retaliation against U.S. exports which in turn would affect American jobs. It called "expedited adjustment assistance (to domestic footwear industry workers) "the most effective remedy for injury."

The story of the latest effort to help the U.S. footwear industry began in 1974 with passage of the Trade Act. This contained a liberalized "escape clause" allowing temporary action in the case of U.S. industries that are found to be hurt at least partailly by imports. At that time, more than 40 per cent of the domestic nonrubber footwear market was held by imports, a figure that now has increased to 48 per cent.

Accordingly, in the spring of 1975, the American Footwear Industries Association, which represents most U.S. manufacturers, was advised by Dent to file for relief under the escape clause. The association asked for mandatory quotas on a country-by-country, product-by-product basis. The nations primarily affected would be Taiwan, Italy, Spain and Brazil.

On Feb. 20, the six-member International Trade Commission unanimously agreed the shoe industry had suffered "serious injury" from increased imports. Yet, there was no clear majority on the recommended remedy. Three commissioners urged that tariffs on imported footwear be increased 25 to 35 per cent, depending on the price of the shoes, from the present 6 to 15 per cent. Two others voted for a combination of tariffs and quotas. Only one commissioner, Italo Ablondi, favored trade adjustment assistance (TAA).

This program, administered by the Secretary of Labor, includes benefits of weekly allowances of up to 70 per cent of a worker's average weekly wage for 12 months, employment counseling, job retraining, job search allowances, and advances to assist in relocating if necessary for re-employment. The Secretary of Commerce administers adjustments for firms and communities affected. It includes technical assistance, direct loans, or loan guarantees, to aid in modernizing plants or switching to other lines or to attract new industries.

The fact there was no clear majority recommendation was to become a key factor in the ultimate decision. For, under the 1974 Trade Act, Congress has the power to override a Chief Executive who disapproves or changes a majority decision. White House lawyers quickly made it known they did not consider 3 out of 6 a majority.

Meanwhile, the steel case intervened. In January, the ITC had recommended 4–1 that President Ford impose quotas on imports of specialty steels such as stainless. Under pressure from thousands of union steel makers and workers—an industry where unemployment was high and profits very low—and from Congress, Mr. Ford announced on March 16 that he would unilaterally impose quotas June 14 if his negotiators were unable to get voluntary export limits with the major foreign sellers—Japan, the European Economic Community and Sweden.

It was the first major decision under the 1974 Trade Act, and its protectionist terms alarmed proponents of free trade at home and abroad. Thus far, European negotiations have not proved fruitful.

Shortly after the presidential decision in favor of protection, the specialty steel industry announced selective price increases. This move angered Treasury Secretary William Simon. At a high-level White House meeting during Easter week, he reportedly vowed the shoe industry would never do the same thing if he could help it.

As the ITC recommendation was based on 1974 data, a week or so prior to that meeting Simon's staff conducted an informal telephone poll of about half a dozen U.S. manufacturers to inquire how business was going now. One of these, Sid Schwartz of Vogue Shoe, said he told the caller the factory was busy at the moment with Easter orders. Most of his colleagues gave similar reports.

The footwear industry actually began its recovery from the recession in May 1975, marking the end of a downturn that really began in the spring of 1973. Production for 1976 is up 20 percent over 1975. Manufacturers counter that they are just now getting back to where they were in 1974, after a disastrous 1975.

Treasury Secretary Simon's thinking is said to have been influenced as well by the Brazilian situation. Brazil is the fourth largest shoe exporter to the United States, having shipped 26.4 million pairs worth $120.6 million last year. Several New York banks argue that Brazil would have difficulty repaying its U.S. loans if its exports to the United States were reduced as a result of quotas or new tariffs. At the same time, Brazil has imposed new duties on entering goods that Simon would like to get reduced, and American restraint in the shoe matter was seen as a strong argument for Brazilian concessions.

The secretary left last week for a visit to Latin America, including Brazil, and was not available for comment.

According to informed sources, the opinions of Simon and Secretary of State Henry Kissinger weighed most heavily in Mr. Ford's decision, especially when his advisors proved evenly divided on the question of tariff/quotas versus adjustment assistance. At the Tuesday meeting of the Economic Policy Board with the President, Simon made a "strong statement," and the meeting broke up with adjustment assistance a slight favorite.

Kissinger, ideologically wed to free trade, joined Simon in writing a letter over the Palm Sunday weekend urging the President not to impose any kind of new import barriers. State Department consumer advisor Joan Braden went on the NBC Today show to discuss her concern that tariffs or quotas could trigger international retaliation and could also lead to higher consumer shoe prices domestically.

Rogers Morton, Mr. Ford's campaign chief, is said to have warned that rising shoe prices would be highly visible to voters. The Treasury Department estimated the cost to consumers at between $750 million and $1 billion in the first year, a figure hotly contested by domestic manufacturers.

Also opposed to tariff/quotas were the Secretary of Agriculture, who feared foreign retaliation; the Secretary of Defense, who feared that duties on Spanish shoes might create difficult relations with Spain, where the U.S. has important military bases; the Secretary of the Interior; and the director of the Office of Management and Budget.

On the other side stood the President's special assistant for economic affairs, William Seidman, and the Secretaries of Labor and Commerce. On March 5, the Commerce Department had turned out a position paper opposing adjustment assistance on the grounds that "many shoe firms lacked the resources, the expertise and the will to modernize or diversify."

However, Elliot L. Richardson, most recently ambassador to Great Britain before becoming Commerce Secretary, was reported wavering as the result of conversations with a Spanish minister and U.S. retailers, both opposed to tariff/quotas. (A few days after the decision, he issued a press release saying he would expedite TAA.)

Special trade representative Dent went into the meeting with what amounted to a compromise between the pro- and anti-tariff industry groups and a reluctant acceptance from foreign representatives. But the President did not accept Dent's modified position as he had in the steel case.

After more informal meetings, word of the presidential decision in favor of TAA began to leak out Thursday morning. The official announcement was not made until 2 p.m. Friday afternoon (evening in Europe) on a holiday weekend when Congress was on vacation. The timing offended almost all involved.

The decision was denounced by Sen. Thomas J. McIntyre (D-N.H.) and Rep. James A. Burke (D-Mass.), both of whom have fought long for footwear workers in their districts. "I consider the President's decision a breach of faith and a violation of the intent of the Trade Act of 1974," McIntyre stated. He added that he had been assurded by presidential trade representatives as early as December 1974 that, "If the procedures suggest the need for import relief (tariffs or quotas), you can be assured the administration would move expeditiously to provide it."

Calling trade adjustment assistance "ineffective," Burke cited an opinion by Ablondi, the only commissioner to vote in favor of TAA, that there is not enough money available to carry out the intended mission of the (TAA) program. Burke urged the General Accounting Office to conduct a study of the effectiveness of TAA.

Soon afterward, the Commerce Department put out its own study showing the TAA program has had mixed results. Since 1962, seven shoe companies have received $14 million in TAA. Four are still in existence and one has reduced operations. The Labor Department has granted $36.8 million in TAA to 17,800 shoe workers (an average of $2,067 apiece) since 1969.

"I guess we were just naive to think we could win on the merits of the case," declared an industry attorney. It was not the first time the footwear manufacturers have been disappointed. For the past eight years, since domestic production began its decline, the industry has been seeking relief.

The Tariff Commission, predecessor of the

ITC, predicted in 1968 that U.S. production in 1975 would amount to 650 million pairs (it was 433 million), and imports 335 million (they were 320). There are now 350 companies making shoes in the United States compared with 600 in 1969.

In 1969, then Rep. Gerald R. Ford joined Burke and 300 colleagues in requesting President Nixon to ask foreign countries to set voluntary import limitations. Ford voted for the 1970 trade bill, which called for quotas for footwear, among other industries, and increased adjustment assistance. However, because a majority of the Tariff Commission did not find imports the primary cause of the industry's malaise, the White House did nothing.

The latest White House decision was eagerly awaited, not only by shoe retailers and manufacturers, but also by many with no interest in shoes beyond what they put on their feet. Footwear was the second major case since the 1974 Trade Act liberalized the escape clause and many industries decided to test it. Observers were waiting to see if the shoe decision coming after the steel quotas would set a protectionist trend. The answer is no.

Since shoes, Mr. Ford has declined to impose a recommended tariff rate quota on stainless flatware (knives, forks and spoons), or continue tariffs on ceramic dishes. He did nothing on asparagus when the commissioners split 3–3 on injury with half recommending quotas. He ordered adjustment assistance for the domestic zipper industry. In the case of mushrooms, on which a decision is due May 17, the recommendation of three out of five commissioners voting is for TAA.

In all of these decisions to date—excepting shoes—Mr. Ford has accepted the philosophy of his Trade Policy Committee, whose chairman is Dent, rather than the generally protectionist stance of the International Trade Commission.

But on blue pigments (dyes), a case that must be judged by June 2, the President faces a 5–1 ITC recommendation in favor of an 18 per cent increase in tariffs. This means that if he decides against tariffs, Congress can override his decision. Unlike steel or shoes, blue pigments are hardly of great importance, with only $2.7 million worth imported annually from the United Kingdom, West Germany and Japan.

On the whole, U.S. trade policy does not appear at present to be headed in a protectionist direction. Mr. Ford went one way on steel, another on shoes. The political fallout from both decisions remains to be measured.

ORPHANS OF THE EXODUS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Maryland (Mrs. SPELLMAN) is recognized for 5 minutes.

Mrs. SPELLMAN. Mr. Speaker, all of the nations which signed the Helsinki Final Act, including the Soviet Union, pledged to do everything possible to reunite families separated by political boundaries.

Because the Soviet Union is not living up to that promise, Members of Congress are conducting a vigil on behalf of the families which remain separated.

A case history of these families entitled "Orphans of the Exodus" dramatically details this tragic problem. At this time, I would like to bring to the Members' attention the situation of the family of Grigory Vigorov.

Mr. Vigorov was born in 1947. After serving in the army, he entered the university and majored in economics. When his family discussed emigrating to Israel, he decided to terminate his studies in order to join his family. In March 1973, an exit visa was applied for by the entire family. Grigory's parents received permission to emigrate the following June; however, Grigory was informed not only that he could not leave, but also that he would have to give up his job. Permission was denied due to his former service in the army, but his job, a pressmaker in a small button factory, had no relation to national security secrets.

Since his parents left, Grigory and his wife, Marina, have had a second child. But their dream of joining his family has remained unfulfilled. In a letter evocative of this tragic separation, his parents wrote:

We were in Russia at the time that our son left his job but he had not received his visa at that time or since. He has been refused by OVIR three times. His home phone was disconnected. When we called from Israel to our son, at the post office, we could not make connection. We don't know why. Our letters also have not been received. He writes that he cannot find a position because the Russian government has closed every door. He found a small part-time job near Moscow as a tree surgeon. It is hard work and is in an area a few hours from where he lives.

So far as his job is concerned, we are not worried; but we are very disheartened about our separation from him. From the time he was born, our son lived with us, as one family. In our two bedroom house, everybody was happy. It was a three room flat—with one kitchen, one hall, and two bedrooms. . . .

We are old people and in poor health . . . It's been almost three years since we've been able to see our children. I hope . . . that you can comprehend our plight. This situation is "killing" us, since we are very weak. No one listens to our heartfelt pleas. We are frail and feel helpless since there is nothing we can do to help our son . . .

We are sure that if a respected American personality or official takes a personal interest in our case, our family can be reunited. We entreat you, write to us . . . and do what you can to help us . . . It would be most appreciated if you send a letter to our son and his family, supporting him in his cause. Our children very much need assistance.

I know that many of my colleagues share my deep concern at the continuing tragedy of those we sought to aid through the Helsinki agreements. The sorrow of Soviet repression goes on. For those that continue to endure, we must support them and their claim to freedom.

CONSUMERISM

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Illinois (Mrs. COLLINS) is recognized for 5 minutes.

Mrs. COLLINS of Illinois. Mr. Speaker, many fine American corporations are headquartered in the city of Chicago.

One of these, Sears, Roebuck and Co., maintains its principal offices in the district which I represent, and I have always been pleased to number many of its employees and executives among my constituents and as personal friends.

Mr. A. Dean Swift, president of Sears, Roebuck and Co., spoke to the Society of American Business Writers a few days ago on the subject of Consumersim. His thoughtful and informative remarks touched on several issues of importance to all of my colleagues in this body and I wish to commend them to your attention:

COMMENTS BY A. DEAN SWIFT

I am very pleased to have this opportunity to speak to you about my perspective on consumerism. As a publicized movement, consumerism has been with us long enough for a perspective to be developed.

At the outset, I want to establish as firmly as I can that Sears, and most retailers, see consumerism as a positive force. I also want to review with you some of the less positive, and even negative, effects that have followed on the wake of greater consumer awareness, and then comment on some of the proposals aimed at emphasizing the positive aspect of consumerism.

Successful retailers have long considered consumerism an ally in their competitive efforts to grow. More and more, corporate merchandising policies, product design, truthful and informative advertising themes geared to consumer preferences have been the key elements of sales success; and so there is little basic disagreement between the main thrust of consumerist demands and retailers' operating strategies. As Professor Philip Kotler puts it: ". . . consumerism is inevitable, beneficial, pro-marketing and profitable."

The retail industry has a direct eyeball-to-eyeball economic relationship with the consumer. If we at Sears are not in tune with consumers' needs, tastes, wants, attitudes, preferences and expectations, our competition will be happy to take over where we leave off. The continuation of our relationship with our customers depends largely on whether our sights are in the same direction. Our interests must be in reasonable harmony with those of our customers in order for us to grow and prosper. There are just too many other places to go.

But, there are always those who do not see or believe the direct economic self-interest that business has in pleasing, or at least satisfying, its customers. The free market place is seen by some as an arena for confrontation between buyers and sellers.

That's a generalization, of course, but one that seems to be catching on. The consumer's interest may be perceived differently by different people from time to time and it is a question of reconciling points of view. It's important that each of us who influences consumers' choices and preferences, does so in consumers' behalf: that we question, dissect and speak out on matters that truly are in the best interests of those making buying choices. It is important to protect the safety and integrity of the consumer, but the fact remains that regulations often do not achieve that end.

Perhaps the difficult economic period we just passed through has raised the current questions about the cost of government regulation and, at the same time, raised a point of immediate concern to all who are interested in the problems of consumers. There have been many estimates of the cost of Federal regulation. The United States Office of Management and Budget has estimated the total direct and indirect costs as high as 130 billion dollars a year. This amounts to $2,000 for each American family. Recently congressional activities indicate that significant attention will be given to the regulatory activities of government.

The current debate on costs of government almost suggests that it is government itself that is at fault for being so large, or that it the civil servant who is responsible for excessive regulation. To suggest this is to confuse cause and effect. If our government is excessively large and burdensome, that is a problem, but it is more a symptom that we have been making some bad decisions related to what we want the government to do for us. We are all involved—in-

dustry, the press, the consumerist, elected representatives and government employes.

To illustrate the nature of our problem, it is useful to review some pertinent decisions made in recent years related to regulations for public safety.

Some state regulations seem to be far in advance of the preferences of consumers themselves. The most far-reaching state statute on children's flammable garments is California's bill 1011, which mandates that all children's clothing—not just nightwear—must be flame retardant by 1979, less than three years away. Right now, only about five per cent of children's clothes, other than sleepwear, is made of flame retardant fabrics. The reason the percentage is so small is that no one has figured out a way to make polyester-and-cotton blend materials flame retardant, and they make up the bulk of children's permanent press clothes. We have come up with some flame retardant finishes for these blends that are effective, but the processes are expensive and the fabric loses its color and tear strength.

If we rule out polyester-and-cotton blends from children's garments, we're left with 100 per cent polyester, 100 per cent cotton—what mother would buy that these days?—and some flame resistant fibers like modacrylic. You can appreciate that if we don't get out of the test tube stage on fabric blends before 1979, customers in California will have some severely limited choices. The state's children may all look surprisingly alike. Their clothes will also be rather expensive and won't last very long. Whatever the state of the art by then, the garment industry is just not set up to distribute different lines of merchandise to each state. The added costs of localized merchandising will be borne by the consumer, who will already be paying a premium price for the fabric processes needed to make fabric flame retardant. It seems clear that legislation which ultimately presents problems for manufacturers and retailers will ultimately present problems for the consumer.

We should at least consider the preferences of today's children's wear customers. For those, let's look at the choices that outfitters of young boys make from recent Sears catalogs.

At the peak of much of the controversy on flame retardant children's clothing last year, we placed two young boys' shirts on a single page. One shirt was a flame retardant short sleeved shirt of woven polyester, advertised as self-extinguishing when removed from the flame, priced at $3.99. Just above it was a regular polyester-and-cotton blend shirt at $3.49 that came in exactly the same style as the flame retardant shirt. The blended shirt that wasn't flame retardant did four times the sales as the flame retardant shirt. Well, you may say, it was the 50-cent difference in the price that made the difference.

We tried flame retardant garments for young boys again this spring. In our most recent catalog we devoted half a page to three flame retardant garments: two knit shirts and a pair of jeans. We put a large flame resistant symbol next to these garments so there would be no doubt about this important product feature. A few pages later, a single style of our regular toughskins jeans—at the same price—sold 200 times as many pairs as the flame retardant jeans. The flame resistant shirts stacked up similarly to our regular boys' shirt line.

In fact, it would be understating it to say that flame retardant outerwear for children is one of the biggest disappointments in the recent history of our catalog. The California legislation—which the consumer will pay for—seems to be out of touch with consumers' preferences in the children's wear area.

In total, the children's wear industry estimates that the federal regulation alone costs consumers somewhere between 25 and 50 million dollars per year.

In both examples, insufficient attention was given to objective information and scientific data. Unquestionably, Federal regulations have proliferated and have set off a wave of regulatory activity in State and local Governments. For example, New York State has its own safety regulations for bicycles. Twenty-three States have imposed or are considering differing regulations involving bicycle brakes, horns and reflective devices. Each of the proposals will increase the the cost of bicycles, decrease the availability of different models and eliminate the economies of national distribution by fragmenting the market. Massachusetts has a special flammability labeling requirement for tents. Michigan has a requirement somewhat different from Massachusetts. The State of Washington has flammable fabric legislation that is different than the Federal Government's. The State of California has a special flammability regulation for upholstered furniture which is unique. And there are many other examples of State and local regulations which tend to create confusion and add to costs the consumer must pay.

Indeed, when it comes to consumer legislation of any kind, the most severe, recurring oversights are caused by a faulty understanding of how products are manufactured, how they're designed for the marketplace and the impact consumers' preferences have on every step of a product's development. It's very easy to mistake consumer advocacy for consumer research.

For example, in the area of labeling product performance characteristics, there's every opportunity to confuse, possibly mislead, and in some cases, serve no purpose other than to increase the costs to the consumer. If consumers' preferences aren't sufficiently taken into account, regulations become arbitrary, because they fail to take into consideration all the factors a potential buyer deals with in making the decision to purchase.

Consider all the attributes of a room air conditioner: cooling capacity, size, portability, appearance, cost, energy consumption, ease of installation, noise level, durability and serviceability.

These ten attributes are simple enough, but the designer and the manufacturer must consider the delicate balance of all these factors and their relationship to one another. For instance, if capacity is held constant and you decrease the size, the noise level will increase. Reduce the size, and energy consumption goes up. Increase the size, and you make it more difficult to install.

Tradeoffs, therefore, have to be made among attributes in order to bring a successful product into the market. That's done by integrating customer preferences—established through careful market research—with engineering expertise, introduce an arbitrary rating requirement into the equation that unduly weights two or three of ten important design factors and you have the potential of seriously throwing the product out of balance with engineering principles and consumer preferences.

Federally-prescribed consumer information programs like the rating system can have a serious impact on the marketplace. Government, in this case, is not as accountable as the marketplace that produces a product. When the government mandates such a system, it misplaces the accountability, the government agency which points consumers to its notion of what's right, suffers none of the consequences of being wrong. There's no assurance of a correction to the mistake, like a business can make. The only penalty of such a government mistake is to consumers—in increased costs or decreased utility.

In discussing the costs of regulation, Senator Percy of Illinois also pointed out that "indiscriminate regulation fuels inflation, stifles competition, produces mountains of paper work and red tape, and results in production cutbacks and reduced consumption." Agency functions tend to overlap, causing wasteful duplication. Individual regulations are frequently made without due consideration of the relative costs and benefits involved.

Clearly, the growing and excessively burdensome institutionalism of consumerism at the Federal level needs comprehensive review and revision. Fortunately, we are not alone in that belief. Senators Percy of Illinois and Byrd of West Virginia recently introduced a bill which, if enacted, will help assure a sensible, orderly and timely approach to Federal regulatory reform in a number of areas of the economy. In my estimate, the Regulatory Reform Act of 1976, S. 2812, merits the full attention and understanding of everyone who speaks for, speaks to or as a consumer.

Sears is Pro S. 2812. We support needed and cost-justified consumer legislation.

The burden of acting in the consumer's best interest calls for balance; a balance which must be shared by both government and business. The other balancing ingredient I would insert here is what I believe to be the absolutely essential role of the knowledgeable objective observer who's in the unique position of being able to sort it all out, put it in perspective and keep the consumer informed in an understandable fashion. That, of course, is your burden.

Let's look for a moment at the subject of our concern today—the consumer. The term has the advantage of being broad enough to describe everybody, and the disadvantage of not identifying anybody—but at least some generalizations can be made that apply to significant numbers within the total group.

The consumer is back in the marketplace, much healthier, if not completely well, yet with a large backlog of unfulfilled needs.

Consumer income and real buying power have made a significant recovery from the distressed levels of a year ago when layoffs and rapid inflation sharply reduced ability and willingness to spend. Now the consumer is poised for some catch-up shopping, but with an enlarged list of conditions attached. They can't and won't be stampeded into buying just anything one sets out for them. Consumers have rapidly learned that they can get along with less, at least temporarily. They know they can take their time, investigate, compare, shop around, and do better in the process. They've consumed less, and enjoyed it more than they expected.

Before they spend now, they want to know more about what they're getting, not just in immediate gratification, but over the probable life of the product.

They have expanded or given increased emphasis to the following list of factors before making the decision to buy:

1. Product features, care, specifications, functions;
2. Relative value, the price/quality ratio;
3. Guarantees, warranties, expected life of the product;
4. Company commitment and service facilities to back up the product;
5. Energy-efficiency, cost to operate;
6. Safety features; and
7. Social and environmental implications in the manufacturing or use of the item.

It has become less and less important how the product impresses one's neighbors and more and more important how it enhances one's perceived or preferred life-style. There is also a growing list of questions about the social consciousness of the manufacturer and retailer, and whether the product is wasteful of limited natural world resources.

In terms of demand, consumers need and want more than ever. But in terms of spending, it must be on their preferred level of price, quality and timing. Consumers have

learned they can at least temporarily do without, or do with less, or more leisurely shop around for companies and products that satisfy their wants and needs. A growing number of households, most with more education, more knowledge and increasing purchasing power, assure rising consumer demand in the years ahead.

Well-managed companies will develop and present the products which changing consumer preferences and needs demand; but consumers will also have to understand the costs and tradeoffs involved in their demands.

Lastly, I have a word for business and our obligations. If you listen to us recount all of the fine things we've done on behalf of the consumer—most of which we haven't talked about at all—you'd wonder as does Charlie Brown after a losing ball game: How can we lose when we're so sincere? Sincerity obviously isn't enough.

In a society of multiple institutions, business is fairly far down on the list of trustworthy entities. While there may be a number of reasons for the poor ratings, the complexities of consumer issues make it all too easy to misplace the responsibility.

I think the marketplace is more responsive today than ever. Part of the responsibility of businesses in general will be to convince people like you of our sense of respect for the consumers' needs and wants and our sense of responsibility for meeting those needs with goods, services and fair treatment. The scope and range of corporate responsibility is far broader than the public generally realizes.

I think we've all realized like Charlie Brown that our sincerity is not enough. Our actions must more clearly show to the public our commitment and our concern. The public may see this as self-interest, but for the successful retailer, at least, self-interest is served only if the public interest is served first.

DEVELOPMENT OF A NATIONAL CLIMATE PROGRAM NEEDED

The SPEAKER pro tempore. Under a previous order of the House the gentleman from Missouri (Mr. SYMINGTON) is recognized for 5 minutes.

Mr. SYMINGTON. Mr. Speaker, the fluctuations in Washington temperatures in recent weeks has made it hard to ignore the weather. Those of us from the Midwest find the weather a major concern, as droughts in some areas and too much rainfall in others theaten our crops in the Nation's breadbasket. Scientists tell us that we are now enjoying an unusually warm part of the Earth's climate cycle. In fact, it appears that a glacial climate is a far more normal condition than the mild climate we have now. Before we can state for certain whether our climate is becoming warmer or cooler, or what effect human activities have on climate change, it would be useful to have a better understanding of past climates—what they were like and what caused them to change.

Recently several articles have appeared which address the climate problem. One in the New York Times of April 13, 1976, which follows this statement in the RECORD, recognizes the accomplishments of a group of scientists sponsored by the National Science Foundation in describing past climates. The CLIMAP—Climate: Long-range Investigation, Mapping and Prediction—project was initiated in 1972 by NSF's Office for the International Decade of Ocean Exploration and is scheduled to last through 1980. It involves investigators from the United States and eight foreign countries—England, Germany, the Netherlands, France, Ireland, Denmark, Switzerland, and Norway. In their most recent report, published in Science magazine, CLIMAP scientists described their effort to reconstruct the global climate of 18,000 years ago. Using deep sea sediment cores, ice cores, and pollen records, these researchers have been able to put together a snapshot of that ice-age world.

Another recent article on climate which appeared in the April 16 issue of Science addresses another aspect of climate research—the debate between climatologists and the U.S. Department of Agriculture over the meaning and causes of climate changes and the prospects for the future. This Science article relates a debate between USDA and Climatologists Louis Thompson and James McQuigg over the short time frame used by USDA as a basis for predicting favorable weather and crop yields. Thompson and McQuigg, who is presently at the Center for Climatic and Environmental Assessment in Columbia, Mo., "concluded on the basis of a statistical study of crop and climate data back to 1890 that grain yields throughout the 1960's had been favored by extremely good weather; they warned that 'any national policy that does not take into account the fact that less favorable weather is far more likely than recent near optimum conditions' is likely to create severe problems in the future." USDA ignored this advice, which ironically enough came shortly before the disastrous 1974 harvest, "which produced a U.S. corn crop 30 percent below USDA projections as a result in fluctuations in rainfall and an early freeze."

Mr. Speaker, I feel that if USDA is inclined to err in its forecasts, that error be on the side of caution. The prospect of millions starving because a few USDA statisticians could not admit they were short-sighted is less than a pleasant one. These dim prospects might be called the predictions of a few hysterical scientists, except for a third report recently released by the Central Intelligence Agency and described in the St. Louis Globe Democrat on May 4. The CIA report, according to the Globe, said:

> World climate changes would sharply reduce crop production and spread drought, famine, and political unrest throughout the world. The adverse weather is likely to last for at least 40 years and possibly for centuries.

This strongly-worded report is an unsettling contrast to the relaxed attitude of the Department of Agriculture on this matter, Mr. Speaker. I intend to call upon the President to investigate the discrepancy between these two views within the executive branch and to request that he come forward with some strong recommendations for a solution to this lack of communication between Federal agencies on a matter of such vital importance to the Nation and the world.

In view of this controversy, the House should especially welcome the hearings which have been scheduled for later this month by the Subcommittee on the Environment and the Atmosphere of the House Science Committee. The hearings will heighten public and congressional awareness of recent advances in our understanding of climate and climate changes, and of the impacts of these changes on mankind. Further, the subcommittee will assess Federal activities in climate research monitoring, and impact analysis, with particular attention to the provision of timely and useful information to all potential users. Finally, the hearings will explore possible fruitful alternatives for the development of a national climate program, which it would seem the Nation sorely needs at the earliest possible date.

I include the articles from the New York Times, Science magazine, and the St. Louis Globe Democrat to be printed at the conclusion of my remarks for the consideration of my colleagues:

[From the New York Times, Apr. 13, 1976]

ICE AGE ANALYSIS

Back in 1971, the National Science Foundation sponsored the creation of a team of scientists to study the history of the world's climate over the past million years. Named Project CLIMAP, this team effort recently published some of its first results, two studies of the last ice age some 18,000 years ago.

One study has reconstructed what the surface of the earth must have looked like when the average water level was about 300 feet below the present, because huge amounts of moisture were frozen into glaciers and ice sheets. The second study has presented a model of what the global climate may have been like during that ice age.

How can scientists reach back to this period for which there are neither scientific observations nor written records? The answer, unexpectedly enough, is by the use of mathematics. Two of the main tools are factor analysis, which has often been used by psychologists, and regression equations, which are a mainstay of economic statisticians.

The technique employed is essentially this: First, the contemporary distribution of temperature-sensitive microorganisms in the sea, the plankton, has been studied so that equations can be obtained linking the pattern of main types of plankton with the present temperature pattern. Then, by means of cores dug from the sea bed at different points around the world, the distribution of the plankton at the time of the last ice age is determined. Finally, the equations obtained earlier enable this knowledge of ice age plankton abundance to be translated into a pattern of ice age sea temperatures.

A few years ago some cliometricians—mathematical historians—created a sensation by arguing that their equations suggested the need for radically revised ideas about slavery before the Civil War. That debate still continues, but now we see mathematics plumbing geological and climatological history. Is there no end to the uses to which mathematics can be put? Probably not.

SPEAKING OF SCIENCE: CONCERN OVER CLIMATE: RESEARCHERS INCREASINGLY GO PUBLIC

The possibility of famine caused by greater incidence of bad weather is increasingly troubling many climatologists. The Indian monsoon, they note, has failed twice already in the 1970's, compared with only once in the 1960's. Definitive evidence of impending climate change is not in hand, however, nor likely to be very soon. But the stakes—literally millions of lives—do not make it easy for those with a knowledge of the extreme variability of climate in the past and the number of plausible causes of change to adopt an attitude of complacency. Wary of crying wolf too soon and critical of a few individuals who have publicly predicted dis-

asters ahead, climatologists and atmospheric scientists have nonetheless been expressing growing concern to each other and to government officials. This has for the most part taken the form of cautiously worded reports emanating from the National Academy of Sciences and other agencies. Climate, they say, especially the remarkably uniform and favorable climate of the period 1955 to 1970, cannot be taken for granted. Higher priorities and more money for climate research have also been requested.

In trying to convey their message to federal policymakers, however, those concerned with climate have had little apparent success. A national Climate Program, in the process of formulation within the bureaucracy for the past 18 months, has died aborning. Top officials of the U.S. Department of Agriculture (USDA), urged to consider the posibility of grain reserves as a hedge against bad weather, have turned a deaf ear and asserted that adequate food can be supplied come what may, thanks to the miracle technologies of the Green Revolution.

The upshot of all this seems to be that more climate scientists, despite the still unresolved internal debates over the causes of climate change and the prospects for the future, are beginning to seek a wider audience for their concerns. One example is a forthcoming book by Stephen Schneider, a young climatologist at the National Center for Atmospheric Research in Boulder, Colorado, and his wife, a freelance journalist.* Intended for a popular audience, the book summarizes both the history and the theory of climate to illustrate its variability and the complexity of the mechanisms that control it. The book focuses on the potential impact of climate change on world food supplies and takes its theme from the Old Testament story in which Joseph warns the Pharaoh to store up food during the years of plenty for the lean years to come. Schneider proposes a similar "Genesis strategy" for the modern world that would include large grain reserves and similar policies to maintain "margins of safety" in the face of potentially adverse climatic changes, whether of natural or human origin. He suggests a host of new institutions and international agreements to cope with the pressures of growing populations on supplies of food, energy, and natural resources—pressures that he believes could be drastically increased by unfavorable shifts in climate.

The book is strongest—and most revealing of the state of affairs in the research community concerned with climate—in its assessment of existing knowledge. Schneider is extremely candid about the weaknesses of virtually every climate prediction, whether a historical extrapolation or a model calculation. He admits there is no unanimity among researchers as to what degree of certainty should be attached to various potential climate changes. But he concludes that "the survival of human beings is still strongly dependent on the climate" and that "uncertainty . . . does not imply that there are no problems; nor does it deserve a 'wait and see' attitude."

This last point, however, seems to be a difficult one to impress upon those officials who control U.S. agricultural policy. A 1973 debate between them and Iowa State University's dean of agriculture, Louis Thompson—which is aired for the first time in Schneider's book—illustrates the problem. Thompson and James McQuigg, then a climatologist at the University of Missouri, concluded on the basis of a statistical study of crop and climate data back to 1890 that grain yields throughout the 1960's had been favored by extremely good weather; they warned that "any national policy that does not take into account the fact that less favorable weather is far more likely than recent nearly optimum conditions" is likely to create severe problems in the future. The USDA, which has based optimistic forecasts on extrapolations from the 1960's, criticized the study and asserted that gains in technology not only were the main reasons for high yields during that period but also had decreased the susceptibility of crops to adverse weather. Ironically, this extended and ultimately fruitless exchange of views took place shortly before the disastrous 1974 harvest, which produced a U.S. corn crop 30 percent below USDA projection as a result of fluctuations in rainfall and an early freeze.

The 1974 grain crops are not the only recent indication of adverse weather affecting food production. The severe drought that damaged the 1972 Soviet grain crops and led to massive purchases on the world markets was repeated, on a smaller scale, in 1975. Canadian grain yields have also suffered in recent years, and many investigators have pointed out that arid, high-latitude granaries such as those in the Soviet Union and Canada are very susceptible to climatic fluctuations. In addition, drought afflicted the African Sahel, and there are preliminary indications in the wheat-growing region of the United States of what some investigators believe may be an extended drought like the one that produced the dust bowl of the 1930's. But the United States, which carried huge government-owned surpluses of grain throughout the bumper years of the 1960's, now has no grain reserves, other than the limited private stocks of the major grain companies.

Schneider does not predict climate-related disaster, but he does convey a sense of urgency and pleads for a strategy that, in food and in other areas, would allow for contingencies. "Ill-founded certainty is far worse than a realistic appreciation of the confusing issues," he says. Decision-making in the face of uncertainty, however, is never easy. On major public issues, it ultimately becomes a political process—witness the current debate over the risks and advantages of nuclear power. A similar course is likely for the problems posed by climate change and its impact on our future, a subject that in the long run may be of far more moment to the world than nuclear power, and the process can only be enhanced by broadening the discussion beyond the specialists and the politicians—ALLEN L. HAMMOND.

*Stephen H. Schneider with Lynne E. Mesirow, *The Genesis Strategy* (Plenum, New York, in press).

GLOBAL FAMINE, DROUGHT, UNREST PREDICTED

WASHINGTON.—Major climatic changes will bring global unrest of a proportion almost beyond comprehension, heightening the risk of international conflict, according to a Central Intelligence Agency report released Monday.

The report said world climate changes would sharply reduce crop production and spread drought, famine and political unrest throughout the world.

The adverse weather is likely to last for at least 40 years and possibly for centuries, the report said.

The report was based on a working paper prepared by the CIA's Office of Research and Development from a study by Dr. Reid A. Bryson of the University of Wisconsin, an expert on climatology.

(Similar warnings about climatic changes were reported July 20, 1974, by the Globe-Democrat.

(At the time, Bryson said the shifting weather patterns were not merely a subject of academic interest.

("It is something that, if it continues, will affect the whole human occupation of the earth—like many millions of people starving. The effects are already showing up in rather drastic ways," he said.

(Other scientists, including Dr. Edward M. Brooks, a former St. Louis University geophysicist, said in The Globe-Democrat article that the weather changes have been marked by a decline in temperatures, a trend that is expected to continue until at least 1995.)

The report was prepared in August, 1974. The CIA said its views and conclusions did not necessarily represent the agency's official position.

The report said the climate change began in 1960, but no one recognized it.

It said the crop failures in the Soviet Union and India during the first part of the 1960s were attributed to the natural fluctuation of the weather.

The report said the adverse climate, according to the University of Wisconsin study, would mean that India will suffer a major drought every four years, resulting in the starvation of 150 million people.

China will suffer a major famine every five years, and the Soviet Union will lose its wheat fields in Kazakhstan, the report said.

The Soviet Union will thus show a yearly loss of 48 million metric tons of grain, and China would require a supply of 50 million metric tons of grain to feed its population.

Canada, a major exporter, would lose more than 50 per cent in production capability and 75 per cent of its exporting capabilities.

Northern Europe would lose 25 to 30 per cent of its present production capability while the Common Market countries "would zero their exports," the report added.

WHY I OPPOSE FEDERAL RESERVE'S LONG-TERM 1- TO 2-PERCENT MONEY TARGET

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. REUSS) is recognized for 10 minutes.

Mr. REUSS. Mr. Speaker, the interview in U.S. News & World Report for May 17, 1976, with Chairman Arthur F. Burns, of the Federal Reserve Board, illustrates why I differ from the distinguished gentlemen of the Federal Reserve in their monetary policy. At page 34 appears the following question and answer:

Q. When you announced slightly lower money targets for the Federal Reserve, you added that "further downward adjustments will be needed." Does that mean we can look for slower monetary growth and higher interest rates later this year?

A. What I had in mind is that if we're ever to regain general price stability in our country, the rate of growth in currency and demand deposits, instead of being in the 4½ to 7 per cent zone, will eventually have to come down to something like 1 or 2 per cent a year. That is something we should strive for, not this year but gradually over the next few years.

The 1- to 2-percent annual figure projected by Chairman Burns is, in my judgment, a guarantee of long-term stagnation for the American economy, if not a depression. Our monetary target should be consistent with the long-term trend in the Nation's real economic growth. For years, this has been 3.5 to 4 percent.

For the country's future, with all the problems that cry for solution, we surely need a growth target of around this same 3.5 to 4 percent—not a target of one-third or one-half that amount.

But it will be argued by the Federal Reserve's apologists, in-house and out-house, that the velocity, or turnover, of money has been increasing, and that, therefore, the country does not need a

3.5- to 4-percent money growth rate in order to lubricate the wheels of progress. But money velocity, history clearly shows, increases in response to increases in interest rates. Surely velocity is not going to increase indefinitely—unless the Fed has it in mind to increase interest rates indefinitely.

Technological progress toward the checkless, cashless, society may one day indeed bring a new permanently higher level of velocity, permitting a lower rate of money growth than in the past. But this is a long time away—not "over the next few years" as Chairman Burns proposes.

I, too, look forward to a reduction in money growth. The elimination of inflation which is so imperative, will make this possible. But to talk about "1 or 2 percent a year * * * not this year but gradually over the next few years" is an unfortunate remainder that the Fed's tight money policies, and the miseries they cause, are still around the corner.

HOWARD BLUM RECEIVES THE MIKE BERGER AWARD

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. KOCH) is recognized for 5 minutes.

Mr. KOCH. Mr. Speaker, I would like to announce to the House today that a gifted young man, Howard Blum, who happens to be a very good friend of mine, has been awarded the Mike Berger Award. That award, to be delivered at Columbia University is described by the university as being granted "to commemorate Mr. Berger's devotion to New York City and his profession, by honoring New York journalists who have distinguished themselves in this tradition. To New York reporters for work during the previous year. Winners share $1,000 and each receives a framed certificate. Awarded annually. Established in 1959 by a gift endowment from Louis Schweitzer."

This year it was granted to two New York City journalists. They are Howard Blum, former staff writer for the Village Voice, and Israel Shenker, a reporter for the New York Times.

As reported in the New York Times of April 30:

> Mr. Blum, who left the Voice last year, was cited for his penetrating articles on New York life, as evidenced by "An Explosive Day With the Bomb Squad," "Murder on Riverside Drive," and stories of underworld intrigue and conflict in Harlem, which appeared in the Voice.

Mr. Shenker, again as reported in the New York Times of April 30, was cited as "a true inheritor of the Berger tradition, whose perceptive, witty explorations of New York City are written in the style which must be considered one of the best in American journalism today."

I want, of course, to congratulate Israel Shenker on his receipt of the award—well deserved, indeed. But, I especially want to take note of Howard Blum, again because I take special delight when friends of mine, who are gifted as Howard is, receive appropriate public recognition.

BASIC DATA FOR NUCLEAR WEAPONS ACTIVITIES IN ERDA AUTHORIZATION (H.R. 13350)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York (Ms. ABZUG) is recognized for 15 minutes.

Ms. ABZUG. Mr. Speaker, I would like to bring to the attention of my colleagues some of the basic data on which I will be basing my amendment to the ERDA authorization bill to strike out authorization for the nuclear weapons activities.

The total "weapons activities" authorized by H.R. 13350 is $1,240,106,000. This total sum can be divided into two main categories.

The first is "operating expenses." The bill authorizes $1,077,106,000 for operating expenses for weapons activity. This category comprises most of the activities publicly identified with weapons issues—research and development, testing and production. These activities are authorized to be funded by H.R. 13350 at the following levels:

Research and Development: $385,420,000.

Testing: $245,500,000.

Special Test Detection: $17,001,000.

Production and Surveillance: $429,185,000.

The total "operating expenses" figure of $1,077,106,000 I shall be moving to strike is slightly higher than the $1,020,405,000 figure listed on page 4 of the Joint Atomic Energy Committee's report under "Committee recommendation" because I have added to their figure the $56,701,000 from the "changes in selected resources" which will eventually be added to "operating expenses" by ERDA. That accounts for the slightly higher figure I am using.

The second main category of "weapons activities" authorization is plant and capital equipment or various weapons activities projects, $163 million would be authorized by the bill.

I realize that there is no clear unanimity in this House over many of the basic issues of nuclear weapons policy. But despite these differences, I believe we can unite to give separate consideration to these issues which involve such serious financial, political, and moral consequences.

ECONOMIC GUIDEPOSTS NEEDED

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. LEGGETT) is recognized for 10 minutes.

Mr. LEGGETT. Mr. Speaker, an ironic twist seems to be developing in the sphere of economic policy. Since the depths of the recession, we have heard from the administration dire warnings about the threat of renewed inflation, particularly if the views of the Congress on the need for a stimulative fiscal policy were to prevail. At the same time, the administration was willing to tolerate high levels of unemployment, and expressed little concern about it, presumably in the interest of dampening the inflationary fires.

Lately, however, it would appear that the Ford administration has almost as much tolerance for inflationary developments as for high unemployment. At least that seems to be the official line about one key facet of the picture, the trend of wages in the economy. According to the New York Times, for example, Alan Greenspan, Chairman of the Council of Economic Advisers, expressed no concern about, and explicitly failed to criticize, the hefty wage settlement—roughly 10 percent a year—recently negotiated by the Teamsters. And President Ford has actually voiced approval of this agreement.

The opinion expressed in a recent New York Times editorial, which I share, is that his reaction should have been the opposite. In fact, this settlement is quite indicative of a central problem of the American economy about which I have expressed deep concern for many months—the ability of powerful labor unions to drive up wages—as big business does prices—in amounts far in excess of productivity gains, even in a period of substantial unemployment and unused productive capacity. And the Teamster wage increase is probably triple the rate of growth in productivity which can be expected.

Wage settlements of this sort will, if they become the pattern for other major industries, set the Nation back on an inflationary trend. We cannot afford to build a floor of 6 percent or more—the difference between the wage and productivity increases—under the trend in wages and prices. We must face the fact that if we permit wages to go up at faster rates than labor's productivity increases, then prices must go up also.

The dilemma we face is one I have been warning about for some time. Even with the best fiscal and monetary policy possible, we can continue to experience that curse of the modern economy—stagflation—the combination of both high unemployment and substantial inflation. Even if we hold down aggregate demand and properly control the money supply, excessive increases in labor costs can still "push" up the price level.

What can we do about it? We cannot and should not expect labor to bear the brunt of the effort to combat inflation. Any solution that I can support must be equitable.

As I have said before, I think what we need to cut through this dilemma is effective Federal guideposts on wages, prices, rents, and interest. We need not establish economic czars who preside over total systems of wage and price controls. It is not necessary to control every price and wage, but to be effective guide posts must be reasonably comprehensive. They also must be fair to both labor and management. This means controlling wages equally with prices, which was not done in Phase II of the Nixon controls. It also means that profits should be reasonably controlled, or subjected to an excess-profits tax.

Guide posts will clearly present problems, in both formulation and administration. But they will also have rewards. This approach will enable us to concentrate on economic expansion and recovery and to break the curse of stagflation which has gripped the country for 7 years.

I urge my colleagues to reflect on where we are likely to be going without controls. The economic news has improved the last few months—better than the administration had expected. But this is no time for euphoria. The latest Labor Department data on wholesale prices should make clear that our problems are not over.

The data show an increase of 0.8 percent for the month of April, which is a reversal of the pattern of the first quarter when wholesale prices actually declined. The increase is in large part attributable to a sharp jump in food prices, just as the earlier declines had been related to drops in food prices.

These fluctuations in food prices are not unexpected, and we need not regard them as indicators of trends in other components of wholesale prices. The prices of industrial products rose at a moderate level of 0.3 percent in April, which is comparable to the pattern of recent months.

Thus, to keep the matter in perspective, wholesale prices should not be viewed as currently a cause for alarm. We should, however, be concerned about the possibility that wholesale price increases for industrial goods will accelerate as the economy progresses further toward recovery. And if that happens, we can be sure that a surge in retail prices is just around the corner.

My conclusion, also expressed in the Times editorial, is that the time to worry about a resurgence of inflation is now, when we are better able to do something about it, rather than later, when the problem is already upon us. The answer is not the old remedy espoused by the administration—cuts in spending and clamps on the money supply. For the economy is still recovering at a moderate pace, and there is still slack in the system.

But let us not allow election year inhibitions to prevent us from confronting both labor and management with the need to follow noninflationary guidelines. And beyond that, let us not permit the case for wage-price controls to continue being the "unmentionable topic" in economic policy.

At this point, I would like to include in the RECORD articles from the New York Times and Washington Star so that my colleagues may have the benefit of their analyses of the situation:

[From the New York Times, Apr. 18, 1976]

SOFT ON INFLATION

The Administration has grown remarkably complacent about the health and durability of the recovery. Long willing to tolerate high levels of unemployment—presumably out of fear that stimulative policies would spur inflation—the White House now appears just as tolerant of inflationary wage and price actions.

Instead of applauding the Teamsters Union wage settlement of roughly 10 percent a year, President Ford should have warned that such an outsized pay boost—if followed as a pattern in other industries—would lock the economy into an inflationary trend. Such increases would run to triple the probable rate of productivity gain, the only dependable source of noninflationary growth, and thus build a floor of 6 percent or higher under the price trend.

The danger in accepting that sort of inflationary floor is that any upset in current calculation, for instance, from a poor harvest or revived pressures from the oil cartel as the world economy revives—is bound to lift the price trend still higher. Then, given the way organized groups struggle to gain "indexation" for themselves in a perpetually inflationary economy, one high price plateau leads to a still higher plateau.

This inflicts severe injustice on those individuals and groups too powerless to protect themselves. And the upsurges of inflation shake the stability of the economy, as consumers cut back, businesses rein in their capital spending and the monetary authorities, trying to halt the inflation, check the growth of the money supply and drive up interest rates. Inflation is the enemy of prosperity. It is the poor and those most tenuously attached to the labor force who pay the heaviest price in unemployment when boom gives way to bust—as it did in 1973–74.

The time for the Administration, with the support of the Congress, to be moving against inflation is right now, when the economy is recovering at a moderate pace and there still is much slack in the system. Election year complacency—born of an unwillingness by either Republicans or Democrats to confront labor and management on the need for following noninflationary guidelines—is likely to cost the nation dearly when the election is over.

[From the New York Times, May 5, 1976]

PAY CURB COULD EASE INFLATION

WASHINGTON, May 4.—The Ford Administration, officially at least, professes unconcern about the trend of wages in the economy. For example, Alan Greenspan, chairman of the Council of Economic Advisers, explicitly declined to criticize the fairly hefty settlement recently negotiated by the Teamsters, and the same position has been taken by the Secretary of Labor, W. J. Usery Jr.

And yet it is a kind of truism of the modern economy that as long as average wages rise faster than the increase in average productivity, or output per man-hour, prices will go up.

Wage increases are not by any means always the chief driving force for inflation. Other forces, largely international, dominated in the devastating double-digit inflation of 1973–74, for example.

But there are occasions when a too-rapid rise in wages can force up the price level even if the more traditional inflation factors, such as excess growth of the money supply, are not present. That is, Government policy on the budget and money supply, affecting total demand, can be duly cautious, and yet prices can still be "pushed" up. The present and forthcoming period in the United States appears to be one of those occasions.

Arthur F. Burns, chairman of the Federal Reserve Board, sees it in good part that way. Unlike the Administration, he does not hesitate to cite the wage problem. In describing the continuing inflation danger to the Senate Banking Committee yesterday, Dr. Burns emphasized that "wages are still increasing much faster than the long-term growth of productivity."

A similar awareness of the problem emerges from public and private statements of such liberal economists as Arthur M. Okun and Charles P. Schultze of the Brookings Institution—so much so that relations between Brookings and the American Federation of Labor-Congress of Industrial Organizations have cooled to the freezing point.

What can be done about the wage-productivity problem? First, a look at the situation is in order.

Wages in the United States are not "exploding." Of the many indicators of wages and earnings, perhaps the best is the Adjusted Hourly Earnings Index, published monthly by the Bureau of Labor Statistics, which eliminates from a raw hourly or weekly earnings figures such factors as changes in overtime.

It covers production and other nonsupervisory workers in the entire nonfarm labor force. In March, this index was 7.2 percent above a year earlier and it has been rising only gently in recent months. Its rise is considerably less than the roughly 10 percent average increases negotiated in union settlements so far this year.

But this seemingly comforting picture leaves two problems. The first is that, even at 7 to 8 percent, the average wage increase is well above long-term productivity growth of 2.5 to 3 percent a year, though productivity is likely to show above-average improvement in this recovery period.

The second is that large union settlements and a gradually tightening labor market may move the economywide wage increase above the fairly moderate figure of the last year.

The current wage increases can perpetuate inflation in the 5 to 6 percent range if they continue. As Mr. Okun points out, this would be the first time the nation started a period of expansion following recession with "underlying" inflation of that magnitude.

There is a striking additional fact not always realized. If by some miracle the nation's entire working force accepted for only one year wage increases of 3 to 4 percent, the inflation rate the next year—assuming reasonable Government monetary and fiscal policy—would be sharply reduced and the "need" for bigger wage increases from then on would be correspondingly less.

It is often forgotten that in the 1960–65 period—wage increases averaged about 4 percent a year because price increases averaged about 1.5 percent a year. Moderation in each reinforced the moderation in the other.

A CARROT FOR BRITONS

The most promising idea in years has come from, of all places, Britain. After one year of "voluntary" wage restraint in the 10 percent area, the Chancellor the Exchequer, Denis Healy, has offered for the second year a straightforward carrot or even "bribe."

The proposal is that, if the unions will accept a further reduction in wage increases to about 3 percent, income taxes affecting mainly working people will be reduced by more than $2 billion.

On the assumption of reduced inflation, the net effect of the package on real after-tax earnings would be positive. And the preliminary signs are that the British unions will accept something close to Mr. Healey's proposal.

For the United States Mr. Okun is privately suggesting a similar idea. The inducement would involve payroll taxes— that is, Social Security taxes.

The President would set a "voluntary" wage increase guideline of, say, 5 percent. In any establishment where the employer and his workers agreed to stay within the guideline, the employer's Social Security tax would be cut by one percentage point and the worker's tax by three percentage points. The worker would have the equivalent of an 8 percent wage increase—5 plus 3—but total wage costs in the economy would increase very little.

If the Federal deficit increased by that amount this might be an inflationary force of its own.

Depending on how widely the proposal was accepted, its cost in Federal revenues could be considerable—possibly more than $20 billion.

Dr. Burns and others continue to place some faith in "incomes policies" as a noncompulsory means of holding back wage increases.

George Meany of the A.F.L.-C.I.O. remains suspicious of any proposal that would limit

labor's opportunity to bargain for wage increases.

Little will be done this year. The big electrical, auto and other wage negotiations will run their course. But for the future, it is not unthinkable that the nation will find a way to return to noninflationary wage increases.

[From the Washington Star, May 6, 1976]

A SOUR SPRING NOTE: WHOLESALE PRICES SURGE

(By Lee M. Cohn)

Wholesale prices surged 0.8 percent last month, abruptly ending a 5-month period of nearly-stable prices, the Labor Department reported today.

The report was the first significant break in the steady stream of good news on the economy, which has been President Ford's main talking point in his election campaign.

A 4.2 percent rise in farm prices, which had been expected after sharp declines, was the biggest force raising the total price level.

Analysts anticipate further substantial price increases in the months ahead across a wide range of products at retail as well as wholesale.

It had been recognized that the remarkably low inflation rate since last fall was too good to last. Wholesale and retail prices had been held down by price declines for food and fuel, which were bound to be temporary.

Wholesale prices had declined at an annual rate of 1.8 percent in the first quarter of this year and retail prices had risen at an annual rate of only 2.9 percent. These figures obviously exaggerated progress against inflation, and an acceleration was expected.

The question now is whether the inflation rate will settle into a pattern of about 5 or 6 percent a year, as the Ford administration expects, which would be a big improvement from the last few years. Some economists fear a sharper resurgence of inflation as the economic recovery gains momentum.

At the White House, Press Secretary Ronald Nessen sought to minimize the significance of the price increase. He said that the increase in a single month such as April was "not a particular cause of concern at the White House."

According to Nessen, early data for May indicate that there will not be as large an increase this month, if there is one at all.

The 0.8 percent rise in the total wholesale price index was adjusted to remove purely seasonal influences. It works out to an annual rate of 10 percent, compounded—meaning that if prices continue increasing 0.8 percent a month over the next 12 months they will be 10 percent higher a year from now.

Thus, inflation in April returned to "double-digit" rates, at least temporarily.

Last month's price rise was the biggest since last October. In the five months between October and April, prices declined twice and never rose more than 0.3 percent.

In absolute terms, without seasonal adjustment, wholesale prices last month increased 0.9 percent, to a level 5.3 percent above April 1975.

Within the total index, prices of farm products spurted 4.2 percent, seasonally adjusted, after declining in four of the previous five months. It was the biggest rise since last May, and lifted average farm prices 8.6 percent above April 1975.

Wholesale prices of processed foods and feeds increased 1.9 percent in April following a rise of 0.2 percent in March and big declines in the preceding four months.

In the agriculture sector, there were especially-sharp price increases for livestock, beef and veal, eggs and coffee. Prices declined for grain, live poultry and milk.

Wholesale prices of consumer foods—basically the prices paid by supermarkets—shot up 3.9 percent in April after five consecutive monthly declines.

Although the decline in food prices apparently has ended for the foreseeable future, the Agriculture Department recently predicted that increases during the rest of this year would be moderate.

Prices of consumer goods other than food declined 0.1 perecnt last month.

Retail prices usually follow wholesale trends, although time lags vary and relationships are not precise.

Since food prices are erratic, economists consider prices of industrial goods a better measure of underlying trends. These prices rose by a moderate 0.3 percent in April, about in line with the recent pattern. There were notable increases in prices of metals, paper and chemicals, while lumber and wood prices dropped.

There is concern that industrial price increases may accelerate as the economy advances. Rising demand often creates shortages and makes it easier for producers to raise prices.

The figures released today showed a rise of 0.8 percent for metals and metal products, including a 0.1 percent increase for steel mill products. Substantial steel price increases announced recently are expected to show up in future reports.

An 0.4 percent decline was reported for fuel and power prices, continuing a recent down trend. But these prices are expected to resume their rise soon.

An especially worrisome section of the report showed a 2.6 percent increase in prices of non-agricultural raw materials, following a 2.8 percent rise in March.

REAPPRAISING THE ILLEGAL ALIENS PROBLEM

Mr. KOCH. Mr. Speaker, I rise today to speak of something which has troubled this Nation for too many years: The problem of illegal aliens. It is a growing problem of staggering proportions. Studies done for the Immigration and Naturalization Service—INS—indicate that for every 1 million adult illegal aliens in the United States, there is a "presumable net tax burden of roughly $2 billion." Estimating 8 million illegal aliens in this Nation with approximately 80 percent of those being adults, INS projects an annual tax burden of $13 billion or higher. The analysis also projects an increase in the number of illegal aliens by 250,000 per year, adding at least $500 million yearly to the already enormous tax burden. I have devoted considerable thought and attention to this problem, and I urge this Congress to reappraise its current approach so as to effectively curtail the rapidly increasing influx of illegal aliens into this Nation.

The point has been made that our present immigration policy is in need of revision and in fact forces many foreigners to use illegal immigration procedures to enter our country. There is currently a 2-year wait for visas, which makes work certification almost impossible to obtain. Our policy is discriminatory against those in our own hemisphere where we have placed a ceiling on total immigration, rather than the more equitable preference system with numerical limitations by country—as exists for immigration from the Eastern Hemisphere. Such an approach might help to reduce future illegal entry into the United States, and I would support the exploration of that avenue, but we must go further and independently address the problem we now face of massive illegal immigration.

One of the most popular suggested solutions is to withdraw the possibility of employment for illegal aliens—by removing the work incentive, the attraction for illegal immigration is also removed. This was the premise of H.R. 982—now H.R. 8713—legislation introduced by my colleague, the distinguished chairman of the Judiciary Committee, Representative RODINO. The bill passed the House in both the 92d and 93d Congresses, but failed to be reported out of committee in the Senate. It calls upon an employer to make a bona fide inquiry into a job applicant's immigration status. The bill provides a warning for a first offense, a civil fine for the second offense, and larger fine and/or imprisonment for a third offense.

While I am sympathetic to the bill's intent, I do not believe that it would be effective. We must realize the fact that illegal aliens work for subminimum wages in substandard conditions, a reality which makes the profit motive a real factor for some employers. The penalties in H.R. 982 do not seem to me to present a strong dissuading factor. Furthermore, a bona fide inquiry may merely consist of putting the question verbally or asking the prospective employee to sign a declaration of his legal status. Beside the obvious difficulty of proving how real an effort the employer made—especially if we must rely on frightened aliens for corroboration—it seems more than likely that an alien who has risked his life and violated immigration laws to get into the United States will not truthfully sign the statement of legality.

It is also important to consider the threat such a system poses to the civil liberties of minority group members and especially to foreign looking or sounding Americans who may be called upon to continually reprove their citizenship. It also opens the door for a type of legal discrimination: Prejudiced employers may claim that an applicant appeared to have fradulent documentation, or failed to convince the employer of his citizenship. In this manner, employers may avoid hiring minorities.

And lastly, this method places the enforcement responsibility primarily in the hands of employers with a great deal of discretionary power. Hence, it leaves INS to check up on both aliens and employers.

Mr. Speaker, I see the solution more in line with the approach suggested by Mr. SISK of California. He has offered a bill, H.R. 3737, which would expand the use of the social security card so that it could be the sole identifier of eligibility to work. The social security system is the one jurisdiction which applies to every potential worker in the United States, and thus seems to be the likely area for cutting down the number of illegal workers. To accomplish this, the card would have to be expanded to include sufficient identifying material, such as a picture, fingerprint, or some identifying characteristic, and if made tamper-proof, such a card could then only be used by eligible workers. Such an approach has many advantages over previously considered alternatives. The responsibility is placed where it belongs, in the hands of an agency of the Federal Government, and eliminates the danger

of employer discretion. This is also important in that the discriminatory prospect of reproving one's citizenship would be eliminated.

All job applicants would be required, as a matter of routine, to present their social security cards, probably along with some other sort of identification. There is no reliance on the good faith of the employer to make a real inquiry—that employer must see the social security card before it hires anyone, and hence the possibility of willful circumvention of the law is lessened.

The present social security system has, in the words of Social Security Administration—SSA—Deputy Commissioner Arthur Hess, "lapsed in a number of areas into practices that tend to encourage this to become a universal identifier." Cards are given out to certain tourists, to students who wish to register at a university in this country, to foreigners who want to open bank accounts, to those needing an account number for IRS tax registration, and the list goes on. The original purpose of the social security card was to keep track of earning records, and possibly we should return to that simple purpose. But at the very least, social security cards given out for nonwork purposes should be clearly stamped to indicate that status. Thus, the cards could still be used by banks and colleges, but only for nonemployment purposes. Presently the SSA's records are annotated to show work eligibility, and indeed if earnings are reported, an inquiry is made—SSA notifies the Immigration and Naturalization Service. But the agencies admit that the procedure takes an average of 9 months, and in the interim, the cardholder is notified of the inquiry in process; not surprisingly, in the majority of cases the cardholder is not found at his given address. Surely by either limiting the social security card to its original purpose or by including worker eligibility on the face of the card, we could improve the efficiency of the process.

One of the most frequently voiced reservations about this approach is the fear that it would become an identity card, a threat to privacy—I believe it would not. The social security card contains the minimum of information needed to verify that the bearer is the rightful cardholder, a practice followed in the issuance of draft cards and most driver's licenses. Most likely, employers will need considerably more information for other records and forms. Furthermore, the files of the SSA are not available to data-gathering organizations as they are protected through statutory and regulatory provisions, such as the Privacy Act—Public Law 93-579—which safeguards confidentiality. The Privacy Act places strict limits on the use of the social security card beyond its expressly stated purpose, as set down in section 7(a)(1). I was the House sponsor of the Privacy Act with my colleague BARRY GOLDWATER, Jr., and presently serve on the Privacy Commission as does he—it has always been of the utmost concern to me that privacy and the rights of our citizens not be jeopardized. I am not convinced that the expressed reservations as to threats to citizens' rights are valid, and in any event there is a balance which must be achieved. If we choose not to deal with the problem in this way, then we run the risk of discriminating against minority groups.

Certainly legitimate questions remain. We must resolve the question of legitimizing the status of illegal aliens already in this country who have built lives, have families, and have become integral members of communities. Furthermore, we must decide whether our goal of halting the tide of illegal immigration can be reached by improving new cards, or whether mass reissuance is necessary. And there will also be obstacles as to the physical makeup of the card. However, on this last point, I feel there is strong hope of achievement. INS is presently experimenting with a counterfeit-proof card, and Arthus Hess of the SSA admitted in hearings last year that such a card could be made:

It is technically feasible, although it would be quite expensive, to produce a tamper proof social security card of more durable and more definitive characteristics.

The cost will no doubt be large, but we are seeking a solution to a $13 billion annual tax burden. I have written to SSA Commissioner James Cardwell for a cost estimate of this proposal, but whatever his findings, we will be left to decide whether it is worth a complete reissuance. The best way to answer these questions would be at hearings on the Sisk bill.

The problem only grows as we delay. A prompt, thorough investigation of alternatives is crucial if we are to move closer to a resolution of this very complex problem. Upon the foundation of an improved immigration system, I think that the approach of an expanded social security card could prove uniquely effective. Relieving the 2-year wait for visas will also curtail the growing immigration problem of the future, and H.R. 3737 will deal more immediately with the problem of employment of illegal aliens. I urge the House Committee on Ways and Means to hold immediate and extensive hearings on Congressman SISK's bill, so that we might move closer to solving effectively the illegal alien problem.

I am appending the correspondence which I have had on this subject:

HOUSE OF REPRESENTATIVES,
Washington, D.C., November 21, 1975.

JAMES C. CARDWELL,
Commissioner, Social Security Administration, Baltimore, Md.

DEAR COMMISSIONER: There will shortly be before the House of Representatives legislation to provide sanctions against employers hiring aliens who are either illegally here or if here legally, are not allowed to work. Objections to the bill have been raised that it will impact most heavily on the Hispanic segment of our population in that employers seeking to observe the law will make greater inquiries of those whose accents might indicate foreign birth.

The problem of discriminatory practices does bother me while I am at the same time concerned with the large number of aliens who are working illegally, particularly at a time of gross unemployment in the United States.

It has been suggested to me that much of the problem could be disposed of if those applying for social security cards had to, by affidavit or otherwise, establish their status as either citizens or aliens allowed to work. And then an employer could basically rely upon the presentation of a social security card as evidence of legality insofar as employment is concerned.

I would appreciate knowing from you whether under your existing regulations or law you are entitled to require the kind of proof I have suggested; and if you are, whether you are willing to exercise such power; and if not, why not.

Because the pending legislation will come up soon in the House, I would appreciate your expediting your response to the questions raised in this letter.

All the best.

Sincerely,

EDWARD I. KOCH.

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE,
Baltimore, Md., December 11, 1975.

Hon. EDWARD I. KOCH,
House of Representatives,
Washington, D.C.

DEAR MR. KOCH: This is in reference to your inquiry of November 21 concerning the issuance of social security numbers to aliens and the proposed legislation to provide sanctions against employers hiring aliens who are either illegally here or, if here legally, are not allowed to work. I regret my delay in replying.

As a result of the 1972 social security amendments, the law provides that the Secretary "shall require of applicants for social security account numbers such evidence as may be necessary to establish the age, citizenship, or alien status, and true identity of such applicants . . ." The law further requires the Secretary to issue social security numbers to "aliens at the time of their lawful admission to the United States, either for permanent residence or under other authority of law permitting them to engage in employment in the United States and to other aliens at such time as their status is so changed as to make it lawful for them to engage in such employment." These provisions enable the Social Security Administration to identify and control the issuance of social security numbers (SSN's) to other aliens who need the numbers for purposes other than work and to report to the Immigration and Naturalization Service (INS) instances when such individuals work and have their earnings reported to the Social Security Administration.

The Social Security Administration generally issues social security numbers to all applicants for such numbers. Applicants are required to furnish sufficient identifying information to assure that only one SSN will be issued to each individual. Also, as indicated above, evidence to establish identity is required of all foreign-born SSN applicants or of native-born applicants aged 18 or older. Applications which are taken in the field offices for SSN's are screened against SSA national files to further assure that an individual receives only one SSN. All new SSN's are assigned centrally by computers after the applications have been screened against national records.

Since July 1, 1973, the Department of State has been requiring alien immigrants to complete applications for SSN's during the visa process, thus receiving the necessary information for both the SSN and visa at the same time. This process is limited, however, to those individuals coming to the United States for permanent residence, thereby excluding such categories as students, exchange visitors, political refugees, and others who do not come here for permanent residence.

SSA's current procedures provide for referrals to the Immigration and Naturalization Service (INS) (1) when an alien wants an SSN for employment purposes though he is not permitted to work, (2) when the evidence he provides to establish identity is obviously altered or false, and (3) when an

alien who is not permitted to work secures a number for a reason other than employment and earnings are subsequently reported to his social security earnings record. This procedure was implemented to assure the issuance of SSN's to aliens for valid reasons beyond work, i.e., bank accounts, student registration, etc., while at the same time guarding against the illegal employment of aliens.

Since 1952, under section 290(c) of the Immigration and Nationality Act, SSA has, upon request, provided information to the Attorney General about aliens who have been issued SSN's. Since implementation of the Social Security Amendments of 1972, SSA has worked even more closely with INS to establish the best possible procedures to effectuate the law. When an alien who did not receive an SSN during the visa process applies for an SSN through a social security field office, he is required to present his Alien Registration Receipt card, his Arrival-Departure Record, or other INS documentation before an SSN can be issued. When an individual, who is foreign-born alleges United States citizenship or legal-alien status in applying for an SSN, cannot present corroborating evidence and no such evidence is readily available, SSA verifies the allegation with INS. If a negative reply is received from INS, no SSN is issued until the questions of his citizenship and residency status are resolved.

I trust the above information will be helpful in the consideration of the proposed legislation.

Sincerely yours,

JAMES B. CARDWELL,
Commissioner of Social Security.

HOUSE OF REPRESENTATIVES,
Washington, D.C., December 19, 1975.

LEONARD F. CHAPMAN, Jr.,
Commissioner, Immigration and Naturalization Service, Washington, D.C.

DEAR COMMISSIONER CHAPMAN: As you undoubtedly know there is pending before Congress legislation which would deal with the serious problem of aliens engaging in employment in violation of their status as nonresident aliens not entitled to work in the United States. The approach of the legislation is to impose restrictions on the employer and make that employer subject to criminal penalties unless he takes measures in identifying those he hires. A major decision to that approach is that it will cause discrimination against certain sectors of our population, particularly Hispanics—most of whom are citizens and who will be singled out for special questioning by their prospective employer in a discriminatory manner.

Because of my concern that this should not occur, I have looked into the question of why the Social Security number should not be adequate identification and be produced by all seeking employment. Of course that would mean that the Social Security number would not be issued to non-resident aliens ineligible to work and so I wrote to the Social Security Administration raising certain questions. Enclosed is a copy of that letter and the reply of Commissioner Cardwell. It appears that since 1972 the Social Security number has been adequately protected and that those applying who are not eligible to receive one are identified by the Social Security Administration to the Immigration and Naturalization Service. If that is correct, then why is it we have a massive problem of aliens working illegally in the United States.

I would appreciate your comments on this issue of the use of the Social Security number as the sole identifier for employment purposes to protect the United States against aliens working illegally; and why it is that the INS is not able to use the information provided by the Social Security Administration to locate such aliens engaging in unlawful employment.

Since this matter may come before the Congress shortly after our return on January 19, I would appreciate your expediting your response.

Sincerely,

EDWARD I. KOCH.

U.S. DEPARTMENT OF JUSTICE,
Washington, D.C., January 26, 1976.

Hon. EDWARD I. KOCH,
House of Representatives, Washington, D.C.

DEAR MR. KOCH: This is in response to your recent letter in which you requested our comments as to the utilization of the social security card as the sole identifier for employment purposes. You also raised the question as to why our Service is not able to use the information provided by the Social Security Administration to locate aliens engaged in unlawful employment.

On March 19, 1974, after many conferences with Service representatives, the Social Security Administration issued its final regulations implementing Section 137 of Public Law 92-603, which was enacted on October 30, 1972. These regulations prohibit the issuance of social security account numbers to applicants unless there is a clear showing that they are United States citizens or aliens who are entitled to work in the United States. The Social Security Administration forwards Form SS-5, Application for a Social Security Number, to our Service when they relate to an alien or foreign-born applicant alleging United States citizenship and has presented no evidence in proof of such claim.

This Service conducted a series of tests designed to evaluate the effectiveness of the SS-5 program. At the completion of this test period, it was determined that this operation was not productive. We then directed our efforts into other areas where results proved more rewarding. For this reason, the SS-5 program was not accorded a priority in the Service's Operational Priorities, which became effective on September 30, 1974. At the present time the applications in question are not being forwarded to our field offices. A search continues to be made of our Central Office indices and the results are returned to the Social Security Administration. As of December 31, 1975, a total of 44,290 applications were referred by that agency to our Service. After record checks were completed, 3,428 applications were returned marked "Employment Authorized" and 32,263 were returned marked "Employment Not Authorized". The balance are awaiting record searches by this Service. When manpower becomes available, the applications received indicating employment is not authorized will be referred to our field offices for investigation.

On numerous occasions, this Service requests the aid of the Social Security Administration in providing information to establish the location of a deportable alien. At the present time there is an approximate 8-month lag between the time the information is requested and the receipt of the response.

As you know, a social security card is a very simple document, containing only the account number, name of the individual, his or her signature and the date of issuance of the card. Due to the lack of identifying data on the card, it is very difficult to ascertain whether or not the document is, in effect, the property of the rightful holder. In its present form, an illegal alien could readily assume the identity of the person to whom the account number is issued and present such in support of his claim to lawful status.

In order to utilize this document as a form of proper identification, it should contain personal descriptive data concerning the individual and should include a photograph. This card should also be developed to provide safeguards against the counterfeiting and altering of such identification. I would assume that in the interest of uniformity, it would be necessary to reissue all previously assigned documents. This would include account numbers previously issued to illegal aliens prior to the more stringent controls now in force.

I am sure you are aware of H.R. 3737, dated February 25, 1975, introduced by Representative Fisk in the 94th Congress. This bill requires:

"that specific alien and citizenship status information be provided prior to the issuance of a social security card, to require that social security cards which cannot be duplicated be issued, to require that these cards be presented to employers by prospective employees before obtaining employment, to provide penalties against employers for violating the provisions of this Act, and for other purposes."

We trust that the information provided has been responsive to your request.

Sincerely,

——— ———,
Commissioner.

APRIL 13, 1976.

Mr. JAMES C. CARDWELL,
Commissioner, Social Security Administration, Baltimore, Md.

DEAR COMMISSIONER: I am very interested in the various proposed solutions to the problem of illegal aliens in this nation. A bill introduced by Congressman Sisk of California (HR 3737) takes the approach of issuing "counterfeit-proof" social security cards, which would contain information on work eligibility. Employers would be required by law to check the social security card of every job applicant.

Arthur Hess, Deputy Commissioner of the Social Security Administration, said in hearings last March: "It is technically feasible, although it would be quite expensive to produce a tamper proof social security card of more durable and definitive charatceristics." (Subcommittee on Immigration, House Judiciary Committee, First Session on HR 982, February and March of 1975, p. 220). What would be the estimated cost of a social security card which cannot be duplicated? And secondly, what would the projected cost be if reissuance of Social security cards were necessary for all Americans?

I appreciate your prompt attention to these questions, and I would of course welcome any additional comments you might have on the substantive issues involved.

All the best,

Sincerely,

EDWARD I. KOCH.

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE,
Baltimore, Md., April 28, 1976.

Hon. EDWARD I. KOCH,
House of Representatives,
Washington, D.C.

DEAR MR. KOCH: This refers to your inquiry concerning the issuance of a tamper-proof social security card.

The appropriate members of my staff are giving the matter attention, and we will be in touch with you as soon as possible.

Sincerely yours,

JAMES B. CARDWELL,
Commissioner of Social Security.

RESPONDING TO JUVENILE VIOLENCE

(Mr. KOCH asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. KOCH. Mr. Speaker, juvenile violence is escalating throughout the country. And the juvenile justice system is in disrepute and apparently unable to provide justice to the juvenile or protect the public.

An excellent article appeared today on the op-ed page of the New York Times authored by two able individuals, both of them friends of mine, who by virtue of their positions in government have an expertise on this subject which is reflected in their article, and which I should like to bring to the attention of our colleagues. The authors of the article are Richard N. Gottfried, Manhattan Democrat-Liberal who is chairman of the New York State Assembly Standing Committee on Child Care and Simon K. Barsky who is counsel to that committee:

RESPONDING TO JUVENILE VIOLENCE

Frightened by reports of frequent and serious juvenile violence, New Yorkers are questioning whether having a separate juvenile justice system makes sense today. It appears that no part of that system—prevention and treatment programs, the police the Family Court, probation, the New York State Division for Youth—works effectively.

In New York, a person under sixteen who breaks the law is not treated as a "criminal" but answers for his conduct as a "juvenile delinquent" in Family Court. Today, there is widespread discussion of proposals to lower the age of "criminal responsibility" to 13, 14 or 15 to require all juveniles—or those accused of more serious offenses—to be tried in the adult criminal courts and sent to the adult prison system.

The New York State Assembly Standing Committee on Child Care last year rejected this approach for many reasons. The threat of a prison term does not appear to deter adult criminals. There is probably as little or less deterrent effect with juveniles. Moreover, the adult correctional system has been even less effective than its juvenile counterpart in rehabilitating offenders.

The New York juvenile system reports a recidivism rate of 31 percent. While this is too high, the United States Department of Justice dismally reports the recidivism rate in the adult system as about 70 percent.

Our society has an obligation to protect its citizens. At the same time, we cannot discard the lives of troubled youngsters. We can—and must—serve both concerns.

If youngsters grow up thinking they can "get away with murder," it is largely because society has repeatedly ignored their misconduct—responding with neither strength nor understanding. If youngsters treat human beings as objects not worth caring about, it it is probably because so many of these youths have themselves been treated that way for so long.

Many juveniles who get into trouble—even those who commit violent crimes—are not helped, treated or punished. Others are treated with excessive harshness for minor misbehavior or locked up without meaningful services. Many of these youngsters get worse in the process, growing up to be bitter, hardened criminals.

Developing a process that will protect society and help more youngsters become productive adults is not easy. An effective and humane juvenile system will cost money. But today we are spending huge sums on an ineffective, destructive establishment.

For example, it takes about $24,000 a year to keep a child in a large upstate training school. Placement in a small community-based facility would cost about half as much, and provide a setting more conducive to rehabilitation. This would give us effective and reasonable alternatives to either ignoring a child or placing him in an almost prison-like institution.

For the most serious offenders, we need places that can provide intensive services in secure settings. We cannot provide effective programs to children when they run away from treatment facilities. And there should be some form of review to prevent premature release of serious offenders. This not only would protect our communities from dangerous youths but would assure that services might be provided long enough to have a beneficial effect on the offender.

Reforms are also urgently needed in the Family Court. The judge who hears the evidence in the case should also decide where the delinquent should be placed, instead of the present practice that bounces a case from judge to judge because of adjournments. There should also be a separate part of the court for delinquency cases.

Most important, we need to develop more programs to prevent youth crimes. The Federal Government has begun to contribute limited matching funds through the Juvenile Justice and Delinquency Prevention Act of 1974. We must get Congress to substantially expand that effort.

Certainly, this is not a complete agenda, nor an easy one.

It has been said that a society can be judged by the way it treats its children. Yet our prisons are filled with men and women who were abused or neglected as children, who never had a fair chance at getting an education, and who got deeper and deeper in trouble as our system ignored or brutalized them as they in turn brutalized others. Perhaps now—with the public's fear for community safety added to our concern for our children—we will begin to develop a comprehensive, humane and effective system.

TAKING NOTE OF THE ARMENIAN HOLOCAUST

(Mr. KOCH asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. KOCH. Mr. Speaker, this afternoon I attended a meeting convened by our distinguished colleague, Lester L. Wolff, chairman of the Subcommittee on Future Foreign Policy, which was the first in a series of meetings to examine the nature of genocide. And it was fitting indeed that the first such meeting was devoted to the Armenian massacres of 1915, when over 1½ million Armenians were the subject of genocide by the Turkish Empire, and were either murdered in their villages or driven into the Syrian Desert to die of hunger and the elements. The witnesses who appeared at the hearing were, I must say, superb in their presentations. They were not only totally rationale in discussing the inhuman irrationality of the Ottoman Turks, but the depths of their emotion in recalling the events of the past were near overwhelming for those listening to the testimony. Those witnesses, Dr. Richard Hovanissian, Dr. Avedis Sanjian, Dr. Shavarsh Toriguian, Dr. Vahakn Dadrian, Dr. Dennis R. Papazian, Mr. Leo Sarkisian and Mr. Dicran Simsarian, deserve the commendation of lovers of freedom everywhere.

On April 24, I was proud to participate in the commemoration of Martyrs Day at the invitation of the Most Reverend Archbishop Torkom Manoogian of St. Vartan's Armenian Cathedral which I am also proud to state is situated in my Congressional District. I was privileged to plant with those assembled six trees, each commemorating the six countries of Kharpert, Van, Bitlis, Dickranagerd, Garin, and Sepastia. And fittingly, the ceremony was held in Martyrs Square, a place designated by the city of New York in perpetuity to mark the Armenian holocaust. As I told those assembled in the committee room today, one does not have to be Armenian to support and cherish freedom for the Armenian people in Armenia.

CLEAN AIR ACT

(Mr. ROGERS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. ROGERS. Mr. Speaker, during the past month many of my colleagues have asked a variety of questions concerning the clean air amendments which the Commerce Committee passed.

Unfortunately, most of these questions come as a result of misinformation which has been spread in an attempt to distort and to frighten those who are not familiar with the legislation. Indeed, I have seen and heard some of the stories and were I not familiar with the bill, I too would have come to the conclusion that the legislation is designed to close down America.

Of course, this is not the case. Most of these scare stories, which are promulgated by the U.S. Chamber of Commerce, have no basis in fact or acquaintance with the legislation. However, I feel obligated to set the record straight.

I would at this time like to insert into the RECORD a series of answers to questions most asked by my colleagues. And I would at the same time like to add that if any Member has additional questions, I would appreciate the opportunity to answer them.

It is my hope that we will have a committee report filed soon along with a summary of the bill. I have no doubt that upon reading the bill or the report most of the unfortunate misinformation will be recognized for what it is.

COMMON MISCONCEPTIONS AND MISUNDERSTANDINGS ABOUT SECTION 108 OF THE CLEAN AIR ACT—"PREVENTION OF SIGNIFICANT DETERIORATION"

1. Misconception No. 1: The provision will permit no degradation of present air quality and, therefore, is a virtual "no-growth" policy.

Response: This is not true. The House bill actually allows substantial increases in pollution in clean air areas. Most of these areas of the country which are cleaner than the ambient air quality standards would start as Class II. Class II areas are allowed to increase pollution over existing levels by an amount equal to 25 per cent of the ambient standards. If a State chooses, it may redesignate an area as Class III. In this case, the area could have pollution increases over existing levels of 50 per cent of the ambient standards.

2. Misconception No. 2: Most if not all Federal lands would be Class I, allowing only very slight pollution increases.

Response: This is not true. Under the House bill, only 3% of the Federal lands would be required to start and remain in Class I. These lands are limited to national parks and national wilderness areas over 25,000 acres. National forests, Indian lands, BLM lands, etc. are not required to be Class I; they start out as Class II, like all non-Federal lands.

3. Misconception No. 3: But the number of mandatory Class I areas could be increased

as new national parks and national wilderness areas are added to the system.

Response: This is not true. The mandatory Class I designation only applies to national parks and national wilderness areas over 25,000 acres which are in existence on date of enactment. By contrast, the Senate bill provides that mandatory Class I designations would apply to national parks, international parks, and national wilderness areas which are 5,000 acres or more.

4. Misconception No. 4: But the Federal land manager could force States to classify Federal lands as Class I or prevent reclassification to higher classes.

Response: This is not true. Under the House bill, the States have exclusive authority over the classification of lands other than the mandatory Class I areas referred to in No. 3. The Federal land manager only has an opportunity to comment, which the State may consider as it chooses. By contrast, the Administration's present regulations place the classification of Federal lands under the Federal land managers, not the States. The Senate bill gives the Federal land manager the right to sue to prevent Class I increments from being exceeded, and in fact, authorizes the Federal land manager to sue, even if these increments are not exceeded, if he can show that the pollution increase would harm the values for which the land was set aside. Under the House bill, if the increments would not be exceeded there would be no basis for a suit.

5. Misconception No. 5: Even if States could reclassify Federal lands (other than large national parks and national wilderness areas), Federal lands could not be made Class III.

Response: This is not true. In fact, more than 70% of all Federal lands may be reclassified—solely at the State's discretion to Class III. For example, any Federal lands under 10,000 acres may be redesignated by the States as Class III. Moreover, much of the Federal lands over 10,000 acres could be redesignated as Class III by the States. Examples: Indian lands, BLM lands, etc.

6. Misconception No. 6: Once an area is classified as I or II, it is limited to that classification forever.

Response: This is not true. At any time, a State wishes, it may revise the classification of an area—upward or downward.

7. Misconception No. 7: The prevention of significant deterioration provision is a Federal land use policy based solely on one criterion—air quality.

Response: This is not true. As a matter of fact, the bill assures the States will have sole jurisdiction over the air quality classifications of 100% of all non-Federal lands and 97% of all Federal lands. Since the Committee bill allows the States to control air quality over all State and private lands, and even over nearly all Federal lands, it clearly is not "a Federal land use policy".

Moreover, the bill in question only regulates air quality and emissions, not land use. The States are free to use the land as they see fit for any purpose or, if they choose, to allow the land to be used on a first-come-first-serve basis, so long as the air quality and emissions requirements are met. This does not differ from existing laws. Of course, air quality is not the only, let alone the decisive, factor is influencing a State's growth decisions. It is merely one factor to be considered. In determining whether to allow major pollution increases or to restrict pollution growth, States are directed by the bill to prepare analyses not only of health and environmental impacts, but also of economic, energy, and social impacts. These analyses are to be available to the public, so that the hearings can be a forum for consideration of economic, energy, and environmental factors.

8. Misconception No. 8: Even if the number of mandatory Class I areas is small, the bill is a "no-growth" bill because other Federal and non-Federal lands could be classified as Class I.

Response: This statement is misleading. Only the State could reclassify any area as Class I if it chose to do so. But (1) States already have this authority under section 116 of the existing Clean Air Act, (2) States have not used their existing authority to set up a no-growth situation; and (3) the Federal Government may not compel the States to prevent growth under this bill or to force additional Class I designations.

9. Misconception No. 9: Since States could require cleaner air than the national ambient air standards under existing law, there is no need for a Federal policy of prevention of significant deterioration.

Response: This is not true. First, air pollution does not confine itself to State boundaries. Therefore, if one State wants cleaner air and its neighboring State wants to permit more pollution which would prevent State number one from achieving its objectives, some Federal policy is necessary to resolve interstate disputes.

Second, there is a national interest in not encouraging industries to go forum shopping, seeking to locate new plants in areas which allow greatest pollution. If there is no Federal policy, States may get into a bidding war to attract new industry by reducing pollution standards.

These concerns have been recognized by many groups. Thus, the House bill has support from the following groups: Chairman, Natural Resources Committee, National Governr's Conference; National Council of State Legislatures; National League of Cities; and National Association of Counties. Over the past several years a Federal policy of prevention of significant deterioration also has been supported by the following States:

1. Alaska	18. Montana
2. Alabama [2]	19. Nevada
3. California [1]	20. New Jersey
4. Colorado	21. New Mexico
5. Connecticut [2]	22. New York
6. Florida	23. North Carolina [2]
7. Georgia	24. North Dakota
8. Hawaii	25. Ohio [2]
9. Idaho	26. Oregon [2]
10. Indiana	27. Pennsylvania [2]
11. Kansas [2]	28. South Dakota [2]
12. Kentucky	29. Texas [2]
13. Louisiana [2]	30. Vermont [2]
14. Maine [2]	31. West Virginia
15. Maryland [1]	32. Wisconsin
16. Massachusetts	33. Wyoming
17. Minnesota [1]	

Unless otherwise indicated, Governor's support is noted.

10. Misconception No. 10: Even if there is a small number of Federally-mandated Class I areas, the bill requires mandatory no-growth buffer zones of 60–100 miles around these areas.

Response: This is not true. The House bill does not authorize or require EPA to set up a uniform or mandatory buffer zone. In fact, the bill expressly prohibits EPA from doing so or requiring the States to do so.

11. Misconception No. 11: But even if no standardized buffer zone may be set by regulation, a no-growth buffer zone of 60–100 miles will be required in fact to prevent pollution of the Federal parks.

Response: This is not true. In order to prevent a pollution facility outside the borders of the park from causing the Class I increments to be exceeded in the park, it must locate some distance from the park. But the 60–100 mile figure is grossly exaggerated. According to joint FEA–EPA calculations, a well-controlled 1,000 megawatt coal-fired power plant could locate as close as 6 miles from a Class I area without causing that area's increments to be exceeded. A 1,000 megawatt power plant is one of the largest stationary sources of air pollution. Smaller sources could locate even closer. How close will vary from case to case and depend on the size of the source, the type of fuel burned and pollution control equipment, the meteorology and terrain of the area and other factors.

12. Misconception No. 12: The intrusion factors and Class I areas will, however, make it impossible to build the very large coal-fired power plants that will be needed in the next 10–15 years.

Response: This is not true. Recently, FEA and EPA randomly selected and analyzed 74 projected coal-fired power plants, including some as large as 3,000 megawatts. The FEA–EPA report concluded that none of the planned capacity of the 74 power plants would be affected by the Mandatory or Mandatory and Discretionary Class I areas. The same analysis concluded that all of the planned new power plants could be built and still meet the House Class II or Class III increments. This is particularly noteworthy because these 74 plants were planned without any consideration of conforming with the prevention of significant deterioration policy.

13. Misconception No. 13: Even if a single new large coal-fired power plant could be built in an area, the PSD policy would prohibit large coal-fired power plants from being constructed in areas in which existing plants are located.

Response: This is not true. The amount of new pollution increases allowable in any Class II area is the same (with a single exception), regardless of whether that area has existing power plants on date of enactment. This is because the allowable pollution increment is the amount of pollution increase allowed in addition to existing ("baseline") levels. (The "baseline levels" include not only all existing plant capacity, but also that of plants which have not yet been built but have received their State pollution permits.)

In fact, greater growth may be achieved in areas with high industrial concentrations, since any pollution reduction from existing sources would leave additional room inside the baseline for new sources to come in without using any of the increment.

The exception referred to above is that the full increment may not be available if pollution levels in an area are so high that they are approaching the national primary or secondary ambient air quality standards. The bill sets air quality ceilings of 100% of the secondary standards (same as existing law) or 90% of the primary standards (a change to provide a greater margin of safety for protection of health, where none is provided by the secondary standards).

14. Misconception No. 14: Even if new isolated power plants could be built and expansions or additions to existing plans could be built, large new energy parks could not be built under the PSD provision.

Response: This is not true. Assuming the new power plants use best control technology which has been adequately demonstrated, taking into account cost, and assuming fairly flat terrain, up to 8,000 megawatts of new power generating capacity could be built without exceeding Class II increments. This was indicated in an EPA letter of February 12, 1976. (By contrast, Potomac Electric Power's entire Washington, D.C. service area's historic peak power use was only 3623 megawatts.)

15. Misconception No. 15: But this would be the limit, because the House bill does not contain a Class III provision.

Response: This is not true. Again this reflects a confusion between the Senate bill and the House bill. The Senate bill limits the States options by deleting Class III, but the

[1] Air Resources Board or Environmental Department.

[2] Joined in original Sierra Club suit to require prevention of significant deterioration.

House bill retains Class III as a State option. Under the House bill an increase of 50% of the ambient standards in addition to the baseline is allowed in a Class III area.

16. Misconception No. 16: If other industry wanted to locate in the area of the energy park, this could not be allowed even in a Class III area.

Response: This is not true. Under the House bill with fairly flat terrain, a Class III area could add up to 16,000 megawatts of new capacity or cold permit "co-location" of industrial sources and power plants. This information is also contained in the EPA's study (letter of 2/12/76). (The largest coal-fired power plant in the U.S. is approximately ⅕ the above capacity.)

The amount of growth in a Class III area is underscored by actual monitoring data for major metropolitan areas. Using latest available data, the following cities could be added in a Class III area without exceeding the annual, 24-hour, or three-hour increments for sulfur oxides:

	3 Hour	24 Hour	Annual
Allowable increment			
SO_2—Class III [1]	650	182	40
Dayton, Ohio	380	143	32
Portland, Oreg.	288	114	38
Kansas City, Mo.	417	98	19
Duluth, Minn.	245	105	[2]

[1] Micrograms per cubic meter.

[2] Not available for 1974. All figures are second highest readings during the year in accordance with EPA regulations.

17. Misconception No. 17: There is no need for 24-hour or 3-hour increments, so long as the annual average increment levels are met.

Response: This is not true. The major purposes of the Committee's proposal are 1) protection of public health, 2) protection against damage to agriculture, forests and other vegetation, 3) protection of aquatic life, 4) assurance of available air resource for long-term economic growth, and 5) protection of the environments of large national parks and national wilderness areas. Eliminating the short-term (3-hour and 24-hour) standards from the bill would completely undermine the capability to protect any of these public health and welfare values from chronic low-levels of pollution or from short-term peaks of pollution at levels below the minimum Federal standards.

An annual average is nothing more than the sum of a year's daily pollution readings. Since they are mere averages, they can hide a multitude of very high air pollution concentrations with almost no perceptible effect on the annual average. In fact, as EPA Administrator Train has pointed out "(I)t is entirely possible that a new power plant could meet the annual Class II increment for both sulfur dioxide (SO_2) and particulate matter (TSP), yet cause short-term concentrations that would approach the short-term national ambient air quality standards (NAAQS)".

(Actually, EPA's analysis determined that a new coal-fired power plant could be built in such a way that its emissions would just meet the Class II annual increments for SO_2, but those same emissions would cause the 24-hour primary standard to be exceeded. Similarly, the annual average could be met while frequently exceeding both the House Class II and Class III 24-hour increments for SO_2). There is more and more evidence indicating that there are significant health effects at levels at or below the National Ambient Air Quality Standards (See Misconception No. 37 below). Reputable scientists and organizations, including the National Academy of Sciences, have concluded there may be no safe threshold for many if not all pollutants. The standards do not protect against chronic, low-levels pollutants, nor were they designed to protect against cancers, of which up to 90% are thought to be of environmental origin, birth defects and mutations. Moreover, there is increasing evidence that some health damage may be due to multiple short-term peaks of pollution, not just a high annual average of pollution. Elimination of the 24-hour and 3-hour standards would subsantially undermine the public health and welfare protections built into the Committee proposal. As Administrator Train stated:

"Clearly, sole application of the annual increment would not, in many cases, provide a significant margin of nondeterioration protection beyond the primary and secondary NAAQS if a source could create short-term concentrations up to the 24-hour or 3-hour national standards."

Train went on to discuss the evidence of crop and agriculture losses from air pollution below the minimum standards. (For more complete summary see also response to Misconception #37.) Administrator Train said:

"In addition, there is some evidence that damage may occur to certain commercial crops (i.e., alfalfa, broccoli and radish) when SO_2 interacts with other pollutants such as oxidants and NO_2 at levels below the three-hour secondary NAAQS. Thus allowing degradation up to the three-hour secondary NAAQS, could possibly result in damage to certain commercial crops."

Train also concluded that abandonment of the 3-hour and 24-hour increments could have a serious impact on visibility. Of course, this is of particular importance in areas such as the Grand Canyon and Yellowstone and other national parks and national wilderness areas. Train stated: "For example, if existing air quality is a 24-hour concentration of 10 ug/m³, the degradation up to the 24-hour NAAQS would reduce visibility from more than 70 miles to about 5 miles. Sole use of the annual increment for nondeterioration would, in many cases, allow such a reduction in visibility to occur". To the tourist unable to see across the Grand Canyon because of uncontrolled industrial pollution, it will be no consolation that the "annual average" for pollution has not increased nearly as much as the 3-hour or 24-hour pollution levels have increased. Moreover, it is clear that areas of the country where the economy is based heavily on tourism will risk serious economic loss if uncontrolled industrial pollution becomes so dense as to substantially undermine the attractiveness of those areas to vacationers. It is the short-term increments which are essential to protect against "significant air quality deterioration" which can damage public health, public welfare or visibility in the Grand Canyon. Eliminating the short-term standards from the bill would undermine the capability to reduce emissions from major pollution sources such as power plants would eliminate the bill's protection against significant deterioration of air quality.

18. Misconception No. 18: All this growth may be allowable in flat areas, but in sloping or hilly terrain the PSD policy in the bill will stop further growth.

Response: This is not true. According to the FEA-EPA studies, even a large 3,500 megawatt power plant could be built in rugged terrain—under the House bill. This could be done under a Class II designation, i.e. no Class III redesignation would be required. The same studies indicate that if the State chose to redesignate such an area as Class III, new plants as large as 6,500 megawatts could be built. Of course, in some instances, large new pollution sources in extremely mountainous terrain might be precluded, but, as EPA points out, this is the result of the national ambient air quality standards, not the PSD requirements.

19. Misconception No. 19: The REA-EPA analysis which concludes that very large coal-fired power plants could be built in hilly terrain is based in part on assumptions that tall stacks can be used. But the House bill prohibits tall stacks or stack increases.

Response: This is not true. The House bill allows credit for stack heights up to 2½ times the basic height of the structure. This means that the average new coal-fired power plant could have stacks as tall as 500 feet. Older plants would be permitted to increase existing stack heights up to 2½ times, or more in some cases under the bill. This is consistent with the position taken in present Administration regulations.

20. Misconception No. 20: These studies all assume that new growth will be the only occasion for using up the increments. Not all this room for growth will be allowed, because as existing sources return to full capacity operation after overcoming the recession, they will use up much of the available increment.

Response: This is untrue. Again the House bill, unlike the Senate bill, defines the "baseline"—to which new pollution increases may be added—on the basis of total "design capacity" of existing sources, not actual emissions.

21. Misconception No. 21: But existing sources which are now burning oil or natural gas and which must convert to coal because of ESECA-FEA orders or natural gas curtailments will eat up some of the available increment.

Response: This is not necessarily true. It within the discretion of the Governor of the State not to count these pollution increases from existing sources against the increment. This exclusion authority would last for a long enough time until the existing source could acquire necessary equipment or low sulfur fuels to abate the increase. Again, the House bill has been confused with the Senate bill and the Administration regulations under existing law which do not give the States this authority.

22. Misconception No. 22: Dust stirred up by construction equipment could cause the particulate increments to be exceeded. Therefore, this is a "no-growth" bill.

Response: This is untrue. Again, the House bill expressly gives the Governor of the State authority to permanently exclude from consideration anu pollution from construction or other temporarl activities.

23. Misconception No. 23: The available room for growth of new sources may not be so great because of natural background particulates.

Response: This is not true. First, in those areas where natural particulate levels are so great as to cause the national ambient air quality standards to be exceeded in any area, then the significant deterioration provisions for particulates would not apply to that area. Second, natural background levels of pollution would be counted in the "baseline" under the House bill. Thus, allowable increments would be in addition to the baseline. Third, if the full increments could not be used because background particulates approach the level of the ambient standards, the Governor could exclude these background particulates from consideration. Again, this provision is found only in the House bill, not in the Senate bill, and not in the present Administration regulations.

24. Misconception No. 24: Even if large power plants could be built in an area, they would have to be spaced 40–100 miles apart, because of the intrusion effects referred to in No. 11, above.

Response: This is not true. According to EPA studies of the House bill, a new 1,500 megawatt power plant "A using best technology could be located within one mile of another power plant "B" without exceeding Class II increments, even if power plant "B" consumed 90% of the Class II increment in its area.

By contrast, using current Administration requirements for new power plants, the required distance would be 28 miles.

25. Misconception No. 25: The extent of the intrusion effect for any new plant can't be calculated with certainty. It must be calculated by models, which predict widely varying results. So the actual intrusion distance may be more than 50 miles. And environmental groups with their models may challenge planned new construction which would be allowed under other models.

Response: This statement is misleading in several respects. First, the distances of 50 miles or more, discussed by some assumes a very large, coal-fired power plant meeting only minimum emission limitation requirements and under worst case weather and pollution conditions. But the House bill requires new industrial sources of pollution to use best available control equipment, thereby reducing the potential distance a huge coal-fired plant would have to be built from a national park or other Class I area to as little as 6 miles or less.

Second, the models actually used by EPA do not predict any drastic intrusion effects. Furthermore, at the request of various industry and labor groups, the House bill was amended to require EPA to hold an open conference on air quality modelling and to set a standardized model (or models for varying conditions) after going through stringent rulemaking procedures. Thus, any uncertainty over which model should be applied will be ended. This provision is in the House bill, but again no such safeguard is contained in the Senate bill. Finally, it should be pointed out that intrusion modelling, such as is envisioned for PSD, is already in use and has been for some years, under the existing law. This is widely used by industry and government alike to determine whether new sources would cause violations of the ambient standards due to intrusion effects.

26. Misconception No. 26: While the Class III increment contains enough flexibility to permit substantial growth, EPA retains veto power to second guess a State's decision to go to Class III from Class II.

Response: This is not true. Under the House bill, EPA has no power to second guess the wisdom of a State's reclassification decisions. A reclassification may be disapproved only if the State fails to follow the procedures set forth in the bill. This is in contrast to current Administration regulations which allows EPA to veto a State reclassification decision on the grounds that the State was "arbitrary and capricious" in weighing economic, energy, and environmental factors. This authority has been removed by the House bill. The Senate bill on the other hand, eliminates the State's Class III option altogether.

27. Misconception No. 27: If a State wants to reclassify an area from II to III, the procedure may take so long that current construction would be halted. Thus, the bill would result in a growth moratorium.

Response: This is not true. The House bill contains a grandfather clause for any prospective source which has received its State new source permit prior to date of enactment. Thus, the bill will not cause a halt for any construction which is under way or which will begin in the near future. These sources will be counted in the "baseline" as well as being exempt from any permit requirement.

28. Misconception No. 28: While the States could have final redesignation authority, EPA will have the final say over which sources may get permits to construct.

Response: This is not true. The States are responsible for deciding whether to issue permits to new sources. EPA will only be issuing permits if a State refuses to do so. No State permit may be disapproved if the procedures are followed and if the ceilings and increments set in the bill are observed. EPA will not be authorized to add new requirements or limitations by regulation. Thus, the purposes of setting specific requirements in the bill are: (1) to set clear minimum national requirements which will not be subject to legal challenge; (2) to give the States the authority to implement in these measures; and (3) to limit EPA's authority to add new requirements and to second guess the States.

29. Misconception No. 29: The bill prohibits new resources which emit over 100 tons of pollutant from getting a permit.

Response: This is untrue. The House bill does not prohibit construction of these sources. It merely requires that they obtain a State (not Federal) preconstruction permit. To do this a source must demonstrate to the State that they can meet emission limits sufficient to assure that applicable increments and ceilings will not be exceeded. New sources which emit less than 10 tons per year are not required to obtain a State permit by the House bill.

30. Misconception No. 30: The one-year monitoring requirement for new sources will result in a growth moratorium.

Response: This is not true. First, the monitoring provision only applies to "major sources" as defined in the bill (i.e. 100 tons/year). Second, the monitoring may be for less than a year if the basic necessary information can be provided in less time. Third, it may be waived altogether if the data is already available. Fourth, monitoring would normally occur in the site selection process and so should not cause any halt in construction. Finally, the House bill's grandfather provisions and delayed effective date would eliminate any potential problem for sources nearing construction.

31. Misconception No. 31: The bill would require roll-back of emissions from existing plants in so-called clean air areas.

Response: This is not true. The prevention of significant deterioration provision only applies to new sources of pollution, not to existing sources. The pollution from existing sources is counted in the "baseline" and additional pollution increases are permitted on top of that baseline. Only major sources are subject to the requirement to obtain a State permit. Finally, an amendment was adopted in the Committee which expressly states that no roll-back of emissions from existing sources would be required (or could be required by EPA).

32. Misconception No. 32: The Committee's analysis may show that large coal-fired powerplants can be built, but other industrial sources have not been studied.

Response: This is not true. In response to the Court order in the Sierra Club case, EPA first proposed regulations in 1972. Final EPA significant deterioration regulations were not promulgated until two years later. During this time, EPA contracted out a survey of the 18 other types of industrial sources which are subject to new source performance standards. These studies led EPA to conclude, ". . . other large industrial sources, including petroleum refineries, kraft pulp mills, cement plants, and copper smelters, should not be constrained by Class II using [best available control technology]." EPA has also concluded that these other large industrial sources "should have even greater flexibility, because their emissions are lower than those of large coal-fired power plants." (EPA letter of 2/12/76).

These views are confirmed in a September 1975 memo by Exxon Engineering's Technology Department which concludes, "Large industrial facilities, such as refineries and coal gasification units could be built in a Class II area using current technology and the currently specified EPA requirements." While the House bills's 3-hour SO_2 increments are more stringent than the EPA's for a class II area, this difference is more than offset if best technology is used.

33. Misconception No. 33: The EPA regulations now in effect are more lenient than the House bill.

Response: This statement is misleading in several respects. As indicated above, there are some respects in which the Administration's regulations are more lenient than the House bill. But there are many respects in which the House bill is more lenient. Among them are the following:

1. The House bill contians no EPA veto authority over State classification decisions; the Administration regulations permit such a veto.

2. The House bill contains no Federal land manager veto over State classification decisions affecting Federal lands; the Administration regulations place Federal land's classifications totally under the control of the Federal government.

3. The House bill permits increased pollution from existing sources due to coal conversions and natural gas curtailments not to count as using up any of the available increment; the Administration regulations do not permit any such exclusion.

4. Except for the 3-hour SO_2 standard, the House Class II increments are more lenient than the current regulations.

5. The House bill actually permits more growth than the present regulations, because requiring use of best technology on major new pollution sources means each new source eats up less of the available air quality increment.

Moreover, present regulations are subject to court challenge. If the Sierra Club wins, then EPA will be required to tighten its requirements. Even if EPA is sustained, it still could revise its regulations to make them more stringent. On the other hand, by prescribing the increments in the bill, EPA's authority to promulgate more restrictive rules is curtailed.

34. Misconception No. 34: Best technology and prevention of significant deterioration requirements will be extremely costly and the cost figures quoted by EPA are much too low.

Response: This is not true. Analysis by a contractor for the Electric Utility Industry (National Economic Research Associates—NERA) and by EPA come to similar conclusions on the cost impact of these provisions—that is the provisions of H.R. 10498 will have only a small cost impact. For example, by 1990, EPA estimates the bill will require an increase in total utility industry capital investment of 2.3% to 2.7%. The Industry-NERA estimate is 1.4% to 2.2%. EPA estimates that because of these provisions the average residential electric bill will increase by only 1.9% to 2.3% by 1990. The Industry-NERA estimate is 2.5% to 3.8% by 1990.

35. Misconception No. 35: The costs of this provision outweigh the benefits.

Response: This is a misleading statement in several respects. Many of the benefits of this provision are difficult to quantify adequately in dollar terms. How does one quantify decreased incidence and intensity of disease, possible lengthening of life, prevention of damage to materials, crops and other vegetation, reduction of acid rains, retention of blue skies and grand vistas in national parks, etc.?

Moreover, since the House bill places nearly all decisionmaking in the hands of the State and local governments—not the Federal government—any attempted uniform national analysis of costs and benefits obviously would be meaningless. Where, in the State and local judgment, costs and benefits indicate an area should be made Class III, this can be done. Similarly, where State and local judgment is that a Class I assignment is proper, this may be done.

Thus, a national cost/benefit analysis of the effect of the bill is not possible since the final outcomes are in the hands of the States.

36. Misconception No. 36: The best technology requirement for new power plants will slow western low sulfur coal develop-

ment and adversely affect railroads which would carry the coal.

Response: This is not true. In fact, under the House bill demand for low sulfur coal will be greater than under present EPA regulations. This has been recognized by the Electric Utility Industry consultants in the NERA study which concluded that under the House bill, by 1990, demand for western low sulfur coal will be 30% to 35% higher than if the bill were not enacted. (The NERA Study also concluded that enactment of this legislation will boost total coal demand 2.6% to 3.4% above what it would be without the bill.)

37. Misconception No. 37: There is no need for a prevention of significant deterioration policy, since national ambient air quality standards protect against all adverse health and welfare effects.

Response: This is not true. The Health and Environment Subcommittee has published a 40 page paper describing the ways in which the national primary ambient air quality standards are inadequate to protect health. See "Prevention of Significant Deterioration: An Ounce of Prevention . . .," published 12/3/75. A summary of the limitations of the primary standards is as follows:

1. The margins of safety set to prevent the occurrence of known and anticipated health effects have turned out to be very modest or non-existent.

2. The national primary standards are based on the assumption that a no-effects threshold can be proved; in fact, this assumption of a safe threshold appears to be false for many, if not all, of the pollutants.

3. The national primary standards are not designed to protect against genetic mutations, birth defects or cancer which may be associated with air pollution, although these risks may be reduced by reducing pollution to levels of the ambient standards.

4. The national primary ambient standards are not designed to provide adequate protection against diseases which result from long-term chronic exposures or periodic short-term peak concentrations of pollutants.

5. The national primary standards fail to protect against hazards to health resulting from cumulative or synergistic effects of multiple pollutants in the air.

6. The national primary air quality standards do not protect against adverse effects which appear to be related to derivative pollutants which result in the atmosphere (such as sulfates and nitrates).

Despite the availability of this document for four months, no one has taken issue with its basic conclusions. Moreover, similar studies have shown the following adverse effects to crops and the environment at levels below the secondary standards:

For example, important agricultural crops suffer leaf damage, growth inhibition, or increased mortality at sulfur dioxide levels lower than the national ambient air quality standards. These effects may result in substantial economic impact, such as the reported 15% reduction in wheat yield at an exposure to sulfur dioxide less than half the present national standard. Since much of the U.S. where wheat is grown has pollution levels below half the ambient standard for SO_2, significant increases in SO_2 emissions—say, from new coal-fired power plants—may result in significant wheat crop damage and reduced farm income.

Various studies indicate varying adverse effects of pollutants at levels below the national standards on other grain crops including barely and oats, as well as on peanuts, soybeans, alfalfa, potatoes, spinach, oranges, tobacco and pine forests.

Increased emissions of sulfur oxides and nitrogen oxides also cause a phenomenon known as acid rain. Acid rainfall can lower the pH of natural waters and soil, damaging both plants and animals. One study indicates that between 1956 and 1973, the total amount of acid falling in rain in the eastern part of North America increased by 270 percent. The U.S. Forest Service has expressed its concern over the potential "substantial reduction in timber volume caused by chronic low levels of SO_2 or acid rains." A Swedish government study projected that acid rainfall caused by sulfur oxides emitted as much as 600 miles away could result in disappearance by the year 2000 of as much as 15 percent of the entire Swedish softwood forests.

Other Scandinavian investigators found acid rain damage to aquatic life in lakes and streams. As the acidity of the streams increase fresh water fish, especially salmon and trout, appear to be progressively eliminated.

The national ambient standards do not protect visibility in areas such as the Grand Canyon or other national parks or national wilderness areas. At sulfur dioxide levels equivalent to the national secondary standard, visibility can be as little as 3 to 4 miles. If particulate pollution levels are simultaneously high, visibility may be reduced still further, without exceeding the secondary standards. Clearly, then, allowing air quality to deteriorate all the way to the secondary standards (as proposed by the energy industries and the National Chamber of Commerce) will irreparably damage the very purposes for which these special areas have been established.

38. Misconception No. 38: If the national ambient air quality standards do not protect health and environment from all adverse effects, then the standards should be revised to provide such protection.

Response: No safe threshold can be established for these pollutants, according to the National Academy of Sciences. Thus, in order to protect against all harmful effects it would be necessary to set a zero or background standard.

Obviously, this no-risk philosophy which ignores all economic and social consequences is impractical. This is particularly true in light of the legal requirement for mandatory attainment of the national primary standards within three years.

Others have suggested that unless conclusive proof of actual harm can be found based on the past occurrence of adverse effects, then the standards should remain unchanged and no pollution limits should be applicable to areas which are cleaner than the ambient standards.

The second approach ignores the common sense reality that "an ounce of prevention is worth a pound of cure." Permitting unrestricted deterioration of air quality up to the ambient standards involves trying to cure a condition after it has developed instead of using practical limits to prevent or minimize the condition in the first place. This approach of unlimited air quality deterioration is particularly shortsighted at a time when all indicators point to the likely necessity for tightening the ambient air quality standards to protect public health. This approach is not good preventive medicine. Nor is it good long-term economics.

What the Subcommittee bill (H.R. 10498) does is to strike a proper balance between these two approaches. Since there is a reasonable basis for anticipation of tightening of the ambient standards, a policy of maximum practicable protection of health and welfare has been developed.

39. Misconception No. 39: The only values of a PSD policy are to health and environment. There are no economic benefits from such a policy.

Response: This is not true. First, the PSD policy will create an incentive for development of new improved pollution control technology, including inherently clean processes. Second, these new technologies will enable more sources to locate in an area without using up the remaining air resources.

Thus, the economy will benefit by the production of new pollution control systems and equipment, as well as by production of new clean fuels. Also long-term growth will be fostered, if each new source uses less of the remaining scarce air resources. Third, by assuring that States consider the scarcity of remaining air resources in evaluating future industrial growth, the bill encourages consideration of which industries will produce most employment, economic stability, and economic aid to a community.

40. Misconception No. 40: There were no hearings on the issue of prevention of significant deterioration and no opportunity was given for industry to testify as to its views on this issue.

Response: This is not true. The issue of whether to prevent significant deterioration and how to do so was aired fully in public hearings conducted by the Health and Environment Subcommittee on March 13–26, 1975 ("Clean Air Act Amendments—1975", Serial Nos. 94–25 and 94–26). Testimony specifically addressing this issue was given by Administrator Train, EPA (pp. 41, 121–122, 1181–2); Administrator Zarb, FEA (pp. 142–3, 157–8); American Lung Association (pp. 311–12); Governor Salmon, National Governor's Conference (pp. 589, 593–4); Councilman Rockenstein, National League of Cities (pp. 599–600); Director Barden, Texas Air Control Board (pp. 627, 632); P. N. Gammelgard, American Petroleum Institute (pp. 638–9); representatives of the Steel Industry (pp. 683–4); representatives of environmental groups (pp. 715, 718–9, 729–36, 740–44); representatives of electric utilities (pp. 820–22); the American Mining Congress (p. 825); the National Coal Association (pp. 827, 830–1); the National Association of Manufacturers (pp. 999–1001, 1007–8); the U.S. Chamber of Commerce (pp. 1022, 1024); Texaco (p. 1239); Shell Oil Co. (pp. 1245, 1249) and American Paper Institute (pp. 1294–7).

SPIRIT OF '76 THEME STRESSED BY GLUE-CRAFT CONTEST WINNERS

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

Mr. HANLEY. Mr. Speaker, the range of activities which has been prompted by the desire to memorialize the feelings of patriotism and love of country which have been stirred by our celebration of the 200th anniversary of our Nation's birth is seemingly unending. This is a good sign that should be encouraged to continue beyond the formal dates of the Bicentennial, with consideration of heritage and national pride becoming more than hollow sentiment expressed on special occasions.

In this regard, I am pleased to share with you and this House the pride which the parents and teachers of some 40,000 classes of primary grade schoolers must have felt as thousands of projects depicting the "Spirit of '76" theme for the National Glue-Craft Contest were planned and constructed. The contest was a spur to the creative and imaginative skills of these youngsters as they sought to express some historical fact or figure or event using craft products of various kinds.

It was my pleasure to present the national prizewinners with their awards this afternoon. First prize went to Paul Miller, age 8, of North Miami, Fla., for a rendering of the scene of Washington crossing the Delaware. His prize included a $2,000 U.S. savings bond award and a trip to New York City and Washington, D.C., for himself, a teacher, and his

parent. Second prize of $1,000 in savings bonds went to Amy Schwendimann, age 10, of Richardson, Tex., for her rendering of the scene of Betsy Ross sewing the first American flag. Third prize was awarded to Justin Lang, age 10, of Lakewood, Colo., in the amount of $500 in savings bonds.

In addition to the bond prizes, each student received a portable television set and the school got a sound filmstrip projector.

I would be most remiss if I did not point out that the sponsor of the contest is the Consumer Products Division, Borden Chemical, Division of Borden, Inc. This patriotic project not only prompted artistic expression by the thousands who took part in it, but was an exercise of those primary skills of construction and assembly taught in the early elementary grades.

It is with an element of local pride that I note that Elmer's Glue which was used as the basic craft ingredient is made at a Borden facility in Bainbridge, N.Y., in my congressional district.

HOME HEALTH CARE: A BETTER WAY

(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, one of the prime recommendations of a recent report of the House Aging Committee's Subcommittee on Health and Long-Term Care "New Perspectives in Health Care for Older Americans," is the expansion of home health care as an alternative to institutionalization.

An article by Ms. Harriet Miller, recently appointed executive director of the American Association of Retired Persons and National Retired Teachers Association, in the April-May 1976 issue of Modern Maturity, provides a keen insight into the need for additional home health care.

Members of the Subcommittee on Health and Long-Term Care, which I have the privilege of chairing, have introduced legislation to expand home health care under medicare and other statutes, implementing the recommendation of the subcommittee report.

As this subject will begin formal legislative markup shortly, I hope our colleagues will have an opportunity to read this important article:

[From Modern Maturity, Apr.-May 1976]

HOME HEALTH CARE: A BETTER WAY

(By Harriet Miller, Executive Director, American Association of Retired Persons and National Retired Teachers Association)

(Why should a person who needs a simple injection once a day go to a hospital?)

In recent years, the focus of America's efforts to provide health services for its citizens too often has been on the institution, not the individual.

The quality of our nation's health care system cannot be measured by the number of hospitals and nursing homes we have built: The uncoordinated proliferation of hospitals, clinics and nursing homes throughout the country has not really improved the quality of health care. In some areas, hospitals remain overcrowded; in others, empty beds are the rule. And everywhere, increased operating costs and patient charges remain a serious problem.

Nor can our progress be measured by the increased availability of the latest medical equipment. In far too many cases, such equipment has been bought at great expense with little or no regard to the medical needs of the community. Hospital administrators and other health officials too often have wanted simply to "keep up with the Joneses." The result: a widespread pattern of duplicative and overlapping services and unnecessary costs to institutions and, ultimately, to patients. Besides that, almost every governmental and private insurance program today remains heavily slanted toward institutional care, with no consideration of possible alternatives.

Most of us agree there is a clear need for more funds for our nation's health care effort. But I believe we are making a grave mistake by continuing to pour money into programs that encourage institutionalization without exploring the possibility of less expensive, more humane methods of providing health care.

I am convinced that home health care is such an alternative.

Health planners have long accepted the premise that older persons are better off in their own homes than in institutions, if adequate home health care services are provided. A report of the 1971 White House Conference on Aging stated that "the greatest need is to help more older Americans to go on living in their own homes."

And it certainly makes good economic sense to allow a person to remain at home by providing home health care or homemaker service rather than forcing that person into an institution, at far greater cost to the individual and the taxpayers. Why must an individual who needs a simple injection once a day, or who needs help in taking a bath, preparing meals or doing general housework, leave home and go to a hospital or nursing home?

Yet less than one per cent of the money spent under the Medicare program and less than one-half of one per cent of Medicaid funds are used for home health services. And a governmental study a few years ago indicated that up to 25 per cent of the older persons in nursing homes had no medical reason for being there.

Initial experiments with home health care programs have been successful. The Minneapolis Age and Opportunity Center, for instance, is doing a splendid job of providing a wide range of supportive home health-homemaker services to older persons in their own homes. The cost of these services ranges from $6 to $15 per day per person, compared to the average daily cost of $40 to $50 in a nursing home.

The National Council for Homemaker-Home Health Aide Services, Inc., in New York City has developed a national program to assure the quality of home health services in every community.

The American Medical Association has urged the extension of homemaker-home health aide services throughout the country, under the guidance of doctors and other health care professionals.

The American Association of Retired Persons and National Retired Teachers Association have led the fight in Congress and the Executive Branch for the creation of a comprehensive, coordinated national policy on long-term care, with major emphasis on home health care as an alternative to institutionalization.

Hospitals and nursing homes are, of course, indispensible for those who are seriously ill or who require intensive care. But in our zeal to provide such facilities, we must not forget that there are millions of citizens who could be receiving more effective, more efficient care in their own homes.

For these Americans, home health care is a better way.

RECOGNIZING THE PROBLEMS OF THE ELDERLY DURING OLDER AMERICANS MONTH

(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, one of the most remarkable phenomena in our country's growth and development in a few short years from a rural, agrarian colony to a highly industrialized society is the increase in numbers of older Americans both in terms of absolute numbers as well as in terms of percentages. In 1790, only 3 percent of our total population was over 65 years of age. Now, 22,400,000, or slightly over 11 percent of the population, is over 65.

The month of May, which has been set aside as "Older Americans Month," is the time when we give special recognition to those Americans who have reached their "senior" years. At that time we also give special thoughts and considerations to the unmet needs and challenges which face the older American—and in turn all of us as we relate to our neighbor's needs.

Certainly one of the most continuing and persistent areas of our concern is the quality of life afforded to our older Americans—the important qualities of good health, adequate income, and satisfying social relationships. These concerns have been of prime importance to the Subcommittee on Health and Long-term Care in its recommendation of legislation providing higher quality services to the older people of our country.

The Congress is rapidly coming to the realization that health care in nursing homes and in alternative care must be improved. In many cases we have overlooked the fact that many older persons who are in nursing homes have been placed there inappropriately in the first case—usually because there is no place else to go—no viable alternative to long-term care. We have addressed this need to develop alternatives to nursing homes in several pieces of legislation to provide incentives for homemaker/home health care programs which will deliver services to people in their own homes, together with other supporting services provided from community based programs. The intent of our program of alternatives to institutional care is to allow a person the dignity of remaining in his own home longer and to reside in a nursing home for a shorter time. This makes good sense in terms of human concern as well as in terms of dollars and cents.

We have also introduced legislation which would move health care for older people into the preventive arena from the old, traditional pattern of delivery, whereby we usually receive treatment after we become ill and not before. Many possibly debilitating, chronic diseases and illnesses could be ameloriated if early detection and diagnosis were made and appropriate treatment provided. Much of this can be done in the person's home, or on an outpatient basis in a community health center, or in an existing nursing home or hospital if necessary.

Next to health, the most pressing challenge facing far too many older Ameri-

cans is inadequate income. Two-thirds of all those classified as living below the poverty level are over 60 years of age. Our legislation would provide tax reductions and tax relief to those who allow the use of property for charitable purposes for the elderly, including senior centers and outpatient clinics, thereby lowering the cost of the service and allowing services for older people who might not otherwise be able to function.

Loneliness plagues older people because of limited mobility, and being homebound provides fewer opportunities to relate to other people. A recent Government study indicates:

> Approximately 3.4 million persons or 17.6 percent of the aged, non-institutionalized population have some degree of mobility limitation with about one-third of them *confined to the home*. . . . This is in addition to about 960,000 aged persons in nursing homes.

Our legislation would provide additional funding for multipurpose senior centers. The total cost of these centers provided through the additional funding, plus a reallocation of unused money from other programs for the elderly, is substantially less than the additional cost of institutional care for those who deteriorate because of lack of opportunity to socialize with other people.

As chairman of the House Subcommittee on Health and Long-term Care, I will work closely with older Americans and representatives of senior citizen organizations in attempting to meet the needs of our Nation's elderly.

I am particularly grateful to the senior citizens of my home State of Florida, through whose valued recommendations and continuing assistance and support we have gathered a great deal of the data required to prepare legislation meeting the special needs for our elderly. Florida's and the Nation's senior citizens should be commended in this month of May, Older Americans Month, for helping to bring their needs to our attention.

It is the obligation of the Federal Government to respond.

ALTERNATIVES TO INSTITUTIONALIZATION FOR THE ELDERLY

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, the House Aging Committee's Subcommittee on Health and Long-Term Care, which I have the privilege of chairing, recently issued a report, "New Perspectives in Health Care for Older Americans."

Among the prime recommendations of our subcommittee were the expansion of alternatives to inappropriate institutionalization including home health care, outpatient clinics specializing in geriatrics, and multipurpose senior centers, and the coordination of health-social services for the elderly through community-based long-term care centers.

For the information of our colleagues, I am pleased to provide the testimony of Dr. William G. Bell, Ph. D., the director of the program in social policy and the aging of the Florida State University, on behalf of the Florida Chapter of the National Association of Social Workers at a recent joint House-Senate hearing in the Florida Legislature:

ALTERNATIVES TO INSTITUTIONALISM FOR THE ELDERLY IN FLORIDA: THE POSITION OF THE FLORIDA CHAPTER, NATIONAL ASSOCIATION OF SOCIAL WORKERS [1]

Senator Graham, Representative Sheldon and members of the Committees, my name is William G. Bell, I am speaking for the Florida Chapter, National Association of Social Workers in my capacity as head of the Chapter's Committee on Aging. For identification purposes, I am a social planner with a career interest in policies and practices affecting the elderly; I am on the faculty of the Department of Urban and Regional Planning and head of the Department's program in Social Policy and the Aging, Florida State University in Tallahassee. Additionally, I head the Office of Gerontology in the University's Institute of Social Research. My career in the field of social gerontology goes back some 22 years. I first became related to the problems of the elderly in 1953 when asked to establish a social group work program for a sectarian non-profit nursing home and home for the aged in another state. Over that span of years I have become increasingly convinced of the need for establishing community based services for the aging to delay or avoid the unnecessary institutionalization of older people.

We welcome this hearing on alternatives to institutionalization or alternatives to nursing home care as one important focus of the two committees' concerns in long term care, and appreciate the opportunity to express our views on the subject of this hearing.

The problems of older people, one researcher once pointed out, are of two kinds: the problems older people have and the problems that experts say they have. It is apparent that impaired older people have given ample evidence that they have a problem in staying out of nursing homes, yet with limited exception, the experts have generated little progress in this and other states in developing community based services comparable in scope or stability to those now provided through the nursing home industry. In my study for the Department of Health and Rehabilitative Services on alternatives to institutionalization almost five years ago in Hillsborough County, 85% of the impaired aging polled, regardless of whether resident in nursing homes or still on at home, said they preferred to live out their remaining years at home.[2] Those in wanted out. Those out wanted to stay out.

So, in our view, this hearing is timely. It is vital to direct scrutiny to what has presently been happening to impaired older people in this state in need of long term care. It is vital for at least four reasons. First, the present system is brutal; to an estimated 30% of low income elderly currently in nursing homes who need not be there were effective community based services available at the time of entry. Such services are not available, therefore about the only way to get long term care is to pay the harsh price of entering an unwanted institution. Second, the flow of older people into nursing homes has not only continued unabated despite so-called alternatives to institutionalization but the numbers of low income elderly in nursing homes have escalated over the past five years. Third, the cost of care in Florida nursing homes for Medicaid elderly has risen drastically in recent years raising questions about the continued use of federal and state dollars to support the bias towards expensive institutional care. Fourth, while there are potential alternatives, some of which have become established, others still in the testing stage, on balance it can be said that Florida does not as yet, have a systematic program of effective alternatives to institutionalization. These proposed alternatives are not without financial costs, and given the financial picture of this state, we hope, therefore, that this hearing is not an exercise in frustration. There are some changes we will propose, calling for a re-direction of present expenditures rather than fresh expenditures. Some call for new money. The point is that the present dysfunctional system of long term care will not be changed until the Florida legislature recognizes the need for change, demands change and backs up the demand with dollars.

With this as background, let me turn to the evidence on the need for change. To illustrate the numbers and costs of Medicaid patients in Florida nursing homes several tabulations have been developing from available data. One table deals with nursing home costs for these Medicaid elderly in nursing homes in the same period.

As Table I indicates, the number of low income elderly resident in Florida nursing homes rose steadily over the years and took a substantial jump between 1974 and 1975. In 1975 the numbers of Medicaid elderly increased about 20% over 1974, far ahead of any normal growth in the elderly population. At the present time Medicaid elderly fill the majority of nursing beds in Florida, since they constitute 52% of the state's nursing home population. While the 1975 ratio may alarm some, and it does me, it merely reveals a national trend according to national officials. Dr. Thomas Bell, Executive Director of the national nursing home association, indicated recently in a Florida speech that 54% of all nursing beds in the country are currently occupied by Medicaid elderly. This leads to two observations. First, Medicaid patients are the core of financial support for most proprietary nursing homes in this country and in Florida. Second, the federal and state governments are subcontracting with proprietary nursing homes on a wholesale level for the care of sick, impaired and poor elderly.

A second cause for concern of interest to legislators, policy makers and others, particularly in this period of economic strain, is the issue of cost containment of nursing home care. In 1971 when state nursing home expenditures were reviewed in the Hillsborough study for HRS referred to earlier, the annual state expenditures for Medicaid elderly then living in nursing homes was slightly over $30 million. Four years later the comparable annual nursing home costs for an expanded Medicaid group in state nursing homes has risen to approximately $100 million. That is, in four brief years the costs of institutionally based long term care have multiplied more than three times though obviously not three times as many Medicaid patients are currently under care in institutions. Nor, according to all economic signs can we expect the price of institutional care to plateau in the foreseeable future.

To complete this section on hard evidence supporting the case for a redirection in public policy on long term care, two additional tables have been compiled on the growth of the Florida population 65 years and over during the past three U.S. Census periods. In

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[1] Testimony prepared and presented by William G. Bell, ACSW, Ph.D., on behalf of the Florida Chapter, NASW. Presented December 13, 1975 in Hialeah, Florida or a joint hearing of the Senate Committee on Health and Rehabilitative Services, and the Ad Hoc Subcommittee on Nursing Homes, House Committee on Health and Rehabilitative Services.

[2] Bell, William G. *Community Care for the Elderly: An Alternative to Institutionalization.* A policy study prepared for the Florida Department of Health and Rehabilitative Services, Tallahassee, Florida State University 1971.

brief, the group 75 years plus is the fastest growing age group in our state, for in the period 1969–70 they grew at a rate three times that of the state's population of all ages. And it is precisely this age group who were the most likely to have chronic ailments and develop degenerative conditions which precipitate the need for long term care. In sum, the problem of long term care will not go away in the years to come but can only increase in numbers and in intensity for many of our elderly impaired in Florida.

Since this bearing has as its focus an examination of the concept of alternatives to institutionalization, it is essential that the concept be understood and used with reasonable accuracy in the context of long term care.

ALTERNATIVES TO INSTITUTIONALIZATION—A CLARIFYING NOTE

The phrase, alternatives to institutionalization, tends to be employed loosely, almost as a slogan, and suffers perhaps as a consequence. While there is no common agreement in social gerontology on the specific content of programs advanced as alternatives to nursing home care, the phrase seems to suggest programs which approximate in scope and administrative characteristics the gamut of services offered in nursing homes but offered outside the institution as an effective substitute to institutionalization. That is, if the problem being addressed is long term care for impaired older people, then what is being raised by the concept is this: can various forms of care be offered both within the institution or outside the institution, each having more or less similar service attributes and likely to serve certain elderly with somewhat similar effect?

It is not surprising that a rising cry is being heard in the land for alternatives to institutionalization. Older people and their families have arrived, perhaps through intuitive means, of questioning the effectiveness of nursing homes as the only resource for impaired elderly as is currently the pattern. Certain features of institutional life when examined suggest the negatives of entering an institution. Evidence from a host of studies contend that institutionalized elderly suffer from depersonalization, deepening isolation, separation from family and normal society, loss of privacy, tacit forfeiture of civil rights, and the threat of higher mortality rates compared to elderly living outside the institution. However, in all candor, for certain elderly with advanced impairment levels and in need of constant care, institutional care *may be* a proper solution. But for many now in institutions, my study suggests about one third, it is not.

What, then, constitutes an appropriate alternative to institutionalization? In my view, a program posing as an alternative to nursing home care must consist of multiple services, be coordinated through a single lead agency in the community, and must have the potential of sustaining and continuing the impaired older person in his own home. If anything positive has been learned from the pattern of care provided by professional nursing homes it is the potential impact of a constellation of diverse program elements which are combined for necessary effect under a single coordinating unit to serve the patient's long term care requirements. If my interpretation if the concept is correct, it follows then that a single service offered within the community does not qualify as an alternative to institutionalization. Thus, a homemaker service or a meal delivered to the home, by itself cannot lay claim to be an alternative to institutionalization and to make that claim is a disservice to the individual service and to the elderly who need far more than any single health or social service can realistically provide.

Coordination of services is essential. Elderly who reside at home and require long term care are likely beset by an overlay of multiple problems, rarely a single problem. Hence to expect any one service to meet the combined medical and social needs of impaired elderly at home is patently unreasonable. As the medical specialist points out:

"The existence of multiple disabilities in an elderly person and interaction of these disabilities makes it mandatory to make available a full range of health, mental health, and social services to the mentally impaired elderly (and, similarly, the physically impaired elderly—my addition). It cannot be expected that one agency be held responsible for the provision of the whole spectrum of health and social services which elderly may require for the maintenance of their health and well being. However, it is imperative that one agency becomes a lead agency with regard to services. . . ."[3]

The significance of coordination of community based services, as an alternative to institutionalization is three fold. First, it provides a horizontal service delivery mechanism to overcome the vertical form of discrete and separated services. Second, it offers a single entry point for impaired elderly who are likely to have extreme difficulty finding their way through the social and medical services maze and assembling their own package of services as many affluent elderly are now doing. Third, it brings to bear at the point of actual delivery, selective services, congruent with medical-social problems of the afflicted individual and thus avoids the charge of overservicing as is the case in nursing home care.

In our view, there are at least three existing service models which merit being called alternatives to institutionalization. These are: 1) an expandable package of multiple community based health-social-legal services delivered to the home through a lead or coordinating agency, as offered by the Minneapolis Age Opportunity Center or the Personal Care Organization experiment in Worcester, Massachusetts; 2) day programs of various kinds under various health-oriented auspices, usually referred to as day care for the elderly; 3) intermediate housing, sometimes called congregate housing, which offer supportive services including basic health supervision (but not around the clock intensive care) permitting their residents to pursue semi-independent living.

As many of you may be aware, Florida has on its statute books an appropriately designed alternative to institutionalization which fits model (1) above. It has never been operationalized. We refer to Section 409.3624–27 of the Florida Statutes, otherwise known as Community Care for the Elderly Development Act of 1973. The Statute cited calls for a two year test, in three or more eligible counties, to test the effect of a selected coordinated package of community based home delivered services to "reduce the inappropriate entry and placement of functionally impaired elderly in nursing homes and related facilities." The services are identified as: health maintenance (provided by registered nurses and nurses aides), homemaking and chore services, mobile meals, and transportation to essential health and social agencies. Despite the fact that this mandated demonstration is in complete harmony with the newly enacted Title XX of the Social Security Act, calling on each state to devise a service approach which has the effect of "preventing or reducing inappropriate institutional care by providing for community-based care, home based care or other forms of less intensive care," the Statute which meets these criteria admirably has not been implemented by the Department of Health and Rehabilitative Services.

In summary, it is strikingly clear that impaired elderly in Florida seeking to remain at home but in need of long term care remain at a severe disadvantage in obtaining service in contrast to the complex program provided through the institution. Aside from the small number of good day programs for the elderly presently in operation in a few cities in Florida, the state's human service agency has not yet devised appropriate policies to correct the current imbalance in long term care services which remain biased to institutionally based programs.

RECOMMENDATIONS FOR ACTION

We submit the following recommendations for consideration by the joint Senate and House Committees on Health and Rehabilitative Services and by the Department:

1. *Implementation by July 1, 1976 of an updated version of the proposal subsumed in the Community Care for the Elderly Development Act of 1973.*

This recommendation would require HRS to mount three demonstrations as specified in Chapter 409.3624–27 in at least one and perhaps two HRS Districts. Funds for the demonstrations would make use of diverted Medicaid money currently assigned to institutional care, Title XX contract for services funds, resources available through the Older Americans Act, and if necessary, a legislative appropriation. The intent of the legislation to incorporate a research component in the demonstrations should be protected.

2. *Establish on a priority basis Long Term Care Councils in each HRS district to monitor, review and strengthen long term care programs in the community.*

The basic function of such Councils is three fold: 1) to improve screening procedures associated with Medicaid referrals to nursing homes; 2) to review the feasibility of expanding or establishing day programs for the elderly in appropriate portions of each district, and 3) to explore and establish local coordinating mechanisms, such as multi-service centers, for the delivery of community care for the elderly within the district.

3. *Require HRS, in conjunction with the Department of Community Affairs, to study the feasibility of non-profit sponsorship of intermediate housing for the aging of Florida.*

By definition, intermediate housing would mean congregate housing designed for semi-independent living to serve elderly who by reason of their medical or social needs, require a protected environment offering assistance with the normal activities of daily living yet who are not candidates for full fledged nursing home care.

4. *Centralize the depopulation of Medicaid elderly now in nursing homes or other long term care institutions in a single administrative unit in each HRS district.*

Current efforts to depopulate long term care institutions appears sporadic and unsystematic, with attendant difficulty on the assignment of which program office in HRS has which responsibility as part of the process. Centralization of the responsibility for the total series of tasks associated with successful placement of appropriate elderly in the community should be assigned to a specific unit in the district, perhaps the Long Term Care Council or its nominee.

5. *Review the feasibility of a state pool of earmarked funds to encourage and support local special purpose transportation systems for elderly and handicapped.*

Transportation service is now recognized as an integral element of the planning and design of health and social services for the elderly and other transportation disadvantaged groups. If HRS districts are to fulfill their essential obligation to provide access to services, transportation must be envisioned as part of their planning. While local tax funds should serve as the core of system support in the long run, in the short run there is need to have available pump priming monies to get a transportation service underway where none exists.

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[3] Kobrynski, Borys, "The Mentally Impaired Elderly—Whose Responsibility?" *The Gerontologist*, Vol. 15, No. 5, Part I, October 1975.

PAKISTAN AND THE ATOM

(Mr. OTTINGER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. OTTINGER. Mr. Speaker, in today's edition of the New York Times there appears a letter by Senator STUART SYMINGTON responding to an "Op-Ed" piece by Mr. Iqbal Akhund, Pakistan's representative at the United Nations, which defended the Pakistani purchase of a nuclear fuel reprocessing facility from France.

The proliferation of nuclear weapons is one of the paramount concerns in the world today. As the International Atomic Energy Agency is supposed to restrain proliferation, questions about the adequacy of IAEA safeguards must be considered before we place the entire responsibility for nonproliferation into their hands. Senator SYMINGTON is, in my opinion, correct when he writes that the present IAEA safeguards are not adequate.

This means that the nuclear exporting nations, either individually or as a group, must place greater controls on the use of exported technology and establish a program to embargo further shipments of fuel and equipment to any nation which is caught diverting nuclear fuel to weapons development. It would be irresponsible and dangerous to our own security to act in any other manner.

The membership of the House has recognized the dangers of proliferation, though we have not gone as far as I would have us go in indicating our concern and our resolve to halt proliferation. Last week we passed House Resolution 570 which urges an embargo program should other exporting nations agree. When we consider H.R. 13350, the ERDA authorization, Congressman LONG of Maryland will offer an amendment to ban the use of any funds authorized in that bill for negotiating or renewing nuclear export agreements with any nation not party to the Non-Proliferation Treaty or willing to accept IAEA safeguards. I support these initiatives, but we must look beyond reliance on the IAEA.

One step which we should take to achieve the goal of effective safeguards is to impress upon the administration the importance of taking a strong and public stance during the nuclear suppliers conference when it reconvenes in June.

I call my colleagues' attention to Senator SYMINGTON's letter and Mr. Akhund's article which follow:

[From the New York Times, May 11, 1976]

THE NUCLEAR PERILS

TO THE EDITOR:

The April 23 Op-Ed article "Pakistan and the Atom," written by Pakistan's representative to the United Nations, states that the nuclear reprocessing plant which France has sold to Pakistan will operate under the "safeguards" of the International Atomic Energy Agency (I.A.E.A.). The article adds, "It is not correct, as some people affirm, that these safeguards are inadequate."

That latter statement is not true. The I.A.E.A. safeguards are not adequate. They can possibly detect, but cannot prevent the diversion of nuclear fuel to weapons development. The I.A.E.A. lacks authority to enforce any significant curb on nuclear proliferation.

The way the I.A.E.A. handled this French-Pakistan transaction illustrates the problem. The danger incident to said transaction was widely publicized in the press; nevertheless, there was little, if any, discussion of that danger at the I.A.E.A. board meeting last February 24–25, at which time the transaction was approved.

In May 1974, after India's nuclear explosion, the chairman of Pakistan's Atomic Energy Commission hinted that Pakistan might be compelled to follow India's example; and in the following December, Pakistan's Prime Minister stated publicly that his country was prepared to go nuclear if it could not acquire a sufficient conventional deterrent.

Against that background of lack of any true international safeguards against proliferation—along with the possible intent to go nuclear—Pakistan's United Nations representative now adds a third point when he observes that any attempt to prevent a transfer of nuclear technology to his country would "be unworkable for the reason that a country like Pakistan is not incapable of fabricating [its own] fuel reprocessing plant" (i.e., make nuclear weapons).

He also revealed Pakistan's intention to acquire by the end of this century 24 medium-sized power reactors (600,000 kilowatts each), along with fuel fabrication, reprocessing and heavy-water facilities.

These facilities would allow Pakistan to follow the route of India, namely to utilize natural uranium so as to produce electricity, then extract the plutonioum residual for nuclear explosives.

Thus, as described by its United Nations representative, Pakistan's planned program could give that country the capacity to produce 280 Hiroshima-size nuclear weapons per year—all under existing international "safeguards."

STUART SYMINGTON,
U.S. Senator from Missouri.

WASHINGTON, April 29, 1976.

[From the New York Times, Apr. 23, 1976]

PAKISTAN AND THE ATOM

(By Iqbal Akhund)

UNITED NATIONS, N.Y.—Nuclear energy, uncontrolled and unleashed, can extinguish man and all his works. Hence the heightened concern over nuclear proliferation after the Indian explosion of a nuclear device in 1974.

Ever since then, attention has focused on such countries as Argentina, Brazil, Iran and, in particular, on Pakistan, which, it is feared, may want to follow India's example.

The fact is that Pakistan, more than many other nations, needs energy to develop its economy and raise the living standard of its people.

Pakistan's annual per-capita consumption of energy is 149 kilowatts, which compares with 625 kilowatts for Turkey and 11,960 kilowatts for the United States.

Pakistan has no fossil fuels to speak of; its hydroelectric potential is limited and is localized in the north; and it has some natural gas that would be better used as raw material for fertilizer, among other things.

A study by the International Atomic Energy Agency in 1975 confirmed that Pakistan's need for energy is great, and that the only available source for producing it on the necessary scale is the atom.

At present, there is a small power reactor (under Agency safeguards) in Karachi, but the plan is to establish 24 more reactors of medium size—about 600 megawatts each—by the end of the century. Fuel fabrication and reprocessing facilities and a heavy-water plant are ancillary to the plan and will be established as the program is put into effect.

Since reprocessed fuel—plutonium—can be used to make bombs, the reprocessing plant to be supplied by France will operate under safeguards negotiated between France and Pakistan and formally approved by the International Atomic Energy Agency, which will administer and apply them.

(It is not correct, as some people affirm, that these safeguards are inadequate; there has been no case of any infringement of Agency safeguards.)

On March 1, Prime Minister Zulfikar Ali Bhutto reiterated Pakistan's policy to use its nuclear capability solely for peaceful purposes. The record shows, furthermore, that Pakistan has supported every move to establish or strengthen international safeguards on nuclear facilities and was in the forefront in calling for a treaty to prevent the proliferation of nuclear weapons.

After the Indian nuclear explosion, Pakistan, far from trying to follow suit, proposed creation of a nuclear weapons-free zone in South Asia.

Pakistan does not seek a nuclear-arms race in South Asia, for such a race would not add to the security of the countries concerned—quite the contrary—and would demand an enormous and wasteful diversion of resources.

Pakistan has thus voluntarily accepted bilateral and international safeguards designed to permit the peaceful use of atomic energy and prevent its use for military purposes.

We agree that control over nuclear development is necessary. We agree that such control cannot be self-control and that matters cannot be left to the intentions or policies of individual countries.

But these controls should not be arbitrary in operation or discriminatory in application.

Attempts to monopolize technology and prevent its transfer are bound to be discriminatory. They are also unworkable for the reason that a country like Pakistan is not incapable of fabricating a fuel-reprocessing plant.

Above all, any system of control over nuclear-energy development must be based on realities.

There were five nuclear powers when the non-proliferation treaty was signed in 1968 with the very aim of foreclosing the emergence of a sixth nuclear power.

Yet even at that time it was known that India, which declined to adhere to the treaty, was operating a research reactor virtually, without international safeguards and had built its own reprocessing plant, which also was not subject to any such safeguards.

A new approach is needed to deal with the realities of today. What is to be done about peaceful nuclear explosions, the possibility of which is recognized in the nonproliferation treaty and in the Treaty for the Prohibition of Nuclear Weapons in Latin America?

What about Israel's stockpile of nuclear weapons? And what about South Africa's nuclear program, which includes the establishment of fuel-enrichment facilities and which is under no safeguards of any kind?

A viable international system cannot be devised if it ignores these questions. A truly effective, nondiscriminatory system of international control on nuclear development must aim not at putting the brakes on nuclear technology but at containing its potential for mischief. It is still possible to devise such a system and to enlist the enlightened self-interest of those to whom it must apply.

DINGELL/TRAIN AUTO AIR EMISSION STANDARDS AMENDMENT TO THE CLEAN AIR ACT AMENDMENTS

(Mr. DINGELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DINGELL. Mr. Speaker, when the Clean Air Act amendments, H.R. 10498, is scheduled for full House consideration

later this month, I will offer an amendment to fix automobile air emission control standards at levels that would provide for the best possible mix of clean air and energy conservation. At this point I insert a discussion and explanation of my amendment as Members are receiving constituent communications on the matter.

The Dingell/Train amendment contains standards recommended by Administrator Russell E. Train of the U.S. Environmental Protection Agency. The attached documentation, including my news conference statements of April 15, provides a complete explanation of the standards I will offer and detailed evidence calling for their adoption by the House.

Briefly, Dingell/Train permits manufacture of fuel efficient automobiles, phases in stricter air pollution control standards, provides better job security for auto and related industry workers, and reduces air pollution. A major economic impact of my amendment is that it will produce consumer purchase cost savings and maintenance savings far greater than standards contained in H.R. 10498, or other proposals publicly announced to date.

In addition, and as is noted in the attached documentation, I cite the "Analysis of Some Effects of Several Specified Alternative Automobile Emission Control Schedules," dated April 8, 1976, as jointly prepared and supported by the Department of Transportation, the Environmental Protection Agency, and the Federal Energy Administration. This is the latest, official Federal Government, scientifically documented information on the auto air emission issue. The comparative analysis was done at my request. It clearly shows the advantageous fuel and consumer savings of the Dingell/Train schedule and that there are no appreciable air quality or health losses under Dingell/Train when it is compared to the auto exhaust control standards in H.R. 10498, or any other announced proposals expected to be offered as contained in the interagency analysis. I inserted the comprehensive DOT, EPA, and FEA interagency analysis, which is summarized in one of my attached documents, in the CONGRESSIONAL RECORD, Tuesday, April 27, pages 11430 through 11436.

From close investigation of the analysis and other information attached, I suggest that Members of both the House and Senate should be able to determine the validity and need for adoption of the Dingell/Train amendment which has definite air quality protections, and sound economic, energy conservation, and consumer savings advantages.

I urge your review of the attached and referenced material and support for the Dingell/Train amendment containing the standards noted in the following documentation.

[From a news conference: Congressman JOHN D. DINGELL, April 15, 1976, 10 a.m., Washington, D.C., room 2359, Rayburn HOB]

THE CLEAN AIR ACT AMENDMENTS AND THE AUTOMOBILE AIR EMISSION CONTROL STANDARDS

Our discussions today center on my concern with upcoming Clean Air Act Amendments that would affect schedules of automobile air emission control standards. The standards contained in the present House Interstate and Foreign Commerce Committee bill would cost far more in wasted energy and consumer dollars than would be justified by its negligible air quality benefits. This morning I will outline my proposal to correct this matter.

Administrator Russell Train of the U.S. Environmental Protection Agency in March of 1975 recommended to both the House and Senate a set of modified automobile emission standards under the Clean Air Act. Regretably, neither congressional committee, nor their subcommittees which were holding hearings at that time, heeded Administrator Train's advice. Subsequently, and following full Committee action in both legislative bodies, the standards headed towards the Floor of each chamber contain no standards that are overly stringent. The bill in the House, H.R. 10498, is expected to be scheduled soon after the recess.

I will offer an amendment to the Clean Air Act Amendments that I believe is far closer to the best interests of the American consumer and worker. It is a more reasonable approach containing anti-pollution standards which are environmentally sound, more energy efficient, more consumer oriented, more protective of jobs, and that are still strict enough to further the cause of our battle against air pollution.

My Amendment contains the auto air emission control levels recommended by Administrator Train of EPA and thus carry the strength of his environmental expertise and that of his agency.

	HC	CO	NOx
Dingell-Train standards:			
1977	1.5	15.0	2.0
1978	1.5	15.0	2.0
1979	1.5	15.0	2.0
1980	.9	9.0	2.0
1981	.9	9.0	2.0
1982	.41	3.4	(1)

[1] Administratively established.

Important points of my amendment, to which I will refer as the Dingell-Train amendment, include the fact that it will extend and set strict auto standards which will be phased in gradually. This is critical to the U.S. economy, to the auto industry and notably to the millions of Americans who work in auto-related businesses. By offering this amendment, I also am trying to keep us in the direction of achieving one of our major economic objectives. That objective is to halt job dislocations in the industry, an industry that has such a major impact on our economy.

Unemployment is too great in Michigan and nationwide. In my Congressional District, where there are heavy auto manufacturing concentrations and supporting industries, we have had more than our share of unemployment. Job dislocations, and nonproductivity due to the 1973–74–75 auto plant shutdowns are a result of the oil embargo and lack of auto sales. In the District I serve, there is a 14 percent plus unemployment rate—double the national average. In Detroit proper, unemployment is 20 percent and in the inner city of Detroit, 40 percent. Other than the fact that I think my amendment is good legislation, the majority of other Members of the Michigan Delegation and I have a rather personal stake in this as we want to see Michigan citizens working.

This issue touches on the lives and pocketbooks of all American citizens. The vast majority drive automobiles and spend hard-earned income on their auto purchases and maintenance which becomes a major lifetime investment. For most Americans the auto is not a luxury. An estimated one third of all trips by car are to and from work and many other trips for purposes of running a household.

I am compelled to point out that the auto air pollution control standards contained in the House Commerce Committee reported bill of March 9 threaten to cause continued economic problems. The amendment adopted by the Committee works against the consumer and against energy conservation. It is not a logical solution. It was offered by my colleague, Congressman William Brodhead of Michigan and it is so identified in the additional data released this morning.

It has aimed the House in the wrong direction, a direction that is counter to consumer interests and economic improvement of the nation. The amendment adopted in Committee was just a compromise for the sake of compromise. In comparison to the Dingell-Train proposal, Brodhead has serious implications for the U.S. economy which can endure no more serious blows. The Brodhead amendment would create higher auto prices, significantly waste gasoline, offer no real added health or air quality environmental benefits, and result in higher maintenance costs to consumers. In addition, and I emphasize this, it would waste such large amounts of fuel under its tighter standards that to meet our national energy needs we would have to experience more damage to the environment through added oil drilling, construction of pipelines, and even added strip mining. It would result in wastefulness that would lead to greater demands of imported crude oil at the OPEC cartel's higher prices.

Attached to this statement is an April 14 summary prepared by my office of the comprehensive interagency analysis entitled, "Analysis of Some Effects of Several Specified Alternative Automobile Emission Control Schedules," dated April 8, 1976, and transmitted to me by Federal Energy Administrator Frank Zarb. The complete analysis also is attached. It was prepared by the Department of Transportation, the Environmental Protection Agency and the Federal Energy Administration following my request to those agencies March 19. I asked the agencies to compare the Dingell-Train amendment to certain other auto standard proposals based on the criteria of fuel consumption, consumer costs, and health benefits.

The interagency analysis is very comprehensive. It dramatically shows that the Dingell-Train proposal is the most fuel and cost efficient schedule of auto standards. I have omitted consideration of the levels of 1.5/15.0/3.1, as contained in the interagency analysis as these levels were rejected by the full Committee and probably will not be considered by the full House. There is no meaningful difference with respect to air quality improvements or health benefits between the two proposals or between other pending proposals contained in the interagency analysis.

The difference between Dingell-Train and Brodhead standards begin in 1980, at which point Brodhead drops to emission levels of .4 hydrocarbon, 3.4 carbon monoxide, and 2.0 for oxides of nitrogen, while Dingell-Train drops to the respective emission levels of .9/9.0/2.0. Brodhead, or the Committee bill, results in a 5 percent reduction in fuel economy for model year 1980 cars relative to Dingell-Train. A 5 percent reduction corresponds to 2.46 billion gallons of added gasoline consumption over the ten-year lifetime of the model year 1980 auto fleet; this amounts to 16,000 barrels per day.

The additional purchase and operating costs of cars in model year 1980 under Brodhead are estimated at $1.47 billion. Differences between the Dingell-Train and Brodhead schedules continue from model year 1980 through 1985. Cumulative fuel consumption differences between the two standards amount to 9.27 billion gallons (67,000 barrels/day) of gasoline, while total con-

sumer costs are $22.3 billion more under Brodhead than under Dingell-Train. (This assumes a waiver to 1.0 gm/mi on NOx as explained in my staff summary of the interagency analysis.)

The DOT, EPA, FEA interagency emission control analysis also tends to confirm other recent studies which suggest that the cost of moving to more stringent standards than present Federal levels (1.5/15.0/3.1) may prove to be unjustified on the basis of any rational evaluation of costs versus benefits. Present standards represent approximately an 83 percent reduction in HC and CO emissions, and a 38 percent reduction in NOx emissions, relative to uncontrolled autos. Continued replacement of obsolete high-polluting cars with low emission new cars will reduce mobile source related air pollution well into the 1980's regardless of whether more stringent standards are adopted. The added air quality benefits obtained from moving to tougher standards are minute in comparison to the fuel and dollar costs that would be required. One recent study, dated March 22, 1976, performed by Professor S. Fred Singer, Department of Environmental Sciences, University of Virginia, for the National Science Foundation concludes that the benefits and costs of achieving 1975 standards are about equal and the costs will exceed benefits (by as much as $13 billion) as tighter standards are adopted.

In the summary my office prepared, I have pointed out that the DOT, EPA and FEA comprehensive analysis assumed that EPA, the agency charged with enforcement of auto air pollution regulations, would grant waivers on the oxides of nitrogen levels as contained in the other legislative proposals on this issue. As we note in my summary of the interagency analysis, this, quote, "assumption is potentially troublesome, in that it minimizes the potential fuel and economic penalty associated with discretionary standards," end quote. That is to say, the interagency study does not show, and therefore a major point must be made here, how great the fuel losses would be under the Brodhead and Waxman proposals if the waivers of oxides of nitrogen are not granted by EPA.

	HC	CO	NOx
House Committee Bill, H.R. 10498 (Brodhead amendment):			
1977	1.5	15.0	2.0.
1978	1.5	15.0	2.0.
1979	1.5	15.0	2.0.
1980	.41	3.4	2.0.
1981	.41	3.4	0.4—2.0 waiver.
1982	.41	3.4	0.4—2.0 waiver.
1983	.41	3.4	0.4—1.5 waiver.
1984	.41	3.4	0.4—1.5 waiver.
1985	.41	3.4	0.4 (no waiver).

You will note the waivers on the Brodhead amendment and then note that under Dingell-Train, there are no waivers. In fact, and this is a critical advantage of Dingell-Train, in model year 1982, we do not set the NOx standard but leave that decision to the experts in the field, Mr. Train and his agency. It is set administratively by EPA discretion.

Also note that the so-called Waxman proposal, reportedly to be offered by Congressman Henry Waxman of California, contains waivers on oxides of nitrogen. In the interagency analysis, Waxman is even more devastating on total fuel and consumer costs.

The Dingell-Train amendment is a strict set of auto standards. It will keep the auto manufacturers sufficiently on notice of expected performance while at the same time allowing them the lead time needed to meet the standards. The phased-in tightening of the standards under my amendment provides for both and it accomplishes what the other proposals do not.

[From the Office of Congressman JOHN D. DINGELL, April 14, 1976]

SUMMARY OF THE DOT/EPA/FEA EMISSION CONTROL ANALYSIS

The interagency auto emission control analysis updates our understanding of the energy costs and air quality benefits of implementing more stringent federal emission standards. The report focuses on alternative emission reduction schedules for the period 1977–1985. Three schedules in the report are of special relevance to upcoming floor debate in the House on the Clean Air Act Amendments, H.R. 10498. Those schedules are: (1) standards offered by Congressman William Brodhead and adopted by the Interstate and Foreign Commerce Committee in the bill as reported, (2) a set of less stringent standards proposed by EPA Administrator Russell Train, and which will be offered by Congressman John Dingell, and (3) standards proposed by Congressman Henry Waxman which are more stringent than those of Mr. Brodhead.

	Brodhead			Waxman	
	(as adopted in H.R. 10498)	NOx waiver	Train (as proposed by Dingell)	(As proposed in Mar. 18 press conference)	NOx waiver
Year:					
1977	1.5/15/2	--------	1.5/15/2	1.5/15/2	--------
1978	1.5/15/2	--------	1.5/15/2	.9/9/2	--------
1979	1.5/15/2	--------	1.5/15/2	.9/9/2	--------
1980	.4/3.4/2	--------	.9/9/2	.4/3.4/.4	1.5
1981	.4/3.4/.4	2.0	[1] .9/9/2	.4/3.4/.4	1.5
1982	.4/3.4/.4	2.0	[1] .4/3.4/2	.4/3.4/.4	1.0
1983	.4/3.4/.4	1.5	[1] .4/3.4/2	.4/3.4/.4	1.0
1984	.4/3.4/.4	1.5	[1] .4/3.4/2	.4/3.4/.4	1.0
1985	.4/3.4/.4	(2)	[1] .4/3.4/2	.4/3.4/.4	(2)

[1] 1982 and onward for NOx on Dingell/Train will be set administratively. The 2.0 NOx is assumed for purposes of analysis.
[2] No waiver.

The interagency study assumes that the average car is driven 100,000 miles and that new car sales will average 10 million units per year through 1985. Fuel economy per car is projected to improve with successive model years.

A final assumption is that "in each case in which a schedule provides for administrative discretion in establishing the NOx standard that must be met, this analysis has assumed that the least stringent permissable NOx standard would be established." This last assumption is potentially troublesome, in that it minimizes the potential fuel and economic penalty associated with discretionary standards.

For example, the Brodhead standard provides for a 1981–1984 NOx emission of .4 gm/mi, with administrative authority to raise the standard to as high as 2.0 gm/mi, if the more stringent standard is determined to be impractical or unachievable.

Question: Should an analysis of the Brodhead standards assume a NOx standard of .4 gm/mi, 2.0 gm/mi, or something in between? The interagency study uses 2.0 gm/mi. This results in a lower fuel and economic cost calculation than if .4 had been assumed.

Working with staff from the interagency study to evaluate the case in which auto manufacturers are required to achieve a 1.0 gm/mi NOx emission under Brodhead from 1981–1984, and under Waxman from 1980–1984, our review of the interagency analysis leads to the following conclusions:

FUEL ECONOMY IMPACTS

The 1977–1985 Brodhead standards (as incorporated in H.R. 10498) would create additional engine demands and cause consumption of as much as 9.27 billion gallons of gasoline more than under Dingell/Train standards. Over a nine year period, this amounts to 67,000 barrels of oil per day. The Waxman standards would result in 14.89 billion gallons greater gasoline consumption than under Dingell/Train.

CONSUMER COST IMPACTS

In addition to increased operating fuel costs, more stringent standards require more expensive control equipment and maintenance. These costs are ultimately paid by the car purchaser/owner. The interagency study concludes that new car costs, lifetime maintenance costs, and lifetime fuel costs at 60 cents per gallon for gasoline, would total as much as 22.3 billion more under the Brodhead standards than under Dingell/Train. Waxman standards could cost consumers $29.67 billion more than Dingell/Train. Accounting for inflation would increase these added costs to roughly $30 billion for Brodhead and $41 billion for Waxman.

AIR QUALITY BENEFITS

Estimates of air quality and health consequences of changing automobile emission standards in the interagency study were derived from a recent comprehensive report prepared by EPA for the Air Quality, Noise, and Health Panel of the Task Force on Motor Vehicle Goals Beyond 1980. Relative to mobile source related air pollutants in the 1970's, the Dingell/Train auto emission standards are projected to reduce hydrocarbons (HC) in 1990 by 41 percent and carbon monoxide (CO) by 81 percent. Nitrogen oxides (NO_x) are expected to increase by 17 percent. Ambient levels of hydrocarbons and carbon monoxide are predicted to be no lower under either the Brodhead or Waxman standards than under Dingell/Train. The Brodhead standards would dampen the increase in nitrogen oxides to 6 percent, while the Waxman standards would lead to only a 4 percent increase.

Exactly 31 ar quality control regions are expected to exceed ambient air quality standards in 1990 under all three auto emission standards.

For further detailed reference, see the CONGRESSIONAL RECORD, Tuesday, April 27, 1976, pages 11430 through 11436, for the study prepared and supported by the Department of Transportation, the Environmental Protection Agency, and the Federal Energy Administration dated April 8, 1976, and entitled "Analysis of Some Effects of Several Specified Alternative Automobile Emission Control Schedules."

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows to:

Mr. SARASIN (at the request of Mr. RHODES), from 1:30 p.m. today and the balance of the day, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. CONLAN) to revise and extend their remarks and include extraneous material:)

Mr. KEMP, for 1 hour, today.

Mr. BIESTER, for 5 minutes, today.

Mr. MILLER of Ohio, for 5 minutes, today.

(The following Members (at the request of Mr. HALL), to revise and extend their remarks, and to include extraneous matter:)

Mr. ANNUNZIO, for 5 minutes, today.
Mr. GONZALEZ, for 5 minutes, today.
Mr. BURKE of Massachusetts, for 10 minutes, today.
Mr. O'NEILL, for 5 minutes, today.
Mrs. SPELLMAN, for 5 minutes, today.
Ms. HOLTZMAN, for 15 minutes, today.
Mrs. COLLINS of Illinois, for 10 minutes, today.
Mr. MINISH, for 5 minutes, today.
Mr. SYMINGTON, for 5 minutes, today.
Mr. BINGHAM, for 10 minutes, today.
Mr. REUSS, for 10 minutes, today.
Mr. KOCH, for 5 minutes, today.
Ms. ABZUG, for 15 minutes, today.
Mr. FORD of Michigan, for 5 minutes, today.
Mr. LEGGETT, for 10 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. KOCH, to revise and extend his remarks, and to include extraneous matter, notwithstanding the fact that it exceeds two pages of the CONGRESSIONAL RECORD and is estimated by the Public Printer to cost $786.50.

Mr. ROGERS and to include extraneous matter, notwithstanding the fact that it exceeds two pages of the RECORD and is estimated by the Public Printer to cost $787.

Mr. CONLAN, to revise and extend and include extraneous material following his remarks today in the Committee of the Whole.

Mr. DINGELL, and to include extraneous matter, notwithstanding the fact that it exceeds two pages of the CONGRESSIONAL RECORD and is estimated by the Public Printer to cost $643.50.

(The following Members (at the request of Mr. CONLAN) and to include extraneous matter:)

Mr. HEINZ.
Mr. SARASIN.
Mr. STEIGER of Wisconsin in two instances.
Mr. WIGGINS.
Mr. ANDERSON of Illinois in three instances.
Mr. GOODLING.
Mr. LENT.
Mr. KETCHUM.
Mr. FORSYTHE.
Mr. FISH.
Mr. GILMAN.
Mr. LAGOMARSINO.
Mr. MOORE.
Mr. EMERY in two instances.

(The following Members (at the request of Mr. HALL) and to include extraneous matter:)

Mr. ANDERSON of California in three instances.
Mr. GONZALEZ in three instances.
Mr. HOWARD in two instances.
Mr. DENT.
Mr. RUSSO.
Mr. BAUCUS.
Mr. MURTHA.
Mr. LONG of Maryland in 10 instances.
Mr. ADAMS.
Mr. SYMINGTON.
Mr. FITHIAN in two instances.
Mr. CARNEY.
Mr. EDGAR.
Mr. ROE in two instances.
Mr. PEPPER.
Mr. MINETA in two instances.
Mr. DOWNEY of New York.
Mr. DOWNING of Virginia.
Mr. BADILLO.
Mr. DINGELL.
Mr. HAWKINS in two instances.
Mr. WON PAT.
Mrs. COLLINS of Illinois.
Mr. RICHMOND.
Mr. GAYDOS.
Mr. EVINS of Tennessee.
Ms. ABZUG.
Mr. TEAGUE in two instances.
Mr. HAMILTON.
Mr. EARLY in two instances.
Mr. MCDONALD of Georgia.
Mr. TAYLOR of North Carolina.
Mr. YOUNG of Georgia.
Mr. MORGAN.

SENATE BILLS AND JOINT AND CONCURRENT RESOLUTIONS REFERRED

Bills and joint and concurrent resolutions of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1404. An act for the relief of Mrs. Kyong Chu Stout; to the Committee on the Judiciary.

S. 2318. An act for the relief of Dr. Crispin E. See; to the Committee on the Judiciary.

S. J. Res. 49. Joint resolution to amend the joint resolution entitled "Joint resolution to codify and emphasize existing rules and customs pertaining to the display and use of the flag of the United States of America; to the Committee on the Judiciary.

S. Con. Res. 113. Concurrent resolution authorizing the printing of additional copies of the committee print entitled "Soviet Space Programs, 1971–1975"; to the Committee on House Administration.

ENROLLED BILLS SIGNED

Mr. HAYS of Ohio, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 2776. An act for the relief of Candido Badua.

H.R. 4038. An act for the relief of Jennifer Anne Blum.

H.R. 5227. An act for the relief of Frank M. Russell.

H.R. 8863. An act for the relief of Randy E. Crismundo.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 2619. An act to provide for adjusting the amount of interest paid on funds deposited with the Treasury of the United States by the Library of Congress Trust Fund Board.

S. 2620. An act to provide for adjusting the amount of interest paid on funds deposited with the Treasury of the United States pursuant to the Act of August 20, 1912 (37 Stat. 319).

S. 3031. An act to authorize the erection of the statue of Bernardo de Galvez on public grounds in the District of Columbia.

S. 3107. An act to authorize appropriations to the Nuclear Regulatory Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and section 305 of the Energy Reorganization Act of 1974, as amended, and for other purposes.

BILL PRESENTED TO THE PRESIDENT

Mr. HAYS of Ohio, from the Committee on House Administration, reported that that committee did on May 10, 1976, this day present to the President, for his approval, a bill of the House of the following title:

H.R. 12018. An act to amend the Rehabilitation Act of 1973 to provide that the center for deaf-blind youths and adults established by such act shall be known as the Helen Keller National Center for Deaf-Blind Youths and Adults.

ADJOURNMENT

Mr. HALL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 23 minutes p.m.), the House adjourned until tomorrow, Wednesday, May 12, 1976, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

3231. A letter from the Director, Office of Management and Budget, Executive Office of the President, transmitting a cumulative report on rescissions and deferrals of budget authority for fiscal year 1976 as of May 1, 1976, pursuant to section 1014(e) of Public Law 93–344 (H. Doc. No. 94–491); to the Committee on Appropriations and ordered to be printed.

3232. A letter from the General Counsel of the Department of Defense, transmitting a draft of proposed legislation to amend section 2 of the act of May 6, 1974, Public Law 93–274 (88 Stat. 94) to extend until June 30, 1977, the authority to pay variable incentive pay to medical officers under section 313 of title 37, United States Code; to the Committee on Armed Services.

3233. A letter from the General Counsel of Housing and Urban Development, transmitting a draft of proposed legislation to amend section 103(a)(1) of the Housing and Community Development Act of 1974 to authorize appropriations for community development block grants for fiscal year 1978; to the Committee on Banking, Currency and Housing.

3234. A letter from the Administrator, Law Enforcement Assistance Administration, Department of Justice, transmitting a copy of volume 1 of the "First Analysis and Evaluation, Federal Juvenile Delinquency Programs," pursuant to section 204(b)(5) of the Juvenile Justice and Delinquency Prevention Act of 1974; to the Committee on Education and Labor.

3235. A letter from the Executive Secretary to the Department of Health, Education, and Welfare, transmitting proposed final regulations for the Career Education Program, pursuant to section 431(d) of the General Education Provisions Act; to the Committee on Education and Labor.

3236. A letter from the Executive Secretary to the Department of Health, Education, and Welfare, transmitting proposed interim regulations for the Upward Bound Program, pursuant to section 431(d) of the General Education Provisions Act; to the Committee on Education and Labor.

3237. A letter from the Deputy Assistant Secretary of the Interior, transmitting a copy of a proposed contract with Applied Engineering Resources, Inc., Santa Barbara, Calif., for a research project entitled "Engineering and Economic Evaluation of New Mining Concepts for Hard Rock Bedded Deposits" pursuant to section 1(d) of Public Law 89-672; to the Committee on Interior and Insular Affairs.

3238. A letter from the Administrator, Agency for International Development, Department of State, transmitting a draft of proposed legislation to provide emergency relief, rehabilitation, and humanitarian assistance to the people of Lebanon, to amend the Foreign Assistance Act of 1961, and for other purposes; to the Committee on International Relations.

3239. A letter from the Acting Under Secretary of Commerce, transmitting a draft of proposed legislation to authorize appropriations for the Winter Olympic games, and for other purposes; to the Committee on Interstate and Foreign Commerce.

3240. A letter from the Administrator, Federal Energy Administration, transmitting a report covering the quarter ended December 31, 1975, on private grievances and redress, pursuant to section 21(c) of Public Law 93-275; to the Committee on Interstate and Foreign Commerce.

3241. A letter from the General Counsel of Housing and Urban Development, transmitting a draft of proposed legislation to amend the Disaster Relief Act of 1974 to provide for authorization of appropriations thereunder for fiscal years after fiscal year 1977; to the Committee on Public Works and Transportation.

RECEIVED FROM THE COMPTROLLER GENERAL

3242. A letter from the Comptroller General of the United States, transmitting a report on the physical security and risk management policies and practices employed at Federal data processing installations to prevent losses caused by bombings, fires, floods, frauds, thefts, embezzlements, and human errors; to the Committee on Government Operations.

3243. A letter from the Comptroller General of the United States, transmitting a report on the examination of financial statements of the Government National Mortgage Association, Department of Housing and Urban Development, for fiscal year 1975, pursuant to section 106 of the Government Corporation Control Act, as amended (H. Doc. No. 94-492); jointly, to the Committees on Government Operations, and Banking, Currency and Housing and ordered to be printed.

3244. A letter from the Comptroller General of the United States, transmitting a followup review on improvements needed in Administrative and Financial Operations of the U.S. district courts; jointly, to the Committees on Government Operations, and the Judiciary.

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. HAYS of Ohio: Committee on International Relations. H.R. 13589. A bill to authorize appropriations for the U.S. Information Agency, and for other purposes; (Rept. No. 94-1116). Referred to the Committee of the Whole House on the State of the Union.

Mr. FLOWERS: Committee on the Judiciary. H.R. 9153. A bill granting the consent of Congress to the New Hampshire-Vermont Interstate Sewage Waste Disposal Facilities Compact (Rept. No. 94-1117). Referred to the Committee of the Whole House on the State of the Union.

Mr. MOAKLEY: Committee on Rules. House Resolution 1187. Resolution providing for the consideration of H.R. 12945. A bill to amend and extend laws relating to housing and community development (Rept. No. 94-1118). Referred to the House Calendar.

Mr. MURPHY of Illinois: Committee on Rules. House Resolution 1188. Resolution providing for the consideration of H.R. 12972. A bill to authorize a local public works capital development and investment program (Rept. No. 94-1119). Referred to the House Calendar.

Mr. MATSUNAGA: Committee on Rules House Resolution 1189. Resolution providing for the consideration of H.R. 13179. A bill to authorize appropriations for the Department of State, and for other purposes (Rept. No. 94-1120). Referred to the House Calendar.

Mr. REUSS: Committee of Conference. Conference report on H.R. 9721 (Rept. No. 94-1121). Ordered to be printed.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 12961. A bill to amend the Social Security Act to repeal the requirement that a State's plan for medical assistance under title XIX of such act include a provision giving consent of the State to certain suits brought with respect to payment for inpatient hospital services. (Rept. No. 94-1122). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MORGAN (for himself, Mr. FASCELL, Mr. FRASER, Mr. ROSENTHAL, Mr. HAMILTON, Mr. BINGHAM, Mr. SOLARZ, Ms. MEYNER, Mr. STUDDS, Mr. BUCHANAN, Mr. WHALEN, Mr. BIESTER, and Mr. WINN):

H.R. 13680. A bill to amend the Foreign Assistance Act of 1961 and the Foreign Military Sales Act, and for other purposes; to the Committee on International Relations.

By Ms. ABZUG (by request):

H.R. 13681. A bill to amend the Privacy Act of 1974; to the Committee on Government Operations.

H.R. 13682. A bill to amend the Privacy Act of 1974; to the Committee on Government Operations.

By Mr. ALLEN:

H.R. 13683. A bill to establish a Department of Health, a Department of Education, and a Department of Welfare, and to direct the President to prepare a reorganization plan providing for the transfer to such Departments of all functions of the Department of Health, Education, and Welfare; to the Committee on Government Operations.

By Mr. BIESTER (for himself and Mr. GILMAN):

H.R. 13684. A bill to supplement the authority of the President, through the Council on International Economic Policy, to collect regular and periodic information on international investment, and for other purposes; to the Committee on International Relations.

By Mr. DENT (for himself, Mr. PERKINS, Mr. BIAGGI, Ms. CHISHOLM, Mr. DOMINICK V. DANIELS, Mr. ERLENBORN, Mr. HALL, Mr. LEHMAN, Mr. QUIE, Mr. SARASIN, and Mr. THOMPSON):

H.R. 13685. A bill to provide for pension reform for State and local public service employees; to the Committee on Education and Labor.

By Mr. DODD (for himself, Mr. TSONGAS, Mr. MANN, Mr. FLOWERS, Mr. MAZZOLI, and Mr. REES):

H.R. 13686. A bill to amend title 18, United States Code, and title 23, District of Columbia Code, to grant to courts power to deny pretrial release to persons charged with the commission of certain crimes of violence; jointly to the Committees on the Judiciary, and the District of Columbia.

By Mr. EVINS of Tennessee and Mr. CONTE (by request):

H.R. 13687. A bill to amend the Internal Revenue Code of 1954 to provide income tax simplification, reform, and relief for small business; to the Committee on Ways and Means.

By Mr. FISHER (for himself, Mr. CONABLE, Mr. FORD of Tennessee, Mr. GREEN, Mr. JACOBS, Mr. JONES of OKLAHOMA, Mr. KETCHUM, Ms. KEYS, Mr. MIKVA, Mr. PICKLE, and Mr. STARK):

H.R. 13688. A bill to amend the Internal Revenue Code of 1954 with respect to influencing legislation by public charities; to the Committee on Ways and Means.

By Mr. FITHIAN:

H.R. 13689. A bill to deauthorize the Lafayette Dam and Reservoir, Wabash River, Ind.; to the Committee on Public Works and Transportation.

By Mr. FRENZEL:

H.R. 13690. 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. GUDE:

H.R. 13691. A bill to amend title 5, United States Code, to provide that Federal employees who are required to remain at work when other Federal employees are dismissed because of emergency or adverse weather conditions shall be entitled to overtime rates of pay; to the Committee on Post Office and Civil Service.

By Mr. HAMMERSCHMIDT:

H.R. 13692. A bill to amend the Forest and Rangeland Renewable Resources Planning Act of 1974 (88 Stat. 476) and the act of June 4, 1897 (30 Stat. 35); to the Committee on Agriculture.

H.R. 13693. A bill to reaffirm the intent of Congress with respect to the structure of the common carrier telecommunications industry rendering services in interstate and foreign commerce; to grant additional authority to the Federal Communications Commission to authorize mergers of carriers when deemed to be in the public interest; to reaffirm the authority of the States to regulate terminal and station equipment used for telephone exchange service; to require the Federal Communications Commission to make certain findings in connection with Commission actions authorizing specialized carriers; and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 13694. A bill to amend title XVIII of the Social Security Act to authorize payment under the supplementary medical insurance program for optometric and medical vision care; to the Committee on Ways and Means.

H.R. 13695. A bill to amend the Internal Revenue Code of 1954 to allow corporations a credit for 10 percent of the social security taxes paid with respect to not more than 10 employees; to the Committee on Ways and Means.

H.R. 13696. A bill to amend section 142 of title 13 and section 411(a) of title 7, United States Code, to prevent a change in the definition of a farm prior to June 30, 1976, to relieve the Secretary of Commerce of the responsibility for taking censuses of agriculture every fifth year, and require the Secretary of Agriculture to collect comparable information using sampling methods; jointly to the Committees on Post Office and Civil Service, and Agriculture.

By Mr. JOHNSON of California (for himself, Mr. BOWEN, and Mr. RIEGLE):

H.R. 13697. A bill to amend the Forest and Rangeland Renewable Resources Planning Act of 1974 (88 Stat. 476) and the act of

June 4, 1897 (30 Stat. 35); to the Committee on Agriculture.

By Mr. JONES of North Carolina (for himself, Mr. POAGE, Mr. BERGLAND, Mr. JONES of Tennessee, Mr. BRECKINRIDGE, Mr. WAMPLER, Mr. CRANE, and Mr. MELCHER):

H.R. 13698. A bill to amend the Food Stamp Act of 1964 to insure a proper level of accountability on the part of food stamp vendors; to the Committee on Agriculture.

By Mr. KEMP:

H.R. 13699. A bill to provide for the elimination of inactive and overlapping Federal programs, to require authorizations of new budget authority for Government programs and activities at least every 4 years, to establish a procedure for zero-base review and evaluation of Government programs and activities every 4 years, to require a consolidated financial statement for each fiscal year based on accrual accounting practices, to require disclosure of the projected costs and savings of actions proposed through bills and joint resolutions of the Congress, and for other purposes; to the Committee on Rules.

By Mr. McEWEN (for himself, Mr. JEFFORDS, Mr. DOWNEY of New York, Mr. MURPHY of New York, Mr. CHARLES WILSON of Texas, and Mr. BREAUX):

H.R. 13700. A bill authorizing appropriations for the 1980 Olympic winter games at Lake Placid, N.Y., to the Committee on Interstate and Foreign Commerce.

By Mr. MYERS of Pennsylvania (for himself and Mr. SIMON):

H.R. 13701. A bill to authorize a local public works capital development and investment program; to the Committee on Public Works and Transportation.

By Mr. NATCHER:

H.R. 13702. A bill to reorganize the executive branch of the Federal Government to eliminate excessive, duplicative, inflationary, anticompetitive and unnecessary regulation; jointly to the Committees on Government Operations, and Rules.

By Mr. PATTISON of New York (for himself and Mr. FISH):

H.R. 13703. A bill to amend title 28, United States Code, to provide that Columbia, Greene, and Ulster Counties, N.Y., shall be included in the Northern Judicial District of New York; to the Committee on the Judiciary.

By Mr. PICKLE (for himself, Mr. DAVIS, Mr. MCCOLLISTER, Mr. J. WILLIAM STANTON, Ms. KEYS, Mr. JENNETTE, Mr. MIKVA, Mr. BALDUS, Mr. HAMMERSCHMIDT, Mr. SHRIVER, Mr. HUBBARD, Mr. ROYBAL, Mr. BEDELL, Mr. LONG of Louisiana, Mr. PATTISON of New York, Mr. ENGLISH, Mr. MURPHY of New York, Mr. BRODHEAD, and Mr. SLACK):

H.R. 13704. A bill to amend part B of title XI of the Social Security Act to assure appropriate participation by optometrists in the peer review and related activities authorized under such part; jointly to the Committees on Ways and Means, and Interstate and Foreign Commerce.

By Mr. POAGE (for himself, Mr. JONES of North Carolina, Mr. MATHIS, Mr. ENGLISH, Mr. FINDLEY, Mr. SYMMS, Mr. JOHNSON of Colorado, Mr. MADIGAN, Mr. KELLY, Mr. MOORE and Mr. GRASSLEY):

H.R. 13705. A bill to reform the food stamp program by strengthening various provisions related to eligibility and benefits, improving the nutritional focus of the program, increasing the financial participation of State and local agencies in the provision of food stamp benefits, and for other purposes; to the Committee on Agriculture.

By Mr. RODINO (by request):

H.R. 13706. A bill to amend chapter 313 of title 18 of the United States Code; to the Committee on the Judiciary.

H.R. 13707. A bill to authorize the Judicial Conference of the United States to fix fees and costs in the U.S. district courts and for other purposes; to the Committee on the Judiciary.

H.R. 13708. A bill to amend chapter 42 of title 28, United States Code relating to the establishment of a Federal Judicial Center; to the Committee on the Judiciary.

H.R. 13709. A bill to amend title 18, United States Code, to implement the Convention to Prevent and Punish the Acts of Terrorism Taking the Form of Crimes Against Persons and Related Extortion that are of International Significance and the Convention on the Prevention and Punishment of Crimes Against Internationally Protected Persons, including Diplomatic Agents, and for other purposes; to the Committee on the Judiciary.

H.R. 13710. A bill to amend chapter 2, title 18, United States Code, and sections 101 and 902 of the Federal Aviation Act of 1958, to implement the Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation and for other purposes; jointly, to the Committees on the Judiciary, and Public Works and Transportation.

By Mr. ROGERS (for himself and Mr. PREYER):

H.R. 13711. A bill to revise and extend the Horse Protection Act of 1970; to the Committee on Interstate and Foreign Commerce.

By Mr. ROGERS (for himself, and Mr. BOB WILSON):

H.R. 13712. A bill to amend section 4171 of the Revised Statutes to allow the endorsement on certificates of registry of alternate masters; to the Committee on Merchant Marine and Fisheries.

By Mr. TAYLOR of North Carolina (for himself, Mr. SEBELIUS, Mr. BAUMAN, Mr. BINGHAM, Mr. ECKHARDT, Mr. HOWE, Mr. JOHNSON of Colorado, Mr. KAZEN, Mr. LAGOMARSINO, Mr. MEEDS, Mr. WON PAT, Mr. CLAY, Mr. CLEVELAND, Mr. COCHRAN, Mr. DOWNEY of New York, Mr. FINDLEY, Mr. LOTT, Mr. MCKAY, Mr. MILLS, Mr. PIKE, Mr. QUILLEN, Mr. SIKES, Mrs. SULLIVAN, Mr. WHITE, and Mr. HAMMERSCHMIDT):

H.R. 13713. A bill to provide for increases in appropriation ceilings and boundary changes in certain units of the national park system, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. TAYLOR of North Carolina (for himself and Mr. SEIBERLING):

H.R. 13714. A bill to amend the act approved January 8, 1971, establishing the Chesapeake and Ohio Canal National Historical Park, to provide that a segment of the Chesapeake and Ohio Canal shall be designated in honor of the memory of Justice William O. Douglas, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. TEAGUE:

H.R. 13715. A bill to provide additional assistance to the Energy Research and Development Administration for the advancement of nonnuclear energy research, development, and demonstration; to the Committee on Science and Technology.

By Mr. TSONGAS (for himself, Mr. DODD, Mr. MAZZOLI, Mr. PATTISON of New York, and Mr. RUSSO):

H.R. 13716. A bill to amend title 18, United States Code, so as to establish certain guidelines for sentencing, establish a U.S. Commission on Sentencing, and for other purposes; to the Committee on the Judiciary.

By Mr. WALSH (for himself, Mr. KOCH, Mr. LENT, Mr. ADDABBO, and Mr. SOLARZ):

H.R. 13717. A bill to provide a deduction for income tax purposes, in the case of a disabled individual, for expenses for transportation to and from work; and to provide an additional exemption for income tax purposes for a taxpayer or spouse who is disabled; to the Committee on Ways and Means.

By Mr. WON PAT (for himself, and Mr. PHILLIP BURTON):

H.R. 13718. A bill to authorize a program of loans and grants to the Government of Guam for capital improvements and for other purposes; to the Committee on Interior and Insular Affairs.

By Mrs. BOGGS:

H. Con. Res. 629. Concurrent resolution providing for the printing of a document entitled "The Working Congress"; to the Committee on House Administration.

By Mr. HAMMERSCHMIDT:

H. Con. Res. 630. Concurrent resolution relating to the authority of the Federal Trade Commission to prescribe rules preempting State and local laws; to the Committee on Interstate and Foreign Commerce.

By Mr. KOCH (for himself, Mrs. BURKE of California, Mr. HEINZ, and Mr. MCHUGH):

H. Con. Res. 631. Concurrent resolution expressing the request of the U.S Government that the Government of the Union of Soviet Socialist Republics provide Valentyn Moroz with the opportunity to accept the invitation of Harvard University; to the Committee on International Relations

By Mr. RANGEL:

H. Con. Res. 632. Concurrent resolution creating a Select Committee to Study Ways of Increasing Art Works Depicting Contributions of Black Americans; to the Committee on Rules

By Mr. SISK (for himself, Mr. O'NEILL, Mr. PRICE, Mr. RHODES, Mr. HORTON, and Mr. LONG of Louisiana):

H. Res. 1186. Resolution creating a Select Committee on Professional Sports; to the Committee on Rules.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 13350

By Ms. ABZUG:

Page 2, line 13, strike out "$5,253,304,000" and insert in lieu thereof "$4,013,198,000".

Page 16, line 11, strike out "$3,371,676,000" and insert in lieu thereof "$2,294,570,000".

Page 18, strike out line 18 and all that follows through page 19, line 14.

And redesignate the following paragraphs accordingly.

Page 20, beginning on line 13, strike out "$74,610,000" and insert in lieu thereof "$54,110,000".

Page 20, line 17, strike out "$276,368,000" and insert in lieu thereof "$203,268,000".

By Mr. ALEXANDER:

Page 26, line 14, strike out "$289,370,000" and insert in lieu thereof "$289,470,000", and on line 15, strike out "$1,250,000" and insert in lieu thereof "$1,350,000."

By Mr. DODD:

On page 30, between lines 22 and 23, insert a new section to read as follows:

"SEC. 309. (a) Each officer or employee of the Energy Research and Development Administration who—

"(1) performs any function or duty under this act or any other act amended by this act; and

"(2) has any known financial interest—

"(A) in any person engaged in the business, other than at the retail level, of developing, producing, refining, transporting by pipeline, or converting into synthetic fuel minerals, wastes, or renewable resources, or in the generation of energy from such minerals, wastes, or renewable resources, or in conducting research, development, and demonstration with financial assistance under this Act or any other Act amended by this Act, or

"(B) in property from which minerals are commercially produced,

shall, beginning of February 1, 1977, annually file with the Administrator a written statement concerning all such interests held by such officer or employee during the preceding calendar year. Such statements shall be available to the public.

"(b) The Administrator shall—

"(1) act within ninety days after the date of enactment of this section—

"(A) to define the term 'known financial interest' for purposes of paragraph (2) of subsection (a) of this section; and

"(B) to establish the methods by which the requirement to file written statements specified in subsection (a) of this section will be monitored and enforced, including appropriate provisions for the filing by such officers and employees of such statements and the review by the Administrator of such statements; and

"(2) report to the Congress on June 1 of each calendar year with respect to such disclosures and the actions taken in regard thereto during the preceding calendar year.

"(c) In the rules prescribed in subsection (b) of this section, the Administrator may identify specific positions within the Administration which are of a nonpolicymaking nature and provide that officers or employees occupying such positions shall be exempt from the requirements of this section.

"(d) Any officer or employee who is subject to, and knowingly violates, this section, shall be fined not more than $2,500 or imprisoned not more than one year, or both."

By Mr. MYERS of Pennsylvania:

On page 32, after line 8, insert the following:

"SEC. 405. Pursuant to 18 U.S.C. 208, and the regulations of the Administrator, any employee of the Administrator in a policy making position who participates personally and substantially through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise, in a proceeding, application, request for ruling, or other determination, contract, claim, controversy, or other particular matter in which he, or other members of his household, have a financial interest, shall disclose such interest to the Administrator and the vendor or applicant, upon request."

By Mr. STARK:

Page 32, immediately after line 6, insert the following:

"SEC. 405. The Administrator shall not use any funds appropriated pursuant to this Act under any contract in effect on or after October 1, 1977 for research, services, or material conducted or supplied by the Lawrence Livermore Laboratory for the Energy Research and Development Administration unless that contract specifically provides that the employees of the Lawrence Livermore Laboratory will be guaranteed the same rights as are guaranteed in Section 7 of the National Labor Relations Act to employees defined in section 2(3) of the National Labor Relations Act."

FACTUAL DESCRIPTIONS OF BILLS AND RESOLUTIONS INTRODUCED

Prepared by the Congressional Research Service pursuant to clause 5(d) of House rule X. Previous listing appeared in the CONGRESSIONAL RECORD of May 10, 1976, page 13160:

HOUSE BILLS

H.R. 13300. April 27, 1976. Ways and Means. Amends the Social Security Act to authorize payment under the Medicare program for specified services performed by chiropractors, including x-ray, and physical examination, and related routine laboratory tests.

H.R. 13301. April 27, 1976. Interior and Insular Affairs. Authorizes the Secretary of the Interior to acquire certain lands to establish the Frederick Law Olmstead Home and Office in Massachusetts as a national historic site.

H.R. 13302. April 27, 1976. Veterans' Affairs. Revises eligibility requirements for veterans' dependency and indemnity compensation.

H.R. 13303. April 27, 1976. Interior and Insular Affairs. Designates a segment of the Obed River, segments of two of its tributaries, and a segment of the Emory River, Tennessee, as a component of the National Wild and Scenic Rivers System.

Designates another segment of the Emory River, Tennessee, as a potential addition to the National Wild and Scenic Rivers System.

H.R. 13304. April 27, 1976. Interstate and Foreign Commerce. Reaffirms the intent of Congress with respect to the structure of the common carrier telecommunications industry rendering services in interstate and foreign commerce. Grants additional authority to the Federal Communications Commission to authorize mergers of carriers when deemed to be in the public interest. Reaffirms the authority of the States to regulate terminal and station equipment used for telephone exchange service. Requires the Federal Communications Commission to make specified findings in connection with Commission actions authorizing specialized carriers.

H.R. 13305. April 27, 1976. Rules. Requires review of Federal programs to determine if they warrant continuation. Requires the President to conduct such review of the programs covered by the annual budget. Requires Congress to make such review every four years.

H.R. 13306. April 27, 1976. Ways and Means. Amends the Internal Revenue Code to allow a deduction to individuals, who rent their principal residences, for a portion of the real property taxes paid or accrued by their landlord.

H.R. 13307. April 27, 1976. Ways and Means. Authorizes every individual whose income tax liability, under the Internal Revenue Code, is $1 or more to designate that $1 shall be used to reduce the public debt of the United States.

H.R. 13308. April 27, 1976. Public Works and Transportation. Amends the Federal Aviation Act of 1958 to extend the authority of the Secretary of Transportation to provide war risk insurance for air carriers.

H.R. 13309. April 27, 1976. Ways and Means. Amends the Tariff Schedules of the United States to repeal the duty imposed on articles assembled abroad with components produced in the United States.

H.R. 13310. April 27, 1976. Interstate and Foreign Commerce. Reaffirms the intent of Congress with respect to the structure of the common carriers telecommunications industry rendering services in interstate and foreign commerce. Grants additional authority to the Federal Communications Commission to authorize mergers of carriers when deemed to be in the public interest. Reaffirms the authority of the States to regulate terminal and station equipment used for telephone exchange service. Requires the Federal Communications Commission to make specified findings in connection with Commission actions authorizing specialized carriers.

H.R. 13311. April 27, 1976. Ways and Means. Amends the Internal Revenue Code to allow an individual to take a tax deduction for the amount of the ordinary and necessary expenses paid or incurred by the individual during the taxable year for transportation between the individual's residence and his principal place of employment.

H.R. 13312. April 27, 1976. Ways and Means. Amends the Old-Age, Survivors, and Disability Insurance program of the Social Security Act to provide for the payment of reduced old-age insurance benefits to women at age 55, and to provide for the payment of full wife's or widow's benefits at such age.

H.R. 13313. April 27, 1976. Ways and Means. Amends the Internal Revenue Code to allow a limited tax credit for qualified investments by the taxpayer in development property in economically depressed regions certified by the Secretary of Commerce.

H.R. 13314. April 27, 1976. Agriculture. Amends the Forest and Rangeland Renewable Resources Planning Act of 1974 to direct the Secretary of Agriculture to include in the Renewable Resource Program, national program recommendations which take into account specified policy objectives.

Requires the Secretary to provide for public participation in the formulation and review of proposed land management plans and to promulgate regulations for their development and revision.

Revises provisions relating to the sale of timber found on National Forest Service lands.

H.R. 13315. April 27, 1976. Interstate and Foreign Commerce. Reaffirms the intent of Congress with respect to the structure of the common carrier telecommunications industry rendering services in interstate and foreign commerce. Grants additional authority to the Federal Communications Commission to authorize mergers of carriers when deemed to be in the public interest. Reaffirms the authority of the States to regulate terminal and station equipment used for telephone exchange service. Requires the Federal Communications Commission to make specified findings in connection with Commission actions authorizing specialized carriers.

H.R. 13316. April 27, 1976. Judiciary. Replaces Federal criminal statutory provisions penalizing "rape" and "carnal knowledge of females under 16" with provisions penalizing "sexual assault." Designates guilty of sexual assault any person who knowingly engages in sexual contact or penetration of another person without such person's consent.

H.R. 13317. April 27, 1976. Judiciary. Replaces Federal criminal statutory provisions penalizing "rape" and "carnal knowledge of females under 16" with provisions penalizing "sexual assault." Designates guilty of sexual assult any person who knowingly engages in sexual contact or penetration of another person without such person's consent.

H.R. 13318. April 27, 1976. Judiciary. Amends the Omnibus Crime Control and Safe Streets Act of 1968 to emphasize crime prevention as a major purpose of Title I of such Act. Requires that States applying for Federal crime prevention, law enforcement, and criminal justice grants under such Act include in their required comprehensive plans a program for the prevention of crime against the elderly.

H.R. 13319. April 27, 1976. Agriculture. Establishes within the Department of Agriculture a Bureau of Agricultural Statistics to obtain information regarding the prices of food paid to producers and processors and the prices of food at the wholesale and retail level. Directs such Bureau to make recommendations for legislation to provide for lower retail prices of food when the price paid to the producer for the agricultural commodity from which the food is made is decreasing or remaining constant, and the retail price is increasing.

H.R. 13320. April 27, 1976. Education and Labor. Directs the Secretary of the Interior and the Secretary of Agriculture to extend the Youth Conservation Corps program to provide year-round employment for young adults between the ages of 19 and 24.

H.R. 13321. April 27, 1976. Ways and Means. Amends the Aid to Families with Dependent Children program of the Social Security Act: (1) to lower to 16 the age at which individuals may participate in community work and training programs; (2) to provide for the payment of transportation costs and work-related expenses to trainees; (3) to establish a criminal penalty for fraud related to the Aid to Families with Dependent Chil-

dren program; (4) to authorize the Federal payment of a portion of the cost of investigating and prosecuting fraud; (5) to prohibit the payment of benefits to illegal aliens; and (6) to authorize the deposit of benefits directly in a recipient's bank.

H.R. 13322. April 27, 1976. Education and Labor. Amends the Elementary and Secondary Education Act of 1965 to require that State plans submitted for the purpose of receiving grants under the libraries and learning resources provisions of such Act give satisfactory assurances that the per pupil (previously aggregate) amount to be expended by the State and its local educational agencies from funds derived from non-Federal sources for specified programs for each fiscal year will not be less than 95 percent of the amount so expended for the previous fiscal year.

Authorizes the Commissioner of Education, under specified conditions, to waive such requirement.

H.R. 13323. April 27, 1976. Rules. Amends the Impoundment Control Act of 1974 to provide that any amount of budget authority proposed to be rescinded or reserved by the President shall be made immediately available for obligation if either House of Congress (before the expiration of the 45-day period for disapproval by congressional action prescribed by present law) disapproves such rescission or reservation.

Permits either House of Congress to direct the Comptroller General to bring a civil suit to enforce the provisions of this Act.

H.R. 13324. April 27, 1976. Interstate and Foreign Commerce. Reaffirms the intent of Congress with respect to the structure of the common carrier telecommunications industry rendering services in interstate and foreign commerce. Reaffirms the authority of the States to regulate terminal and station equipment used for telephone exchange service. Requires the Federal Communications Commission to make specified findings in connection with Commission actions authorizing specialized carriers.

H.R. 13325. April 27, 1976. Interstate and Foreign Commerce. Amends the Regional Rail Reorganization Act of 1973 to authorize additional appropriations for the United States Railway Association.

H.R. 13326. April 27, 1976. Merchant Marine and Fisheries. Extends until November 1, 1983, the existing exemption of the steamboat *Delta Queen* from the safety at sea laws.

H.R. 13327. April 27, 1976. Interstate and Foreign Commerce. Reaffirms the intent of Congress with respect to the structure of the common carrier telecommunications industry rendering services in interstate and foreign commerce. Reaffirms the authority of the States to regulate terminal and station equipment used for telephone exchange service. Requires the Federal Communications Commission to make specified findings in connection with Commission actions authorizing specialized carriers.

H.R. 13328. April 27, 1976. Judiciary. Authorizes the Secretary of the Treasury to reimburse State and local governments for expenditures made at the request of the United States Secret Service for the protection of any person the Service is authorized to protect.

H.R. 13329. April 27, 1976. Ways and Means. Amends the Social Security Act to authorize payment under the Medicare program for specified services performed by chiropractors, including x-ray, and physical examination, and related routine laboratory tests.

H.R. 13330. April 27, 1976. Ways and Means. Directs the Administrator of the Environmental Protection Agency and the Nuclear Regulatory Commission to investigate complaints alleging employment loss as a result of imposition of Federal environmental or nuclear regulatory standards. Authorizes the Secretary of Labor to provide Federal assistance in the form of unemployment compensation and related benefits to such individuals.

EXTENSIONS OF REMARKS

IN MEMORY OF THE HOLOCAUST

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 11, 1976

Mr. LONG of Maryland. Mr. Speaker, the Holocaust is the most recent and most horrible reminder of the lessons of the Diaspora and of the Roman massacre in Jerusalem nearly two millenia ago.

The propaganda that Jews have been well treated in Muslim countries and that they would therefore co-exist as equals in the Palestinians' proposed "democratic and secular state" is discredited by the facts of the plight of Jews in 19th century Palestine—as described by David Landes in the February 1976, issue of Commentary.

As Landes says, citing historical documentation:

> In sum, the situation of the Jews in the pre-Zionist Holy Land (and in Islamic lands in general) was comparable to that of the blacks in the post-Reconstruction American South. . . .
>
> The Jews of (19th century) Palestine were designated as inferior (in law as well as custom), segregated by appearance and residence, subject to discrimination and abuse, and liable to sporadic and not infrequent violence. Lynching—that is, group assault—was not a common occurrence; but it happened often enough, and then with impunity, to constitute an immanent, imminent menace.

The implications that Landes sees of the oppression of the Jews in 19th century Palestine should be remembered today as we ponder the meaning of the Holocaust:

> (1) "the subordination of Jew to Muslim in the Arab world was the worst possible basis for the coexistence of the two groups in an age of Liberty, Equality, Fraternity. The aspiration of Jews (and other minorities in Islam) to the first two made the third impossible.
>
> (2) No improvement was possible for the Jews in Palestine because of their inferior position in the society and their lack of political power.
>
> (3) With regard to the Palestinians' proposal for a secular, democratic state in Palestine, Landes says that "no Arab society has ever established such a state in the past, and none of the Arab states of today, for all the progress of modern secular notions, is built on these principles. The one country that has moved in this direction, Lebanon, is today an object lesson in the limits of co-determination in an exclusivist Middle East."

The Jews have had the lesson burned into their souls. Partly as a result, they created Israel where they could breathe and worship as Jews. America, which stands for freedom of minorities from the worst kind of persecution—the persecution of minorities by majorities—has had, at least in recent years, a firm policy of helping Israel and the Jews preserve their spiritual heritage in a hostile world.

As your Congressman—one who is in a fortunate committee position of being able to shape appropriate legislation and provide funds to help Israel survive—I pledge you my efforts to insure that Israel is preserved and that her enemies are neither encouraged nor strengthened.

One of the mysteries of the human experience is that a people who have the longest recorded history in the annals of mankind and who have made the most enduring contributions to religion, to history, to science, to literature, to philosophy, to the social disciplines, to say nothing of leadership in peace and understanding, should for thousands of years have been the victims of the most savage persecution and been obliged to live at the indulgence of other, and frequently inferior, cultures.

At long last, they have been restored to their spiritual homeland in Israel, and the least America can do is to see that from now on, as in the last 28 years, the Jews can be masters of their own fate.

DELTA NU ALPHA TRANSPORTATION FRATERNITY OF YOUNGSTOWN, OHIO, CELEBRATES NATIONAL TRANSPORTATION WEEK

HON. CHARLES J. CARNEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 11, 1976

Mr. CARNEY. Mr. Speaker, during the week of May 16–22, the Delta Nu Alpha Transportation Fraternity, Youngstown Chapter No. 6, will join with other chapters of this national transportation fraternity in celebrating National Transportation Week. As part of its activities, Delta Nu Alpha will present awards for "Transportation Person of the Year" and "Delta Nu Alpha Person of the Year."

The Delta Nu Alpha Transportation Fraternity in Youngstown has 88 paid members and meets once a month from September to June. The fraternity provides a forum for information about careers in the transportation industry and discussions about national transportation issues.

Recently, Delta Nu Alpha completed a survey of its membership on the merits of deregulation versus continued regulation of the transportation industry. A majority of the membership surveyed are opposed to deregulation and instead favors transportation regulatory reform.

Mr. Speaker, I commend the members of Delta Nu Alpha in Youngstown for their continued interest in issues affecting the transportation industry. This is