HOUSE OF REPRESENTATIVES—*Thursday, October 28, 1971*

The House met at 12 o'clock noon.

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

The kingdom of God is not meat and drink: But righteousness and peace and joy in the Holy Spirit.—Romans 14: 17.

Almighty God, most merciful and ever gracious, by the might of Thy spirit lift us into Thy presence where we may be still and receive grace to help in time of need.

We pray for the sick and the sorrowing, the tempted and the troubled, the discouraged and the despondent, and for those who suffer in the suffering of others, may they be strengthened with power for endurance and patience.

We pray for the poor and the hungry, for those who are persecuted and oppressed, for those who seek the lift of liberty in their lives and in their land. By Thy spirit help us to help them.

Reveal to us the secret faults in ourselves which add to the sum of human misery. May we be moved to repentance, be ready to consecrate ourselves anew to Thee and be used by Thee to advance Thy kingdom in our world. In the Master's name we pray. Amen.

THE JOURNAL

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

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE SENATE

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

H.R. 10458. An act to broaden and expand the powers of the Secretary of Agriculture to cooperate with Mexico, Guatemala, El Salvador, Costa Rica, Honduras, Nicaragua, British Honduras, Panama, Colombia, and Canada to prevent or retard communicable diseases of animals, where the Secretary deems such action necessary to protect the livestock, poultry, and related industries of the United States.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 7072) entitled "An act to amend the Airport and Airway Development Act of 1970 to further clarify the intent of Congress as to priorities for airway modernization and airport development, and for other purposes,"; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. CANNON, Mr. HARTKE, Mr. HART, Mr. PEARSON, and Mr. BAKER to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 29) entitled "An act to establish the Capitol Reef National Park in the State of Utah," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BIBLE, Mr. Moss, and Mr. HANSEN to be the conferees on the part of the Senate.

The message also announced that the Senate had passed a bill and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 79. An act for the relief of the Glover Packing Co.; and

S. Con. Res. 46. Concurrent resolution to correct the enrollment of S. 137.

NORTH VIETNAM SHOULD RELEASE AMERICAN PRISONERS OF WAR AND ACCOUNT FOR MISSING IN ACTION

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

Mr. ZABLOCKI. Mr. Speaker, the announcement that the Government of South Vietnam will release 2,900 Vietcong prisoners of war—618 freed outright and the remaining number after a brief rehabilitation—is a welcome and heartening development. Particularly because of my deep and long-standing interest in obtaining the release of American POW's and MIA's in Southeast Asia I would hope that this humane action will generate a similar appropriate response from North Vietnam.

President Thieu is to be commended for his leadership in arranging for the return of these men to their families and loved ones.

Above all the action should be recognized as in keeping with the Geneva Convention on the treatment of prisoners of war. While North Vietnam ratified the agreement it has consistently failed to live up to the provisions of that agreement.

I know all Americans and people everywhere join me in the urgent hope that North Vietnam will take the same responsible attitude reflected in this action by South Vietnam. North Vietnam should now release U.S. POW's and account for the missing in action.

Congressional concern over the plight of our POW's/MIA's was shown once again on October 4 with the unanimous passage of House Concurrent Resolution 374, calling for the humane treatment and release of U.S. prisoners and a full accounting of those listed as missing. That concern and abiding interest will continue until our POW's/MIA's return home.

LONGSHOREMEN MAKING ERROR IF THEY PICKET ON WEST COAST

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

Mr. PELLY. Mr. Speaker, there was a news item this morning which stated that Atlantic coast longshore chief Thomas Gleason intends to send pickets to the west coast to close down shipping during the Taft-Hartley injunction. This, to me, would be a very bad mistake.

Mr. Speaker, if any labor leader tries to strangle the entire U.S. economy he will incur the wrath of the people and the Congress. As a result, the Congress might well enact legislation making arbitration compulsory. Any labor leader who contemplates such a reckless act as was suggested by Mr. Gleason should realize that compulsory arbitration legislation is under consideration in the Congress right now.

DUTIABLE STATUS OF ALUMINUM HYDROXIDE AND OXIDE, CALCINED BAUXITE, AND BAUXITE ORE

Mr. ULLMAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 4590) relating to the dutiable status of aluminum hydroxide and oxide, calcined bauxite, and bauxite ore, with the Senate amendment to the House amendments to the Senate amendments thereto, and concur in the Senate amendment to the House amendments to the Senate amendments.

The Clerk read the Senate amendment to the House amendments to the Senate amendments, as follows:

In lieu of the matter proposed to be inserted by the first amendment of the House engrossed amendments to Senate engrossed amendment numbered 2 insert: "by striking out such item and inserting in lieu thereof the following:

"	Trinitrotoluene:		
405.04	Valued not over 15 cents per pound	1.7¢ per lb. + 11% ad val.	7¢ per lb. + 45% ad val.
405.05	Valued over 15 cents per pound	Free	7¢ per lb. + 45% ad val. "

The rate of duty in rate column numbered 1 of the Tariff Schedules of the United States for item 405.05 (as added by this subsection) shall be treated as not having the status of statutory provisions enacted by the Congress, but as having been proclaimed by the President as being required or appropriate to carry out foreign trade agreements to which the United States is a party.

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

Mr. BYRNES of Wisconsin. Mr. Speaker, reserving the right to object—and I shall not object, because the Senate amendment is most acceptable—I do so in order to yield to the gentleman from Oregon so that he might explain the situation that we now have before us.

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

Mr. BYRNES of Wisconsin. I yield to the gentleman from Oregon.

Mr. ULLMAN. Mr. Speaker, Members will recall that on June 8, 1971, the House unanimously passed H.R. 4590, permanently suspending the duty on aluminum hydroxide and oxide—alumina—calcined bauxite, and bauxite ore. In agreeing to H.R. 4590 on July 20, 1971, the Senate added two substantive amendments. The first Senate amendment provided duty-free treatment for certain explosive materials, TNT, and amatol—a mixture of TNT and ammonium nitrate. Under this amendment, duty-free treatment of these explosive materials would have become effective January 1, 1972. The second Senate amendment provided for the duty-free treatment of tin sheets for use in the manufacture of maple sap evaporators.

On August 3, the House considered H.R. 4590, as amended by the Senate, and agreed to the Senate amendment with respect to the duty-free treatment of tin sheets for use in the manufacture of maple sap evaporators. However, with respect to the first Senate amendment concerning the duty-free treatment of TNT and amatol, the House, based on information from the Department of Commerce at that time, concurred in the Senate amendment with an amendment which left the rate of duty on imports of amatol at its existing level, and provided for a 50-percent reduction in the rate of duty applying to imports of TNT.

Subsequent to the House action on the Senate amendments to H.R. 4590 which returned the bill to the Senate, the Senate reconsidered H.R. 4590 and has now concurred in the House amendment with an amendment which would make duty-free TNT valued at more than 15 cents per pound and apply to TNT valued at 15 cents per pound or less a rate of duty equal to one-half the existing rate of duty.

Mr. Speaker, I am informed that the Department of Commerce now favors the amendment to H.R. 4590 with respect to the duty treatment of TNT and that the domestic producer, who originally raised the objection to the Senate action providing for the total elimination of the duty on TNT, also favors the Senate amendment.

In brief, Mr. Speaker, I believe this matter has been straightened out to the benefit of all concerned and I believe the House should concur in the Senate amendment to the House amendment to H.R. 4590, as approved by the Senate on October 19, 1971.

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

Mr. BYRNES of Wisconsin. I yield to the gentleman from Missouri.

Mr. HALL. I appreciate the gentleman's yielding. In the opinion of the gentleman, or the gentleman handling the bill with the Senate amendment thereto, is the Senate amendment that has been attached to the Ex-Im bank extension bill germane?

Mr. BYRNES of Wisconsin. Yes, it is germane. The problem related to a little difference in the treatment of certain explosive materials, TNT and amatol. That was the issue that was involved. We thought we had resolved it in an amendment we had adopted in the House to a Senate amendment a few weeks ago. It did develop, however, that there was some question as to whether, even after the amendment adopted by the House, there might be some interference with domestic producers and some problems that would arise.

The Senate, therefore, corrected that. They sent it back, and now there is no industry conflict, and the departments are in favor of it.

Mr. HALL. If the gentleman will yield further, there would be no increased cost to the taxpayer as a result of the amendment nor disturbance of the upset price when surplus is thrown on the general market?

Mr. BYRNES of Wisconsin. No, that is not involved here.

Mr. HALL. I thank the gentleman.

Mr. BYRNES of Wisconsin. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Senate amendment to the House amendments to the Senate amendments was concurred in.

A motion to reconsider was laid on the table.

EXTENDING EXPORT ADMINISTRATION ACT OF 1969

Mr. PATMAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the Senate joint resolution (S.J. Res. 167) to extend the authority conferred by the Export Administration Act of 1969.

The Clerk read the title of the Senate joint resolution.

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

Mr. WIDNALL. Mr. Speaker, reserving the right to object, I would like to ask the distinguished chairman of the House Committee on Banking and Currency to outline to us just what this amendment will do.

Mr. PATMAN. Mr. Speaker, enactment of this joint resolution would extend the Export Administration Act of 1969 for 6 months—from October 31, 1971, to May 1, 1972. The Export Administration Act furnishes the basic authority for control of exports to so-called Communist bloc countries. Further, it furnishes the authority for regulating the outflow of scarce materials, as well as the authority to regulate exports in furtherance of the national security and foreign policy objectives of the United States. The temporary extension of the Export Administration Act, which would otherwise expire on October 31, 1971, will provide the necessary time for the Committee on Banking and Currency to complete its deliberations on legislation which will cover this subject and related export trade subjects.

Continuation of this authority has not been the subject of hearings this year because of other demands on the committee, including hearings and enactment of legislation concerning the Export-Import Bank. At the request of the administration, the committee did set aside hearings on the Export Administration Act to take up legislation prior to the August recess concerning the Export-Import Bank, which has been enacted. Hopefully, these amendments to the Export-Import Bank will serve to substantially increase our export trade. Action on this export finance legislation was completed on August 5, 1971, and signed into law by the President on August 17, during the recess. Since the recess, the committee has been involved, among other things, in extensive hearings on the President's new economic policy announced on August 15 and in extensive hearings on housing legislation.

With this proposed extension of the Export Administration Act until May 1, 1972, it will provide the necessary time during which detailed consideration can be given to this legislation. It is expected that hearings on the Export Administration Act and related international economic policy issue matters will be taken up as one of the first orders of business next year.

Mr. Speaker, I have discussed this matter with the banking minority member of the House Banking and Currency Committee, the Honorable WILLIAM B. WIDNALL, and he is fully in accord with this resolution.

Mr. WIDNALL. It is the gentleman's intention to have a meeting of the House Committee on Banking and Currency to act on this other matter?

Mr. PATMAN. Absolutely. We will take it up at the same time as we have some other bills which have expiration dates—in the next few weeks.

Mr. WIDNALL. The expiration date of the other would be December 1 of this year.

Mr. PATMAN. That is correct.

Mr. WIDNALL. And so it would be necessary for our committee to act before that date.

Mr. PATMAN. Before December 1. I certainly give the gentleman my word we will make every effort to do it. I will do everything that can be done, as chairman of the committee, to make that possible.

Mr. WIDNALL. Mr. Speaker, I withdraw my reservation of objection.

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

Mr. GERALD R. FORD. Mr. Speaker, further reserving the right to object, and I do not intend to object, will the chairman of the Committee on Banking and Currency respond to two other questions?

Mr. PATMAN. Certainly.

Mr. GERALD R. FORD. I am delighted to hear that the chairman has agreed to bring up this matter in the committee and to do his utmost to get action taken by the committee, but is it also the intention of the chairman, if the committee approves the proposed legislation, that he would ask the Speaker to put that legislation on the suspension calendar prior to the adjournment of the Congress this session?

Mr. PATMAN. That is correct. And if we are unable to get it passed on sus-

pension, we will ask for a rule, because it is a matter of such urgency and an emergency, and I think it would be justified.

Mr. GERALD R. FORD. One further question. As I understand it, the other body passed the proposed extension of the Export Control Act authority, plus this amendment that involves the savings and loan triggering amendment.

Mr. PATMAN. That is correct.

Mr. GERALD R. FORD. Now if the gentleman from Texas gets the authority by unanimous consent here, is it his intention to move to strike section 2?

Mr. PATMAN. Yes. I have an amendment pending at the desk.

Mr. GERALD R. FORD. Mr. Speaker, I withdraw my reservation of objection.

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

Mr. MONAGAN. Mr. Speaker, reserving the right to object, I would like to ask, am I correct in asking if this is an extension of existing law?

Mr. PATMAN. Of existing law.

Mr. MONAGAN. I am happy the gentleman is bringing this up. I support the legislation, and withdraw my reservation.

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

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. RES. 167

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 14 of the Export Administration Act of 1969, as amended (Public Law 92-37; 85 Stat. 89), is amended by striking out "October 31, 1971" and inserting "May 1, 1972".

SEC. 2. Section 404(g) of the National Housing Act is amended by striking out "1¾" and substituting in lieu thereof "1⅝".

AMENDMENT OFFERED BY MR. PATMAN

Mr. PATMAN. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PATMAN: Strike all of section 2 of Senate Joint Resolution 167.

Mr. PATMAN. Mr. Speaker, my amendment would strike section 2 of Senate Joint Resolution 167. This amendment, which as we all know is nongermane to the basic thrust of the resolution, would amend the National Housing Act. Its substantive effect would be to keep $400 million of savings in savings and loan associations, which otherwise under existing law would have to be paid to the Federal Savings and Loan Insurance Corp.

Mr. Speaker, I stand behind no one in my support of home mortgage loans for the American people. My record is clear and unblemished on this point. I have always fought for funds, both directly from the Federal Government and adequate funds for our home mortgage institutions to help the American people achieve decent, safe and sanitary housing. I do not believe, however, and I know other Members share this view, especially as a result of language contained within the Legislative Reorganization Act of last year, that this body will entertain consideration of amendments passed by the other body which are nongermane in nature to the legislation before this body.

If the other body, assuming this legislation passes with an amendment, cares to consider the particular matter as contained in section 2 of this legislation and presents the House Banking and Currency Committee and this body with legislation speaking specifically to this issue, I am sure we should give it expeditious and speedy consideration. Certainly, no on wants to see funds diverted from the savings and loan association which would otherwise be available for home mortgage lending. But by the same token, we must consider all matters in a judicial and orderly way.

The effect, therefore, Mr. Speaker, if adopted would be to refer this legislation back to the other body containing only that provision which would extend the Export Administration Act from October 31, 1971, until May 1, 1972.

The amendment was agreed to.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TO CORRECT THE ENROLLMENT OF S. 137, CONVEYANCE OF CERTAIN PUBLIC LANDS IN WYOMING

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent for the immediate consideration of the Senate concurrent resolution (S. Con. Res. 46) to correct the enrollment of S. 137.

The Clerk read the title of the Senate concurrent resolution.

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

There was no objection.

The Clerk read the Senate concurrent resolution, as follows:

S. CON. RES. 46

Resolved by the Senate (the House of Representatives concurring), That the action of the Speaker of the House of Representatives in signing the enrolled bill (S. 137) to provide for the conveyance of certain public lands in Wyoming to the occupants of the land, be rescinded, and that the Secretary of the Senate be, and he is hereby, authorized and directed to reenroll the bill with the following change, namely: in the second sentence of section 1 strike out the word "modification" and insert in lieu thereof "notification".

The Senate concurrent resolution was concurred in.

A moiton to reconsider was laid on the table.

PERSONAL ANNOUNCEMENT

Mr. COLLIER. Mr. Speaker, due to a death in the family I was officially excused on October 12 and October 14, during which time there were four teller votes and two rollcall votes which I missed.

I ask that the RECORD indicate that had I been present on teller vote 292 I would have voted "no," on teller vote 293 I would have voted "no," on rollcall No. 294 I would have voted "yea," on teller vote 298 I would have voted "aye," on teller vote 299 I would have voted "no," and on rollcall No. 300 I would have voted "yea."

MOVE TO DOUBLE U THANT'S PENSION AN INSULT

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

Mr. HUNT. Mr. Speaker, on the heels of the literal denunciation of the Charter of the United Nations that saw Taiwan expelled from that vegetable-like body, I read in this morning's paper that a resolution has been introduced in the U.N. General Assembly's Budgetary Committee which would raise Secretary General U Thant's tax-free annual pension from $15,800 to $31,250.

That is a mighty handsome figure by anyone's standards, but considering the bankrupt state of affairs at the U.N., financially and otherwise, it is absolutely ridiculous to even venture such a gesture. I would go further to say that this proposal is no doubt intended as a reward by a number of small, left-leaning nations that have always been in the pocket of the Secretary General as well as the Communist-bloc nations that have enjoyed his frequently not-so-silent partnership.

Certainly, such a magnanimous increase can not be looked upon as a measure of the Secretary General's success. During his two terms of only 10 years, U Thant has been a weak and vasilating leader and the U.N. has deteriorated to the point of being a worthless vestige of what was once looked upon as the only great hope for achieving world peace. In those 10 years there have been more unresolved multinational conflicts and a greater degree of ideological polarization among the peoples of the world than in the entire preceding history of the U.N. This polarization was no more evident than when the entire block of Communist nations and their weak-sister followers exploded with great cheer for having defeated the U.S. effort to retain the legitimate position of Taiwan in the U.N.

To double the Secretary General's annual pension would be another insult to the United States, but more than this, it would mark the dubious distinction of a man who has sometimes followed and sometimes led the U.N. to its all-time low in prestige and influence.

PERSONAL EXPLANATION

Mrs. ABZUG. Mr. Speaker, due to illness, I was not present for rollcall No. 251 on final passage of the marine sanctuaries bill. Had I been present, I would have voted in the affirmative.

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

Mr. BOGGS. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 325]

Abourezk	Gettys	O'Hara
Anderson, Tenn.	Giaimo	Pike
Archer	Gibbons	Powell
Arends	Goldwater	Pryor, Ark.
Baring	Gray	Reid, N.Y.
Barrett	Halpern	Rhodes
Blanton	Harvey	Roberts
Boland	Hébert	Rosenthal
Caffery	Heckler, Mass.	Satterfield
Carey, N.Y.	Hicks, Mass.	Scheuer
Cederberg	Howard	Shipley
Celler	Hungate	Sikes
Clark	Ichord	Smith, Iowa
Conte	Jarman	Steiger, Ariz.
Culver	Landrum	Stokes
Derwinski	Lennon	Sullivan
Diggs	Long, La.	Talcott
Eckhardt	Lujan	Teague, Tex.
Edwards, Ala.	McKevitt	Tiernan
Evins, Tenn.	Madden	Vander Jagt
Foley	Melcher	Wilson, Bob
Gallagher	Mills, Ark.	Wilson, Charles H.
	Mink	

The SPEAKER. On this rollcall 362 Members have answered to their names, a quorum.

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

EXTENDING FEDERAL WATER POLLUTION CONTROL ACT

Mr. ROE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 11423) to extend the Federal Water Pollution Control Act until January 31, 1972.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 11423

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second sentence of section 5(n) of the Federal Water Pollution Control Act (33 U.S.C. 1155(n)) is amended by striking out "$7,000,000 for the period ending October 31, 1971," and inserting in lieu thereof "$27,000,000 for the period ending January 31, 1972,".

SEC. 2. Section 6(e) of the Federal Water Pollution Control Act (33 U.S.C. 1156(e)) is amended by striking out "and" at the end of the paragraph (2); by striking out the period at the end of paragraph (3) and inserting in lieu thereof a semicolon and the following:

"(4) for the period ending January 31, 1972, the sum of $7,000,000 in addition to funds made available under Public Law 92-50."

SEC. 3. Section 7(a) of the Federal Water Pollution Control Act (33 U.S.C. 1157(a)) is amended by striking out "and for the four-month period ending October 31, 1971, $4,000,000." and inserting in lieu thereof "and for the seven-month period ending January 31, 1972, $10,000,000".

SEC. 4. (a) Section 8(c) of the Federal Water Pollution Control Act (33 U.S.C. 1158(c)) is amended by striking out "1971" each of the three places it appears and by inserting in lieu thereof at each such place "1972".

(b) The second sentence of section 8(d) of the Federal Water Pollution Control Act (33 U.S.C. 1158(d)) is amended by striking out "$650,000,000 for the four-month period ending October 31, 1971." and inserting in lieu thereof "$1,250,000,000 for the seven-month period ending January 31, 1972."

Mr. ROE. Mr. Speaker, since June 30, 1971, the programs under the Federal Water Pollution Control Act have been carried out under the authority of two temporary resolutions. The latest extension which is for 30 days expires on October 31, 1971. It had been expected that this would allow sufficient time for the Committee on Public Works to complete its hearings and recommend new legislation to extend and revise the water pollution control program. The committee on September 24 completed the most extensive and constructive hearings which have yet been held on this program. However, we have not been able to complete our action.

The committee is now in the process of drafting legislation. Similarly, the Senate Committee on October 19 agreed on a bill which is expected to be acted upon at an early date. However, it seems highly unlikely that we shall be able to complete action on this legislation in this session of the Congress.

Section 1 of the bill extends section 5(n) of the Federal Water Pollution Control Act and provides an additional authorization of $20 million for the 4 months ending January 30, 1972, for research, investigations, training and information programs.

Section 2 authorizes $7 million in addition to funds previously appropriated for financing research and development grant programs under section 6(e).

Section 3 provides an additional $6 million for section 7(a) of the Federal Water Pollution Control Act—a total of $10 million for the 7-month period ending January 31, 1972. This will permit the States to continue the planning of their programs in an orderly fashion.

Section 4 increases the authorization for the basic grant program for waste treatment facilities under section 8(d) to $1,250,000,000.

In addition, section 4 provides for extending section 8(c) of the Federal Water Pollution Control Act. Under this section certain States are eligible to be reimbursed for the Federal share on such projects as have been prefinanced under section 8(c). This section provides in part that—

In the case of any project on which construction was initiated in such State after June 30, 1966, which was approved by the appropriate State water pollution control agency and which the Secretary finds meets the requirements of this section, but was constructed without such assistance, such allotments for any fiscal year ending prior to July 1, 1971, shall also be available for payments in reimbursement of State or local funds used for such project prior to July 1, 1971, to the extent that assistance could have been provided under this section if such project has been approved pursuant to this section and adequate funds had been available. In the case of any project on which construction was initiated in such State after June 30, 1966, and which was constructed with assistance pursuant to this section but the amount of such assistance was a lesser per centum of the cost of construction than was allowable pursuant to this section, such allotments shall also be available for payments in reimbursement of State or local funds used for such project prior to July 1, 1971, to the extent that assistance could have been provided under this section if adequate funds had been available.

The two temporary resolutions extending this act beyond June 30, 1971, did not include provision for continuing the reimbursement policy. Therefore, no new projects could be initiated with the contemplation of subsequent reimbursement. It was expected that this question would be handled in connection with the permanent legislation. The committee fully recognizes the need to deal with this problem and has considered this need carefully in the recently completed legislative hearings. Until permanent legislation is passed we believe that the policy established by the Congress in section 8(c) should be continued since it will materially assist the States in their financial planning. Therefore, section 4 will extend the existing reimbursement provision until July 1, 1972. The reimbursables on August 31, 1971, amounted to $1,630,000,000.

The need for this authorization is urgent since the program must be continued until permanent legislation has been passed by the Congress. The waste treatment program is vital to this Nation and has gathered momentum during the past 2 years. We must continue to move forward and complete the program at the earliest practicable date. The committee urges the immediate passage of H.R. 11423.

In accordance with rule XIII (7) of the House of Representatives, the estimated costs to the United States which would be incurred in carrying out H.R. 11423 is $633 million.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HIGHER EDUCATION ACT OF 1971

Mrs. GREEN of Oregon. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 7248) to amend and extend the Higher Education Act of 1965 and other acts dealing with higher education.

The SPEAKER. The question is on the motion offered by the gentlewoman from Oregon.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 7248, with Mr. WRIGHT in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday, the gentlewoman from Oregon (Mrs. GREEN) had 1 hour and 5 minutes remaining, and the gentleman from Minnesota (Mr. QUIE) had 59 minutes remaining.

The Chair recognizes the gentlewoman from Oregon (Mrs. GREEN).

Mrs. GREEN of Oregon. Mr. Chairman, I yield 5 minutes to the gentleman from New Jersey (Mr. DANIELS), a member of the subcommittee.

Mr. DANIELS of New Jersey. Mr. Chairman, I rise in support of H.R. 7248, the Higher Education Act of 1971, as

reported from the Committee on Education and Labor. This act not only extends existing laws but also provides for the promulgation of new programs. I would like to discuss two of the new provisions in this legislation and to urge support for these new programs. However, before doing so, I would like to commend Mrs. EDITH GREEN, chairman of the Special Subcommittee on Education, for the leadership she has demonstrated in the development of this bill. For the past 8 months the Special Subcommittee on Education has worked on the Higher Education Act and the final product is, to a great extent, the result of the efforts of Mrs. GREEN. Therefore, it is only appropriate that we take time to thank Mrs. GREEN for her dedication to higher education.

I would like first to speak on the student loan marketing provision of this bill. This is a nation which believes in the value of education to the individual and to society as a whole. We were the first Nation to provide general public education and now no other nation has such a large proportion of young people receiving a higher education. It is our hope that no person who is qualified and wishes some form of higher education should be deprived of it for financial reasons. With this in mind, Congress has developed various forms of student aid, including the guaranteed student loan program. Under this program the Federal Government guarantees student loans made by private lending institutions and, in a majority of instances, pays the interest while the student is in school. Repayment can take from 5 to 10 years and interest can be no higher than 7 percent. These are better terms than would ordinarily be available to students needing to borrow funds for their education.

When the guaranteed student loan program began in 1967, there were 330,739 loans negotiated to students. In fiscal year 1971, the number of student loans has increased to 1,080,739 with an incremental increase of 200,000 loans per year, and the estimates for this fiscal year indicate a 33-percent increase over last year. Altogether, some $4 billion has been expended in student loans to students in approximately 7,000 different institutions of higher education. In spite of this widespread coverage, it is insufficient. A larger proportion of students now require assistance in addition to just the normal growth in the whole student population. At the same time, the lending institutions are running out of available funds. The Emergency Insured Student Loan Act of 1969 was a stopgap measure to "prime the pump" by putting the interest rate on these student loans on a competitive level with other loans; it does not increase the total of funds available. The delayed repayment of these loans results in bank funds being tied up for a long period of time.

The Student Loan Marketing Association which would be created under part F of title IV of the Higher Education Act should solve these dilemmas in several ways, increasing the flow of funds and making new funds available by using private, non-Federal money. This Government-sponsored corporation would buy student loans from lending institutions thus replenishing funds available to lend. In addition to replenishing funds, the very existence of the ability to sell the student loans should make it possible for lending institutions to use a greater proportion of their funds for these loans. Banks would also borrow up to 80 percent of the value of student loans if the borrowed funds were used for more student loans.

The Association, known as "Sally Mae," would sell preferred stock on the market and thus bring in large investors such as pension and retirement funds, insurance companies and the like and so acquire new, additional money for student loans. Best of all, this corporation would be self-supporting. Government funds used to start the Association would be repaid and private money would carry most of the cost of funding the guaranteed student loan program. The present special allowance payments available under the Emergency Insured Student Loan Act of 1969 would be made unnecessary by the establishment of the Association thus reducing Federal expenditure. Those who doubt the feasibility of this approach need only check into the success of Fannie Mae—Federal National Mortgage Association—which has been responsible for placing many American families in homes of their own.

With the rising cost of education and the strain on the dollar, many middle-income families, who a few years ago would have been able to send their children to college, are unable to assume the expense of a college education. The students from such families are not eligible for Federal grant support, but nonetheless, are in need of assistance. It is generally agreed that an institution, such as Sally Mae, would provide needed financial assistance to the middle-income student at minimum expense to the taxpayer. If the middle-income student is not financially assisted, our colleges and universities tend to be composed primarily of the very rich, who can afford to go to school, and the very poor, who are eligible for grant assistance.

We recognize the need to help the disadvantaged in our society, and we must now recognize that another sector in our country is becoming increasingly more handicapped.

As legislators, it is our responsibility to insure that the financial barriers to higher education are removed. Therefore, I urge the unanimous approval of the Student Loan Marketing Association to assist those students who want to pay their own way.

YOUTH CAMP SAFETY

The second new program authorized by this legislation to which I should like to direct my remarks is title XIX, entitled "the Youth Camp Safety Act," introduced by the distinguished gentleman from New York (Mr. PEYSER) and myself.

Each year some of our children's most treasured memories—those of summer camp—turn into nightmares. This very summer on a snag-filled Utah River, inadequate safety precautions turned an adventurous canoe trip into a tragic fight for survival. Six rubber rafts collapsed throwing 25 boys into the cold, turbulent water. A 13-year-old died while sharing his lifejacket with a buddy who had lost his. Was this really an "accident"? The crafts were too small for the river, the leader had no knowledge of the water and did not heed the warnings of experienced rivermen.

The leader never filed a report of his intent to run the river. It was only the boy's body floating downstream that alerted rescue teams to search out the survivors.

The summer before, a California camp rented an open flatbed truck for a beach outing. Sixty-two children and eight counselors were loaded aboard with a 20-year-old at the wheel. On an eight-lane expressway the truck literally somersaulted, killing five of the campers and injuring the rest. That was not fate. That was an invitation to disaster.

Mr. Chairman, the list of tragedies is endless. Gruesome tales of every imaginable sort—from drownings to avalanches, to sexual molestation—have occurred in the supposedly placid summer camps that care for 8 million of our children every summer. Parents send their youngsters off with the belief that their health and safety will somehow be guaranteed. What we have seen through three sets of hearings during the 90th, 91st, and 92d Congresses, is that this belief, in far too many cases, is unfounded.

We have learned that 26 States have regulated only the sanitation of youth camps. That is hardly complete protection. Just 15 States have any form of safety legislation. And only three or four States have qualifications regarding personnel. At the same time, 24, or nearly half the States have relatively little or no camp regulations at all.

Dr. John Kirk, president of the American Camping Association, and one of the country's leading experts in camp safety legislation, stated that in taking a survey of State laws, he found that the attorneys general in six States did not even realize that enabling legislation existed allowing the oversight of camp safety.

Dr. Kirk helped write the Model Michigan Camp Code. It is the only comprehensive one in the country. Since 1960 there has only been one drowning in Michigan, which is the same State that has one-tenth of all the camps in the country. It is no coincidence that the State with the finest safety law has the finest safety record.

Minimum nationwide safety standards are obviously needed. One witness who has led a long crusade for this legislation after his son's life was lost in a senseless drowning, testified that he was a resident of Connecticut. But the camp was in New York, and his son drowned in Maine. The interstate nature of this problem demonstrates how important a national program is.

Parents cannot often afford both the time and money to visit campsites that are often many miles away. They are not

experts and to the untrained eye many latent hazards could be overlooked.

Specifically, title XIX of H.R. 7248 provides that the Secretary of Health, Education, and Welfare shall promulgate youth camp safety standards after hearings and consultation with State officials, public and private agencies.

Standards shall be effective in those States which do not submit plans meeting the requirements established by the bill. States that wish to administer their own plans must designate an agency responsible for the plan and develop and enforce standards at least as effective as the minimum Federal ones.

To assist States with the development and operation of their plans, grants are provided to the States for up to 80 percent of their costs.

Penalties are assessed only for serious violations, and for the first violation no penalty is assessed unless the violation is not corrected within a reasonable time as prescribed in the citation.

It also contains a variation procedure in cases of undue hardship. It also contains a comprehensive reporting section and an excellent advisory council procedure.

In addition to the amounts authorized in section 1907, such sums as may be necessary are appropriated for fiscal year 1972 and the next 4 fiscal years.

While Congress has already legislated a safety law to insure that working conditions for youth camp counselors and other employees must be safe and healthful, no law does the same for children living in those same conditions.

I am truly encouraged by the long list of respected organizations who have given their enthusiastic support for my camp safety amendment: The YMCA, the Boy Scouts of America, the American Camping Association, the Salvation Army, the National Catholic Camping Association, the Boys' Clubs of America, and the Washington Post Editorial Board. In addition, hundreds of concerned parents have written or telegramed their encouragement.

I ask my colleagues to join me in supporting title XIX, along with the many groups who have already indicated their wholehearted approval.

Mr. QUIE. Mr. Chairman, I yield such time as he may use to the gentleman from Michigan (Mr. ESCH).

Mr. ESCH. Mr. Chairman, in rising to support this bill, I should like to address the attention of my colleagues to the needs and interests of college librarians.

Just as the public library serves the entire community—the college library serves the entire institution, all of the student body, the whole research-teaching-learning community of higher education. When Congress assists in the development of college and university libraries, it is promoting the progress of every scholarly discipline and every field of research and learning. Federal assistance to college libraries is therefore by no means a matter of narrow categorical legislation. It is more nearly general aid to higher education than any other program of Federal assistance, with the sole exception of student financial assistance.

Particularly today, when more and more college students are in programs that permit them to study independently, instead of following the centuries-old system of mass lectures and mass textbook reading, more and more emphasis is being placed on the materials found in the library and the skilled assistance of the professionally trained librarian. Many colleges are considering the enrollment of students, especially adults, who will study for the most part at home or with the aid of television, coming to the campus only rarely.

Other developments which are increasing the pressures on the resources of college libraries are the increases in the numbers of students and the development of course offerings in many new and expanding fields, including black studies, ecology, and social change.

Along with the need to increase assistance under title II–A for library resources, the training needs for librarians, as provided for in title II–B, are of great significance. Until this year, the money appropriated for training in library and information science had been divided between fellowships and institutes for use by library schools. In fiscal year 1971, fellowships were greatly reduced, and they were abandoned altogether for fiscal 1972 in favor of institutes, except for the few doctoral fellowships for which a commitment had already been made. This is a major blow to library training, and library schools everywhere are greatly concerned.

Prof. Edmon Low of the University of Michigan has called this "akin to eating our seed corn," since the training of the librarians of the future depends on the continuation now of programs to encourage the preparation of qualified graduate-level teachers of library and information science.

This is an age of computers and of a galaxy of new equipment and techniques for the storage, retrieval, and dissemination of information. The future leaders of the profession will need to know more than ever before, and we will need more of them than we now have. Instead of reducing the program, it needs to be continued and strengthened.

Fellowships are particularly helpful in the case of students who could not otherwise pursue graduate training. The dean of the school of library science at Atlanta University has called the continuation of title II–B fellowships "a very urgent need" because this private, predominantly black institution would otherwise be unable to prepare librarians to work with disadvantaged children and adults in school, public, and academic libraries.

It should be noted that accredited library schools operate in a different setting from most other graduate schools in that they have no undergraduate training programs. They require a bachelor's degree for entrance. This is because they believe their training must be undergirded by a sound and broadly based education in the liberal arts. They thus try to attract the most capable students they can upon graduation from the various disciplines in the natural and social sciences and the humanities, but it is these very same able students whom the professors in each discipline—for example, mathematics, biology, or history—are urging to go on to graduate work in their fields, and usually they can offer either a fellowship or a position of a teaching fellow for undergraduates, an option that the library school does not possess. Therefore, without fellowships, a library school is at a serious disadvantage in attracting quality students for its work.

As a member of the Committee on Education and Labor, I commend these provisions of this bill to you for your favorable action.

Mr. QUIE. Mr. Chairman, I yield 5 minutes to the gentleman from Missouri (Mr. HALL), in order to ask 14 questions.

Mr. HALL. Mr. Chairman, I appreciate the gentleman yielding.

During the 11 years that I have had the privilege of representing the people of southwest Missouri in the House I have continually supported the spirit and the purpose of the Higher Education Act. I very much want to continue this support as a man with higher education privileges himself and as a trustee of a small independent college, but I find the bill presently before the House to be a hodgepodge and maybe a catch-all that includes everything but the legislative "kitchen sink."

Certainly the rules of this body have been cast to the winds. Germaneness and committee jurisdiction have been forgotten and rejected like last year's Christmas tie. We are now faced with the task of rewriting the bill on the floor. In order to make this proposed legislation palatable and feasible it appears to me that the House of Representatives must almost duplicate the functions and responsibilities of the House Committee on Education and Labor. If this must be done, so be it. I only hope that we can have succinct and clear answers to what I believe to be delving and perceptive questions so that we can perfect by amendments that will be offered, a bill that can be supported on final passage.

Now, the first series of questions have to do, Mr. Chairman, with "ways and means" of the bill.

Why are there so many open-ended authorizations throughout the bill? Why were not the projected costs contained in the committee report written into the bill? Were these cost figures obtained from HEW or the General Accounting Office or the Office of Management and Budget?

In other words, were they obtained from an objective source?

Why are the authorizations made through fiscal year 1976 and thus place a commitment on future Congresses? Where are we going to get the dollars and how are we going to retire the debt?

Mr. Chairman, I think these are very basic questions to which I think the Congress is entitled to have the answers since we are concerned with financing the bill. These authorizations habitually "come home to roost," as appropriations. To my mind it is a basic duty of the legislative

committee to authorize on a line-item basis.

Does anyone have the answers to these questions?

Mrs. GREEN of Oregon. Mr. Chairman, will the gentleman yield?

Mr. HALL. I yield to the gentlewoman from Oregon.

Mrs. GREEN of Oregon. Let me try to respond to the gentleman's first question, and it is a perfectly legitimate question.

First of all, you do make reference to various titles in the bill that are worthy of explanation. It does go—and I concede this—beyond the previous higher education legislation. However, we were confronted with the reality of a Senate bill that had extra titles. There were continuing subcommittees which held hearings on all of the bills and the provisions of this bill which were similar to the Senate bills but they felt it would be better to bring to the House floor the House version of the provisions with which they would have to go to conference and then the House might work its will. Further, when they went to conference they would have some idea as to the will of the House. Otherwise, the Senate would say that these are the provisions and thus we would have nothing to bargain with.

The question with regard to the amounts of money involved and the openendedness, I would say to the gentleman from Missouri while I have always been a strong supporter of education and I felt that this country was not investing enough in its schools from preschool up to the research level, I felt that the House has not been fair to the Committee on Appropriations and we have been critical at times as to the amounts they would allow and the sums which we thought ought to be spent. Then, we have a national lobby that demands full funding. As I stated yesterday, we have departed from previous procedures. More than half of the titles contain the words "such sums as," and it seems to me we are in a better position when we come to the actual appropriations to make our case. The rules of the House require that we estimate what the costs are, and they are in the report. Those estimates are the figures that we obtained from all of the hearing records of the requests that had been made and funds that have been expended in years past. We used the best possible judgment we could make as to what is a reasonable figure for them.

Mr. HALL. Well, now, Mr. Chairman, I appreciate those remarks, but were the best possible estimates figured by the NEA, the Association of University Professors and the colleges or by the committee in its wisdom, or by GAO or by the Office of Management and Budget or HEW, or by whom; I would ask the distinguished gentlewoman? I really, sincerely want to know for informational purposes in view of the list that was extolled by the gentleman from Kentucky, the chairman of the full committee, yesterday which obviously was a list of 10 or 15 people who all had their "hat in hand," and were expecting largesse from this particular bill for those they represent.

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

Mr. QUIE. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mrs. GREEN of Oregon. Mr. Chairman, if the gentleman will yield further, I think I can categorically state that there was no sum of money that was considered in the committee that came exclusively from one group. I think there is no supporting evidence for that. It is, rather, a combination of all of the factors, including the various studies that have been made of higher education in addition to the requests and the recommendations of HEW. All of these things came into consideration.

Mr. HALL. That is very reassuring I will say to the gentlewoman from Oregon, and I appreciate the response coming from the gentlewoman from Oregon.

My next series of questions have to do with whether or not we are building up for the future, on a projection of need based on fear of inadequacy, or not? Do we want to continue to encourage young people to attend college and to later obtain postgraduate degrees when we have a surplus of these people, and when so many of them are now unemployed?

Since many are presently unemployed—and this goes back to the old continental theory of perhaps everyone should not go into higher education, but rather into vocational education—and I full well appreciate the vocational training at the higher educational level that is in this bill, I have always been for that—how many people with post-graduate degrees are now looking for jobs? If there is a teacher surplus, are we not now in a teacher buyer's market, instead of a seller's market? And how can we further justify the taxpapers' dollars to create a more and greater surplus in the post-college field, and in the teacher field? By what percentage has college enrollment increased this academic year over last year's enrollment?

I believe that the answer, as far as I have been able to obtain as a trustee in reading the Board of Trustee's publications is that enrollment in colleges has generally dropped off this year, and this is a reversal of the trend of the 1960's. I know private and independent liberal arts colleges have an unused capacity. Is not the college age segment of our population leveling out? And will not this continue for the next decade?

To me it is like the man who predicted a 700,000 a year elementary and secondary education school room shortage by 1960, and actually he failed to take into consideration what the local boards were going to do, and we ended up with perhaps a 40,000 shortage, before Federal Government "got into the act."

Are we not overshooting our mark—although I agree with some who cry about the capable and educable people who are not having a chance at higher education?

Mrs. GREEN of Oregon. Mr. Chairman, will the gentleman yield?

Mr. HALL. I yield to the gentlewoman from Oregon.

Mrs. GREEN of Oregon. I have asked the gentleman from Missouri to yield to me so that I might make some comments, and I hope that I have made the correct notations of his various questions.

First of all I am in complete agreement with the gentleman from Missouri that we have placed too much emphasis on the acquisition of a 4-year degree from an academic institution. I believe we have inculcated a generation of parents and a generation of students with the idea somehow that the road to success apparently is the acquisition of that degree. I think this has been a mistake. I have said many times, and I think at the national level we ought to place importance and greater emphasis on technical and vocational education, and this is what two of the titles in the bill are designed for, for the planning of community junior colleges, so that there is no disagreement between us on that.

In regard to the question of the performance of Ph. D.'s, and whether we have a surplus of Ph. D.'s, and whether a lot of Ph. D.'s are unemployed today, and there are, and there are a lot of people in my area who have graduate degrees, and who have been laid off in Seattle at places at Boeing, and so forth, so there is a surplus. But let me also state that just because we have a surplus of them today I do not believe it would be wise for us to cut off our graduate education. I believe we are going to have to look at 10 years from now. And I believe the gentleman in the well, who is a doctor, knows the number of years that go into the preparation for graduate work. Because we have a surplus in 1971 is no assurance that we are going to have a surplus or even have enough people to meet the needs in 1980.

Also I believe that one of the questions is whether or not there is actually a surplus or whether for economic reasons such people are not employed. I think this is debatable.

In regard to the surplusage of teachers, yes, we have a surplus of teachers, and we have taken cognizance of that in this bill. We have had a provision for forgiveness which they have been given for student loans by going into the teaching field, and if he does then he has so much forgiven for each year. We have eliminated this feature in the bill for the very reasons the gentleman pointed out, but we have retained the forgiveness feature because of the need for teachers going into the ghetto schools, and so forth, and we still allow a little bit of incentive there.

The enrollment in terms of colleges—I believe that was the last question—and I believe that there is a continuation in the movement of an increase in enrollment this year over last year, but I can say that the projections, which I think there is reason to rely on, the projections are that the spiraling movement will continue now during this decade, substantially as we did, if I recall, in the early 1960's when we had about 3.5 million, and we now have 7.5 million, close to 8 million students in college.

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

Mr. QUIE. Mr. Chairman, I yield 4 additional minutes to the gentleman from Missouri.

Mr. HALL. Actually, I believe that it has decreased overall this year. But my principle is applicable if the birth rate is declining, as we know it is, in spite of the built-in solicitation in this bill to get more disadvantaged people into higher education, even to go into elementary and secondary schools, the 11th and 12th grades, as I believe it is provided in here, and give them a stipend if necessary—and I think maybe this part is unconstitutional—to go on to college whether they are physically, mentally, or financially able to do it or not. Even with that, we are bound to level off and reach a plateau some time sooner or later, and my question is: Where is that point of time in the wisdom of the committee?

Mrs. GREEN of Oregon. Mr. Chairman, will the gentleman yield?

Mr. HALL. I am glad to yield to the gentlewoman.

Mrs. GREEN of Oregon. From the predictions of the National Center on Educational Statistics, the enrollment for 1970—and this is on a degree credit enrollment—the enrollment for 1970 is 7,608,000; for 1971 it is 7,995,000.

They project in the years ahead up to an increase of about 3 million who will be in school.

So it is my judgment that we are not going to see a leveling off.

In regard to your question about inducements to go down to the 11th and 12th grades, this program has been in existence since 1965, I believe. I do not agree with the way these programs are being administered. I am very sorry the amendment was eliminated in committee which was offered by my colleague, the gentleman from Oregon, which eliminated a maximum amount that they could be paid.

I think it is absolutely unconscionable for the Office of Education to administer these programs that are designed to identify kids with more promise and make it possible for them to go to college, and then they interpret that law which we passed by a summer abroad. They sent these classes Upward Bound to South America. I argued with them and they said they could do it. We put in a provision that said they could no longer do that. Then they are spending enormous sums of money per month. I put in a provision a couple of years ago that they could not spend more than $150 in any one month, that is, per month. They could spend $1,800 if they wanted to in one month as long as it did not average out to more than $150.

I do not agree absolutely with that $150 figure.

Mr. HALL. As to the 11th and 12th grade figure—the postsecondary higher education fund is going to be used. Do we not at least reverse our prior legislative intent, by going into, selecting out, and subsidizing them for prepping and inducing into postsecondary—or higher—education. I fear some such students use these funds for sorority and fraternity "rush" parties—part of college orientation and preparation to be sure, but not at taxpayers' expense.

Mrs. GREEN of Oregon. If the gentleman has more influence than I have so far as the Office of Education is concerned these days if he could use that influence on some of the officials down there on the way they administer the program, it would be a service to the country.

Mr. HALL. The gentlewoman from Oregon has obviously done her homework in these areas as to cost figures, projections, and details.

I would ask the gentlewoman if she is aware that by controls of EOG and institutional aid wherein the Commissioner is given power to set up agreements and conditions for receiving funds, which are listed in the bill—it seems to me this is the epitome of Federal control of education through a circuitous device.

Mrs. GREEN of Oregon. Mr. Chairman, will the gentleman yield.

Mr. HALL. I yield to the gentlewoman.

Mrs. GREEN of Oregon. Mr. Chairman, I am delighted that the gentleman from Missouri has asked that question.

I hope that he will support me in trying to defeat an amendment which will be offered.

The amendment in question would provide that student assistance shall be determined by a method to be prescribed by the Commissioner by a regulation.

I do not think, as I said yesterday, that the Governor or the Commissioner of Education has any business putting himself between the parent and child and determining how much those parents ought to contribute.

We ought to have a flexibility in making institutional decisions at the local level and not have a standard imposed.

If the gentleman will yield further—yes, I am concerned about Federal control. If this Congress is not alert to what is happening, we are going to have Federal control.

The Secretary of HEW wrote a letter a few days ago, dated October 19, to the minority leader, the gentleman from Michigan (Mr. GERALD R. FORD) and this concerns me very much.

Mr. HALL. I will say to the gentlewoman that I have a copy of the letter.

Mrs. GREEN of Oregon. The words are:

> Our approach is based upon the belief that the Federal role of providing United States support should be limited to assisting institutions responsive to Federal priorities.

This Congress never intended that the Office of Education in a Democratic or Republican administration was to determine what the Federal priority was and then, if the institution does not respond to that Federal priority, that they determine they are not going to get any funds.

This Congress has the authority to prevent these things from happening and, indeed, I hope they do.

And as we consider this legislation, let us not give them that kind of authority and give them the right to exercise it.

Mr. HALL. Mr. Chairman, I appreciate the gentlewoman's responses.

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

Mr. HALL. I gladly yield to the gentleman from Minnesota.

Mr. QUIE. I will yield some more time to the gentleman, because I would like to answer that. When the gentlewoman speaks of Federal priority, this is not something that was set by the Office of Education or the Department of Health, Education, and Welfare. This is something that Congress set. The Congress passed the legislation making it a Federal priority to give needy students assistance, first in 1958 with the national defense student loans, and then, in 1965, the guaranteed loans, the work-study program, and the educational opportunity grants. What HEW and USOE are talking about is that since the Congress has set the Federal priority that we assist students in that way, then we ought to assist the colleges to the extent that they are fulfilling a Federal priority by providing opportunities for that type of student to attend college.

Mr. HALL. Then there is always the danger of the Federal portion of that being withdrawn, when it goes directly from the Federal Government to the State or to the institution or individual, and leave someone dangling.

A week ago Friday I sat all afternoon talking to students at a college in my hometown of which I happen to be a trustee about this particular problem. Pulling the rug out from under them without advance or full funding or without full matching according to the original plan is one of the things that is devastating our educational institutions at this time; therefore I thoroughly agree that we need to go forward with that, and avoid interschool pirating.

But I am seriously concerned about the multiplicity, or the many phases, or the eclectic approach of this bill. I am, as a member of the National Camping and Safety Committee of the Boy Scouts of America—one of the physicians on that board—and I am worried about where we derive the authority in the Constitution or in Federal jurisdiction to regulate summer camps? If it is indeed derived from the so-called "commerce" clause of the Constitution or the "welfare" clause, then certainly this is within the jurisdiction of the Committee on Interstate and Foreign Commerce, which ordinarily deals with health and safety.

Mr. Chairman, I ask unanimous consent that my list of questions, which we cannot possibly get into in such a short time, be printed in the RECORD in order, perhaps, that they can be answered if we go over to another day.

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

There was no objection.

The questions are as follows:

QUESTIONS FOR THE HIGHER EDUCATION BILL

1. Why are there open-ended authorizations throughout the bill?

2. Why were not the projected costs of the Committee report written into the bill?

3. Were these cost figures obtained from HEW, GAO, OMB, or from an objective source?

4. Why are the authorizations made until 1976 and thus committing future Congresses?

5. Do we want to continue to encourage young people to attend College and to later obtain post graduate degrees when we presently have a surplus of such people and since many are presently unemployed?

6. How many people with post graduate degrees are looking for jobs?

7. What is our teacher surplus?

8. How can we further justify using the taxpayer's dollars to create more and greater surpluses in the post-graduate field and in the teacher field?

9. By what percentage has college enrollment increased this academic year over last year's? Then after answer to this question:

10. Isn't this a reversal of the trend of the 1960's?

11. Isn't the college age segment of our population leveling out?

12. Won't this trend continue for the next decade?

13. Why do we need to set up another bureaucracy like the National Institute of Education?

14. Are not other Federal and State agencies doing education..l research?

15. Won't this effort be duplicative?

16. Why should up to ⅓ of the NIE employees be exempt from civil service classification?

17. Won't this open up the door for "cronyism" appointments?

18. Under what section of the Constitution is derived the Federal jurisdiction to regulate summer camps? (If interstate and Foreign clause, then let them have on Committee jurisdiction.)

19. What portions and provisions of H.R. 7248 are opposed by HEW?

20. Won't the added costs of the bill which must generate higher taxes, "dry up" private and corporate contributions to higher education?

21. What is to prevent an individual who has received some type of Federal research grant to "blackmail" his college administration for a higher salary in order that he remain on that campus and keep the Federal funds flowing?

22. Why another Commission—The National Commission on Financing of Postsecondary Education? (Haven't we studied this to death?)

23. Won't the establishment of State Postsecondary Education Commissions be a duplication of other State agencies and commissions, i.e., Vocational Education and Higher Education Commissions?

24. How will the provisions of Title XII (Institutional Assistance) affect a financially troubled small, liberal arts, coed, and independent college like Drury College?

Mrs. GREEN of Oregon. I yield 2 additional minutes to the gentleman from Missouri.

Mr. Chairman, will the gentleman yield?

Mr. HALL. I am glad to yield to the gentlewoman from Oregon.

Mrs. GREEN of Oregon. Earlier you asked a question about policy and the reply was that we make the policy. Let me give you three examples which refute that; if I sat down for a half hour, I could give you 30 of where the Office of Education has made the policy.

We have said that libraries are entitled to a basic grant of $5,000 per institution in the country. They are entitled to supplementary grants. The supplementary grant is made on application. The Office of Education has now ruled that no library can have the basic grant unless it qualifies for the supplementary grant, and I have the material in front of me that shows they lay out different criteria. One of the criteria they have is a 60-point basis on which to judge whether or not an institution will get a supplementary grant. One of the provisions is participation in the Special Services for certain programs, and they are given 4 points in connection with that.

Then the approved student whose family income is under $5,000 per year—they get 25 points for that. So on that set-up with 60 points they will qualify an institution for library services, and that is based upon a policy of the Office of Education which has never come before this Congress. They are denying funds to institutions of higher education in this country on the basis of the number of low-income people who are enrolled. Now when we set need for supplementary grants, we set it on the basis of the volumes, the periodicals, and the materials that were available, and the number of students in that institution that were there and needed them. That is a policy-making decision that, in my judgment, they have no business to make.

Mr. HALL. Would the gentlewoman agree with me that there is an "implementing regulation" fiasco, between the legislative intent and the application?

Mrs. GREEN of Oregon. Well, you can call it a fiasco. I consider that it is a distortion and subversion of the congressional intent, and I think the Congress ought not to let them get away with it.

Secondly, I referred to Upward Bound. It was not the policy to take youngsters from all over the United States who were disadvantaged and send only those youngsters for a summer abroad. Neither was it the policy to pay all their expenses back to Washington. If we are going to do that, let us do it for everybody in high school and be fair about it.

I referred also a moment ago to the EOG grants. We said these funds shall go to students of exceptional need. The Office of Education set up guidelines saying if they have $1,000, and there is a child of exceptional need, then they give this child the $1,000. If there are four students who would not be able to continue their education at that institution except for an economic opportunity grant, and even though they have had higher academic standings, and even though each one of the four only needed $250 to remain in school, the Office of Education said it is the national policy that they have no discretion and they must give this full $1,000 to the one student, and they cannot give the four students who have even higher academic ability the $250 apiece. But that was not the congressional intent, and it is not sound policy. It is in the national interest to see that the students who have the higher ability continue their education.

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

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

Mr. Chairman, if the gentleman will yield in order that I may answer the gentlewoman, I would like to respond.

Mr. HALL. Mr. Chairman, I will be glad to yield after I simply observe that on page 103 of the bill, that section of title II is authorizing appropriations that are unlimited for the library sections even though those for "research and demonstration" programs are stipulated and will progress in geometric, not arithmetic, progression through fiscal year 1976.

I think the Members should know that.

Mr. Chairman, I yield now to the gentleman from Minnesota.

Mr. QUIE. Mr. Chairman, I should say the gentlewoman has raised arguments earlier with respect to the point she is making. There are instances where the Departments of Federal Government implement controls which the committees feel was not their intent. What we do then is to go back and change the legislation to make sure the Departments do as the Congress wants them to.

But when we are talking about priorities, this is not what they were talking about in guidelines. They have the priorities set by the Congress. This is the point we want to watch. The gentlewoman raises all kinds of things that are wrong with the Office of Education and, as if we are already agreeing that is wrong, expects us all to reach the conclusion that by that token nobody in the Federal Government should set priorities. We must in our responsibility as representatives of the people of our districts, who put up the money, set the priorities, and that is exactly what the Secretary of HEW and the Office of Education are talking about.

Mr. HALL. Mr. Chairman, I have accomplished my purpose for surely colloquy proves this bill is indeed a hodgepodge. There are further questions such as, what portions and provisions of H.R. 7248 are opposed by HEW? I do not think that has been brought out.

Further, how much cronyism will be involved? Will this open up the door for cronyism appointments?

As to the proposition on the summer camps, under what section of the Constitution is derived the Federal jurisdiction to regulate summer camps?

Further, will not the added cost of the bill, which must generate higher taxes, dry up private and corporate contributions to higher education, contributions to the private colleges? This is already a fact of life.

Therefore, Mr. Chairman, I recommend serious alteration of this bill before final passage.

Mr. QUIE. Mr. Chairman, I yield the gentleman from Oregon such time as he may consume.

Mr. DELLENBACK. Mr. Chairman, President Nixon almost 2 years ago called for the creation of the National Institute of Education to bring about a focus for educational research and development.

The President said that American education was not getting as much as it should from the dollars being spent, and he contended that through a new national mechanism, educational research would be given the new visibility it so badly needed.

Why is there a need for a National Institute of Education? What happened to the Bureau of Research and the National Center for Educational Research and Development? Where did they fail and why? Why was $100 million a year insufficient to do the job and to inspire confidence in the Office of Education as a research organization? The answer given most often is that there was not enough money or that the problems of education are simply so massive that with the dollars available the task cannot be met. But money alone is not the solution to all problems. Another argument was that the program was simply poorly managed or tried to do too much and as a result accomplished very little. Bureau chiefs came and went frequently and there were long periods with "acting" directors filling in as caretakers.

It seems to me that everything simply moved too fast. Regional educational laboratories were established across the country practically overnight; R. & D. centers blossomed through the simple awarding of contracts; universities were quickly mobilized to absorb large amounts of money. In spite of the lack of direction or central planning in OE, many centers and universities have managed to perform admirably.

An examination of research supported throughout the history of the Cooperative Research Act suggests that, although there have been significant studies and results, there was very little, if any, planning. There is little evidence of priorities having been set, and without adequate planning and priorities, I contend there is little doubt that $100 million was insufficient for its purposes.

I think it is significant that the President recognized these problems and called for the creation of a new national institute. It is also significant that he proposed that for a year before the institute becomes operational all efforts will be devoted strictly to planning and the establishment of priorities.

The Congress can create institutions and programs and the Congress can set mandates, but it is up to the executive branch to carry them out. I am convinced that, if NIE is to be successful, the initial planning that goes into it will be crucial. For without adequate planning, without capable people and sincere commitments, there is no reason to believe that the NIE will do any better than its predecessors. One is led to believe that the problems which prevented NCERD from being successful all related to money, civil service restrictions, and the lack of confidence on the part of the Congress. Through this bill before us today, we are provided the means for eliminating these past obstacles. I feel that the new National Institute of Education is important, and through it, the Congress is making a new national commitment to research.

It is my deep-felt hope that after the speeches are completed here today and the bill goes on to become law, the planners and the responsible individuals will approach its implementation prudently. It would be impressive if the NIE were able to start off with a bang—a full staff, a budget of $150 million for the first year—and set out gallantly striking with full force at all of the major problems of the day. I would strongly suggest, however, that there is merit to a less auspicious beginning.

NIE SHOULD BE DEVELOPED, NOT CREATED

It should grow over a period of years. Planners should be asked to identify one problem at a time, not to attempt to solve all of the problems of education at once. I am confident that the problems they do choose will be of sufficient importance and complexity to merit the trust we place in them under this bill. I will not attempt to define the priorities I think NIE should have, but I would suggest that a general topic for study might be "why children in elementary school cannot learn." It is one of sufficient complexity to occupy all of the researchers full time. There are, of course, many comparable areas, and solutions to problems of this type would have a direct bearing on all areas of education.

With a single problem approach, the NIE can focus on many questions which interact with the specific problem being studied. If the general question and the variables which interact with the problem, such as parents, instructional techniques, training of teachers, and so forth, are studied and the strengths of the variables weighed, it will be possible to determine from the findings where educational support as well as R. & D. should go. Once the most important variables are determined, it will be possible to actually cost out and completely follow through on any one variable or those variables which most affect learning. As I said earlier, money alone will not be enough to solve the problem. An intelligent, systematic approach to problem solving will be basic to the success of the NIE.

I hope that NIE will plan and implement its attack on individual problems over a 5-year period and that it will carefully identify the procedures through which it will attempt to solve them, the cost of the solutions, and the criteria by which it will evaluate the landmarks along the way. I would hope that the first phase, after planning, would last 2 years, during which time the NIE should restrict its activities only to limited, specified goals and objectives. At the end of the first year, I hope that the operators will produce evidence that their approach is paying off and that the NIE's goals may be realized. I think that the work for the first 2 years should be done without any outside interference. But after 2 years, there should be an opportunity for the Congress to review and examine the progress, and evaluate the manner in which the Institute will proceed in problem solving over the next 3 years.

It is important that the NIE focus on the problems of education, but it is absolutely essential to overall success that there be substantial contact with the Office of Education and the Commissioner of Education. Research cannot be conducted in a vacuum. Some will argue that for educational research to be effective it must be totally independent of OE so that researchers can "do their thing" with independence and not be constrained by OE and its policies. Research and policy implementation are not isolated entities; they are interdependent and must be coordinated.

Our schools will not benefit simply because studies are conducted. Change will come only when all efforts are unified as policy, with the consumer as the center of focus. Cooperation should be a fundamental component for NIE.

In this regard, I am greatly concerned at the suggestion that dissemination of information be restricted to the NIE. At a time when we need more information about how to do things, it is my feeling that we need more dissemination and more efforts to get information out to the schools where it ultimately will be used. I feel very strongly that not only must the NIE be given the capacity to disseminate information, but that the capacity of the OE must also be enhanced.

Ultimately, I would like to see a goal of a federally coordinated clearinghouse for information, not necessarily through NIE or the OE, but a clearinghouse for all Federal information. Our former colleague, BILL ROTH—now Senator from Delaware—during his tenure in the House, illustrated the lack of basic information about the availability of services of agencies in the Federal Government. The Roth studies focused on the need for a central focal point for agency information. We should strive for the same approach in the dissemination of research and development information. Through the Secretary, I would like to see a model for Federal dissemination developed which would promote coordination throughout the entire Federal Establishment. In doing so, needless and expensive duplication can be eliminated and, through a national focal point, researchers and administrators will be able to consult and determine what research and development has accomplished, what research and development is currently being funded, and what research and development is ongoing. A central repository would also help Government planners to more adequately project the valid needs of this Nation.

I hope that the Institute will be established with excellence and flexibility as its guidelines and that flexibility and understanding prevail in all of its endeavors. I hope that our research efforts develop and grow and that the money we invest will bring dividends to education for decades to come.

One final thought. NIE can be created by an act of Congress, but it will be several years before it is a functioning agency ready to attack all of the problems of education. It should be started slowly and carefully, moving from problem to

problem and growing as it gains experience and staff.

Mrs. GREEN of Oregon. Mr. Chairman, I have no further requests for time.

Mr. QUIE. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. Pursuant to the rule, the Clerk will now read by titles the substitute committee amendment printed in the reported bill as an original bill for the purpose of amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Higher Education Act of 1971".

TITLE I—EXTENSION OF COMMUNITY SERVICE AND CONTINUING EDUCATION PROGRAMS

SEC. 101. Section 101 of the Higher Education Act of 1965 is amended by striking out "and" after "1970," and by inserting after "June 30, 1971" the following: ", and such sums as may be necessary for each succeeding fiscal year ending prior to July 1, 1976".

TITLE II—EXTENSION AND AMENDMENT OF PROGRAMS OF COLLEGE LIBRARY ASSISTANCE AND LIBRARY TRAINING AND RESEARCH

SEC. 201. (a) Section 201 of the Higher Education Act of 1965 is amended by striking out "and" after "1970," and inserting after "1971," the following: "and such sums as may be necessary for each succeeding fiscal year ending prior to July 1, 1976,".

(b) Section 202 of such Act is amended by inserting before the period at the end of the first sentence ", and other public and private nonprofit library institutions whose primary function is to provide library and information services to institutions of higher education on a formal, cooperative basis".

(c) Section 202(a) of such Act is amended by inserting before "and (2)" the following: "except that under special and unusual circumstances the Commissioner is authorized to waive this requirement,".

(d) Section 202(b) of such Act is amended by inserting immediately preceding the semicolon at the end thereof the following: ", except that under special and unusual circumstances the Commissioner is authorized to waive this requirement".

(e) Section 203(a) of such Act is amended by striking out "$10" and inserting in lieu thereof "$20".

(f) Section 204(a)(2) of such Act is amended by striking out "and" immediately preceding "(C)", and inserting before the period at the end of the first sentence the following: ", and (D) to other public and private nonprofit library institutions which provide library and information services to institutions of higher education on a formal, cooperative basis".

(g) Section 221 of such Act is amended to read as follows:

"APPROPRIATIONS AUTHORIZED

"SEC. 221. Only for the purpose of carrying out training programs under this part, there are authorized to be appropriated such sums as may be necessary for the fiscal year 1972 and each succeeding fiscal year ending prior to July 1 1976. In addition only for the purpose of carrying out research and demonstration programs under this part, there are authorized to be appropriated $5,000,000 for the fiscal year 1972, $10,000,000 for the fiscal year 1973, $20,000,000 for the fiscal year 1974, $35,000,000 for the fiscal year 1975, $40,000,000 for the fiscal year 1976."

(h) Subsection (a) of section 223 of such Act is amended by striking out the period at the end of the subsection and inserting: ": *Provided, however,* That in any fiscal year not less than 50 percent of the grants made under this subsection shall be for the purpose of establishing and maintaining fellowships or traineeships under clause (2)."

(i) Subsection (b) of section 223 of such Act is amended by inserting after "institution of higher education" the following: "and other library and educational organizations or agencies".

(j)(1) Section 231 of such Act is amended by striking out "and" after "1969," and inserting before "to enable the Commissioner" the following: "and $9,000,000 for the fiscal year 1972, and each succeeding fiscal year ending prior to July 1, 1976,".

(2) Effective on the date of enactment of this Act, part C of the Higher Education Act of 1965 is further amended by adding at the end thereof the following new section:

"EVALUATION AND REPORT

"SEC. 232. No later than March 31 of each calendar year the Librarian of the Congress shall transmit to the respective committees of the Congress having legislative jurisdiction over this part and to the respective Committees on Appropriations of the Congress a report evaluating the results and effectiveness of acquisition and cataloging work done under this part, based to the maximum extent practicable on objective measurements, including costs, together with recommendations as to proposed legislative action."

Mrs. GREEN of Oregon (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 gentlewoman from Oregon?

There was no objection.

The CHAIRMAN. If there are no amendments to be proposed to title II, the Clerk will read.

The Clerk read as follows:

TITLE III—EXTENSION OF PROGRAMS TO STRENGTHEN DEVELOPING INSTITUTIONS

SEC. 301. Section 301(b)(1) of the Higher Education Act of 1965 is amended by striking out "and" after "1970," and by inserting after "June 30, 1971," the following: "and the sum of $120,000,000 for the fiscal year 1972 and each succeeding fiscal year ending prior to July 1, 1976,".

AMENDMENT OF PROVISIONS RELATING TO DEVELOPING INSTITUTIONS

SEC. 302. (a) Section 306 of the Higher Education Act of 1965 is amended by striking out "(other than developing institutions)".

(b) Section 304(c) of such Act is amended by adding at the end thereof the following new sentence: "None of the funds appropriated pursuant to section 301(b)(1) shall be used for a school or department of divinity or for any religious worship or sectarian instruction."

Mrs. GREEN of Oregon (during the reading). Mr. Chairman, I ask unanimous consent that title III 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 gentlewoman from Oregon?

There was no objection.

The CHAIRMAN. If there are no amendments to be proposed to title III, the Clerk will read.

The Clerk read as follows:

TITLE IV—STUDENT ASSISTANCE

PART A—AMENDMENT AND EXTENSION OF EDUCATIONAL OPPORTUNITY GRANT PROGRAM

SEC. 401. So much of part A of title IV of the Higher Education Act of 1965 as precedes section 408 is amended to read as follows:

"PART A—EDUCATIONAL OPPORTUNITY GRANTS

"STATEMENT OF PURPOSE AND APPROPRIATIONS AUTHORIZED

"SEC. 401. (a) It is the purpose of this part to provide, through institutions of higher education, educational opportunity grants to assist in making available the benefits of higher education to qualified high school graduates of exceptional financial need, who for lack of financial means would be unable to obtain such benefits without such aid.

"(b) There are hereby authorized to be appropriated $295,000,000 for the fiscal year 1972 and such sums as may be necessary for each succeeding fiscal year ending prior to July 1, 1976, to enable the Commissioner to make payments to institutions of higher education that have agreements with him entered into under section 407, for use by such institutions for payments to undergraduate students for educational opportunity grants under this part. Sums appropriated pursuant to this subsection for any fiscal year shall be available for payment to institutions until the close of the fiscal year succeeding the fiscal year for which they were appropriated.

"DETERMINATION OF AMOUNT OF EDUCATIONAL OPPORTUNITY GRANTS

"SEC. 402. From the funds received by it for such purpose under this part, an institution which awards an educational opportunity grant to a student for an academic year under this part shall, for such year, pay to that student the amount determined by the institution for such student for that year, which amount shall not exceed the lesser of $1,500 or one-half of the sum of the amount of student financial aid (including assistance under this title) provided such student by such institution and any assistance provided such student under any scholarship program established by a State or a private institution or organization, as determined in accordance with regulations of the Commissioner, except that no student shall be paid during all the academic years he is pursuing his undergraduate course of study at one or more institutions of higher education in excess of $4,000, or $5,000 in the case referred to in the second sentence of section 403. The Commissioner shall, subject to the other limitations in this part, prescribe basic criteria or schedules (or both) for the determination of the amount of educational opportunity grants, taking into account the objective of limiting grant aid under this part to students of exceptional financial need who but for such aid would be unable to obtain the benefits of higher education, but such criteria or schedules shall not disqualify an applicant on account of his earned income if income from other sources in the amount of such earned income would not disqualify him. An individual who has, in years prior to the effective date of the Higher Education Act of 1971, been awarded an educational opportunity grant pursuant to this part shall continue to be eligible to receive a grant in accordance with the requirements of this part as in effect at the time of the initial grant.

"DURATION OF PERIOD OF ELIGIBILITY FOR EDUCATIONAL OPPORTUNITY GRANTS

"SEC. 403. A student eligible therefor may be awarded an educational opportunity

grant under this part for each academic year of the period required for completion by the recipient of his undergraduate course of study at the institution of higher education from which he received the educational opportunity grant, except that such period shall not exceed four academic years. The eligibility of a student for an educational opportunity grant may, in accordance with regulations of the Commissioner, be extended for up to an additional academic year where five academic years is the normal period needed to complete the course of study the student is pursuing, or where the student, because of his particular circumstances, is determined by the institution to need an additional year to complete a course of study normally requiring four academic years.

"SELECTION OF RECIPIENTS OF EDUCATIONAL OPPORTUNITY GRANTS

"SEC. 404. (a) An individual shall be eligible for the award of an educational opportunity grant under this part at any institution of higher education which has made an agreement with the Commissioner pursuant to section 407 (which institution is hereinafter in this part referred to as an 'eligible institution'), if the individual makes application at the time and in the manner prescribed by that institution.

"(b) From among those eligible for educational opportunity grants from an institution of higher education for each fiscal year, the institution shall, in accordance with the provisions of its agreement with the Commissioner under section 407 and within the amount allocated to the institution for that purpose for that year under section 406, select individuals who are to be awarded such grants and determine, pursuant to section 402, the amounts to be paid to them. An institution shall not award an educational opportunity grant to an individual unless it determines that—

"(1) he has been accepted for enrollment as a student at such institution on at least a half-time basis or, in the case of a student already attending such institution, is in good standing and in attendance there on at least a half-time basis as an undergraduate student;

"(2) he shows evidence of academic or creative promise and capability of maintaining good standing in his course of study; and

"(3) he is of exceptional financial need and would not, but for an educational opportunity grant, be financially able to pursue a course of study at such institution of higher education. In determining financial need, expected family contributions shall be considered to be the contribution expected in the specific circumstances of the applicant, as determined by the student financial aid officer. Any calculation of the ability of a family to contribute shall include consideration of (A) family assets, (B) value of any social welfare services provided to the family by public or private agencies, (C) number of children in the family, (D) number of children attending institutions of higher education, (E) any catastrophic illnesses in the family, (F) business failures, (G) educational expenses of other dependent children in the family, and (H) other circumstances affecting the student's financial need.

"ALLOTMENT OF EDUCATIONAL OPPORTUNITY GRANT FUNDS AMONG STATES

"SEC. 405. The Commissioner shall allot funds appropriated pursuant to section 401 among the States in accordance with section 465.

"ALLOCATION OF ALLOTTED FUNDS TO INSTITUTIONS

"SEC. 406. (a) The Commissioner shall from time to time set dates by which eligible institutions in any State must file applications for allocation, to such institutions, of educational opportunity grant funds from the allotment to that State (including any reallotment thereto) for any fiscal year in accordance with section 465(a), to be used for the purposes specified in the first sentence of section 401(b). Such allocations shall be made in accordance with criteria which the Commissioner shall establish and which shall be designed to achieve such distribution of such funds among eligible institutions within a State as will most effectively carry out the purposes of this part.

"(b) Payment shall be made from allocations under this section to institutions as needed.

"AGREEMENTS WITH INSTITUTIONS—CONDITIONS

"SEC. 407. An institution of higher education which desires to obtain funds for educational opportunity grants under this part shall enter into an agreement with the Commissioner. Such agreement shall—

"(1) provide that funds received by the institution under this part will be used by it only for the purposes specified in, and in accordance with, the provisions of this part;

"(2) provide that in determining whether an individual meets the requirements of section 404(b)(3) the institution will consider such individual's income, including as a part thereof any expected contribution from parents or others upon whom the student may rely for support, except that there shall be deemed to be no expected contribution from the parents of a veteran (as that term is defined in section 101(2) of title 38, United States Code);

"(3) provide that the institution, in cooperation with other institutions of higher education where appropriate, will make vigorous efforts to identify qualified youths of exceptional financial need and to encourage them to continue their education beyond secondary school through programs and activities such as—

"(A) establishing or strengthening close working relationships with secondary-school principals and guidance and counseling personnel with a view toward motivating students to complete secondary school and pursue post-secondary-school educational opportunities, and

"(B) making, to the extent feasible, conditional commitments for educational opportunity grants to qualified secondary school students, who but for such grants would be unable to obtain the benefits of higher education, with special emphasis on students enrolled in grade 11 or lower grades who show evidence of academic or creative promise;

"(4) provide assurance that the institution will continue to spend in its own scholarship and student-aid program, from sources other than funds received under this part, not less than the average expenditure per year made for that purpose during the most recent period of three fiscal years preceding the effective date of the agreement;

"(5) include provisions designed to make educational opportunity grants under this part reasonably available (to the extent of available funds) to all eligible students in the institution in need thereof; and

"(6) include such other provisions as may be necessary to protect the financial interest of the United States and promote the purposes of this part."

PROGRAM CONSOLIDATIONS

SEC. 402. Section 408 of the Higher Education Act of 1965 is amended to read as follows:

"IDENTIFYING QUALIFIED LOW-INCOME STUDENTS; PREPARING THEM FOR POSTSECONDARY EDUCATION; SPECIAL SERVICES FOR SUCH STUDENTS IN INSTITUTIONS OF HIGHER EDUCATION

"SEC. 408. (a) To assist in achieving the objectives of this section the Commissioner is authorized, without regard to section 3709 of the Revised Statutes (41 U.S.C. 5), to make grants to, or contracts with, institutions of higher education, including institutions with vocational and career education programs, combinations of such institutions, public or private agencies or organizations (including professional or scholarly associations), or in exceptional cases secondary schools or secondary vocational schools, for planning, developing, or carrying out within the States one or more of the services described in subsection (c), except that no grant may be made to an agency, organization, institution, or school other than a public or nonprofit private one.

"(b) Such services shall be designed to enable youths from low-income backgrounds who have academic potential (but may lack adequate secondary school preparation or be physically handicapped) to enter, continue, or resume a program of postsecondary education.

"(c) Such services are—

"(1) publicizing existing forms of student financial aid;

"(2) identifying youths described in subsection (b) and encouraging them to complete secondary school and to undertake postsecondary education;

"(3) encouraging youths described in subsection (b) who have dropped out of secondary school or college to reenter educational programs, including programs of postsecondary education;

"(4) generating skills and motivation necessary for success in education beyond high school;

"(5) providing counseling, tutorial, or other educational services, including special summer programs, to remedy academic deficiencies;

"(6) providing career guidance, placement, or other student personnel services (including health services);

"(7) identifying, encouraging, and counseling students with a view to their undertaking a program of graduate or professional education; and

"(8) providing other special or supplemental services necessary to achieve the purposes set forth in subsection (b).

"(d) Enrollees who are participating on an essentially full-time basis in one or more services being provided under subsection (c) may be paid stipends, but not in excess of $30 per month except in exceptional cases as determined by the Commissioner.

"(e) There are authorized to be appropriated to carry out this section such sums as may be necessary for the fiscal year 1972, and each succeeding fiscal year ending prior to July 1, 1976."

INCLUSION OF PROPRIETARY INSTITUTIONS

SEC. 403. Effective July 1, 1973, section 409 of the Higher Education Act of 1965 is amended to read as follows:

"DEFINITIONS

"SEC. 409. For the purposes of this part (other than section 408)—

"(1) The term 'academic year' means an academic year or its equivalent, as defined in regulations of the Commissioner.

"(2) The term 'institution of higher education' includes a proprietary institution of higher education (as defined in section 461 of this Act)."

PART B—EXTENSION AND AMENDMENT OF STUDENT LOAN INSURANCE PROGRAM

EXTENSION OF STUDENT LOAN INSURANCE PROGRAM

SEC. 411. (a) The first sentence of section 424(a) of the Higher Education Act of 1965 is amended to read as follows: "The total principal amount of new loans made and installments paid pursuant to lines of credit (as defined in section 435) to students covered by Federal loan insurance under this part shall not exceed $1,600,000,000 for the fiscal year 1972, $1,800,000,000 for the fiscal

year 1973, $2,000,000,000 for the fiscal year 1974, $2,200,000,000 for the fiscal year 1975, and $2,400,000,000 for the fiscal year 1976."

(b) The second sentence of such section 424(a) is amended by striking out "1975" and inserting "1980".

(c) Section 428(a)(4) of such Act is amended by striking out "1971" and inserting "1976" and by striking out "1975" and inserting "1980".

(d) Section 433(c) of such Act is amended by striking out "for the fiscal year ending June 30, 1969, and for each of the two succeeding fiscal years" and inserting "for each fiscal year ending prior to July 1, 1976".

EXTENSION OF AUTHORITY FOR PAYING SPECIAL ALLOWANCES ON INSURED STUDENT LOANS

SEC. 412. Paragraph (7) of section 2(a) of the Emergency Insured Student Loan Act of 1969 (Public Law 91-95) is amended by striking out "1971" and inserting "1976".

AMENDMENTS TO INTEREST SUBSIDY PROVISIONS

SEC. 413. (a) Paragraph (1) of subsection (a) of section 428 of the Higher Education Act of 1965 is amended to read as follows:

"(1) Each student who has received a loan for study at an eligible institution—

"(A) which is insured by the Commissioner under this part;

"(B) which was made under a State student loan program (meeting criteria prescribed by the Commissioner), and which was contracted for, and paid to the student, within the period specified by paragraph (4); or

"(C) which is insured under a program of a State or of a nonprofit private institution or organization which was contracted for, and paid to the student, within the period specified in paragraph (4), and which—

"(i) in the case of a loan insured prior to July 1, 1967, was made by an eligible lender and is insured under a program which meets the requirements of subparagraph (E) of subsection (b)(1) and provides that repayment of such loan shall be in installments beginning not earlier than sixty days after the student ceases to pursue a course of study (as described in subparagraph (D) of subsection (b)(1)) at an eligible institution, or

"(ii) in the case of a loan insured after June 30, 1967, is insured under a program covered by an agreement made pursuant to subsection (b),

and who has been determined by the eligible institution to be in need of the entire amount of such loan, after consideration of expected family contributions, in order to pursue a course of study at such eligible institution and has provided the lender with a statement evidencing such determination and stating the amount of the loan of which such student is in need, shall be entitled to have paid on his behalf and for his account to the holder of the loan, a portion of the interest on the loan. Such determination of need shall be made, and such statement shall be furnished, by the eligible institution, except that, in the case of eligible institutions located outside the United States, such determination shall be made, and such statement furnished, in such manner as the Commissioner may prescribe. In addition, the Commissioner shall pay an administrative cost allowance in the amount established by paragraph (2)(B) of this subsection with respect to loans to any student without regard to the borrower's need. In the absence of fraud by the lender, such determination of the need of a student under this paragraph shall be final insofar as it concerns the obligation of the Commissioner to pay the holder of a loan a portion of the interest on the loan."

(b) Section 428(b)(1)(H) of such Act is amended to read as follows:

"(H) provides that the benefits of the loan insurance program will not be denied any student because of his family income or lack of need if the institution has furnished the lender with a statement under paragraph (1) of subsection (a) of this section that the student needs a loan in the amount determined pursuant to such paragraph to pursue his course of study at that institution, except in the case of loans made by an instrumentality of a State or eligible institution;".

INSURANCE LIABILITY

SEC. 414. (a) Section 425(b) of the Higher Education Act of 1965 is amended to read as follows:

"(b) The insurance liability on any loan insured by the Commissioner under this part shall be 100 per centum of the unpaid balance of the principal amount of the loan, plus interest. The full faith and credit of the United States is pledged to the payment of all amounts which may be required to be paid under the provisions of section 430 or 437 of this part."

(b) Section 427(a)(2)(D) of such Act is amended by striking out the following: "(but without thereby increasing the insurance liability under this part)".

(c) The last sentence of section 430(a) of such Act is amended by striking out "of the loan (other than interest added to principal)" and inserting in lieu thereof the following: "and interest".

INCREASE IN LOAN CEILINGS

SEC. 415. (a) Subsection (a) of section 425 of the Higher Education Act of 1965 is amended (1) by striking out "$1,500" and inserting in lieu thereof the following: "$2,500, except in cases where the Commissioner determines, pursuant to regulations prescribed by him, that a higher amount is warranted in order to carry out the purposes of this part with respect to students engaged in specialized training requiring exceptionally high costs of education" and (2) by striking out "$7,500" and inserting "$10,000".

(b) Clause (A) of section 428(b)(1) of such Act is amended (1) by striking out "1,500" and inserting in lieu thereof the following: "$2,500 (except in those cases where the Commissioner determines, pursuant to regulations prescribed by him, that a higher amount is warranted in order to carry out the purposes of this part with respect to students engaged in specialized training requiring exceptionally high costs of education)" and (2) by striking out "$7,500" and inserting "$10,000".

INCLUSION OF PART-TIME STUDENTS IN LOAN PROGRAMS

"SEC. 416. Section 427(a)(1) of the Higher Education Act of 1965 is amended by striking out everything after "who (A)" down through "and (C)" and inserting in lieu thereof the following: "has been accepted for enrollment at an eligible institution on a full time or on a part-time basis or, in the case of a student already attending such institution, is in good standing there as determined by the institution on a full time or on a part-time basis, and (B)".

ALLOWANCES TO INSTITUTIONS FOR THEIR COSTS IN CONNECTION WITH THE INSURED STUDENT LOAN PROGRAM

SEC. 417. Section 428 of the Higher Education Act of 1965 is amended by adding at the end thereof the following:

"(f) The Commissioner may pay to each eligible institution an allowance for each fiscal year which may not exceed 1 per centum of the amount of loans made to students at that institution for that year which are insured (1) by the Commissioner under this part or (2) by a State or nonprofit private loan insurance program (covered at the time the loan was made by an agreement under section 428(b))."

TECHNICAL AMENDMENTS

SEC. 418. (a) Section 437 of such Act is amended to read as follows:

"REPAYMENT BY THE COMMISSIONER OF LOANS OF DECEASED OR DISABLED BORROWERS

"SEC. 437. If a student borrower who has received a loan described in clause (A), (B), or (C) of section 428(a)(1) dies or becomes permanently and totally disabled (as determined in accordance with regulations of the Commissioner), then the Commissioner shall discharge the borrower's liability on the loan by repaying the amount owed on the loan."

(b) Paragraph (1) of section 428(b) is amended (1) by striking out "and" and at the end of clause (J) thereof, (2) by striking out the period at the end of clause (K) and inserting "; and" in lieu thereof, and (3) by adding at the end of such paragraph the following new clause:

"(L) provides that periodic installments of principal need not be paid, but interest shall accrue and be paid during any period (i) during which the borrower is pursuing a full-time course of study at an eligible institution, (ii) not in excess of three years during which the borrower is a member of the Armed Forces of the United States, (iii) not in excess of three years during which the borrower is in service as a volunteer under the Peace Corps Act, or (iv) not in excess of three years during which the borrower is in service as a fulltime volunteer under title VIII of the Economic Opportunity Act of 1964."

(c) Section 428(e) of such Act is repealed.

(d) Paragraph (1) of subsection (c) of such section 428 is amended by striking out "adjusted family income of the borrower" and inserting in lieu thereof "the borrower's lack of need".

(e) Section 434 of such Act is amended by striking out "up to 15 per centum of their assets,".

(f) Section 435(a) of such Act is amended by inserting at the end thereof the following: "Notwithstanding any other provisions of this part, whenever the Commissioner determines that it is necessary in order to carry out the purposes of this part and after affording an opportunity for a hearing, he is authorized to suspend, limit, or terminate eligibility under this part for any single otherwise eligible institution."

SAVINGS PROVISION

SEC. 419. The amendments made by this part shall not be effective with respect to any loan made after the date of enactment of this Act, in whole or in part, to consolidate or convert a loan made or contracted for prior to its effective date.

PART C—EXTENSION AND AMENDMENT OF THE WORK-STUDY PROGRAM

STATEMENT OF PURPOSE

SEC. 421. Section 441(a) of the Higher Education Act of 1965 is amended by striking out "from low-income families" and inserting in lieu thereof "with great financial need".

APPROPRIATIONS AUTHORIZATION

SEC. 422. Section 441(b) of the Higher Education Act of 1965 is amended to read as follows:

"(b) There are authorized to be appropriated $330,000,000 for the fiscal year 1972, $360,000,000 for the fiscal year 1973, $390,000,000 for the fiscal year 1974, $420,000,000 for the fiscal year 1975, and $450,000,000 for the fiscal year 1976 to carry out this part (other than section 447)."

REVISION OF STATE ALLOTMENT FORMULA

SEC. 423. Section 442 of the Higher Education Act of 1965 is amended by redesignating subsection (e) as subsection (b), and by striking out subsections (a), (b), (c), and (d) and inserting in lieu thereof the following:

"SEC. 442. (a) From the sums appropriated to carry out this part, the Commissioner shall reserve the amount provided for in subsection (b) and shall allot the remainder among the States in accordance with section 465."

AUTHORIZING PARTICIPATION OF HALF-TIME STUDENTS IN COLLEGE WORK-STUDY PROGRAM

SEC. 424. Section 444(a)(3)(C) of the Higher Education Act of 1965 is amended (1) by striking out "full time" both times it appears, and (2) by inserting after "student at the institution" and after "attendance there" the following: "on at least a half-time basis".

CONDITIONS OF AGREEMENT

SEC. 425. (a) Section 444(a)(3) of the Higher Education Act of 1965 is amended (1) by striking out "from low-income families" and inserting in lieu thereof the following: "with the greatest financial need, taking into account grant assistance provided such student from any public or private sources", and (2) by amending clause (B) to read as follows: "(B) shows evidence of academic or creative promise and capability of maintaining good standing in such course of study while employed under the program covered by the agreement, and".

(b) Section 444(a) of such Act is amended by striking out paragraph (4).

WORK-STUDY FOR COMMUNITY SERVICE LEARNING PROGRAM

SEC. 426. Part C of title IV of the Higher Education Act of 1965 is amended by adding at the end thereof the following new section:

"WORK-STUDY FOR COMMUNITY SERVICE LEARNING PROGRAM

"SEC. 447. (a) The purpose of this section is to enable students in eligible institutions who are in need of additional financial support to attend institutions of higher education, with preference given to veterans who served in the Armed Forces in Indochina or Korea after August 5, 1964, to obtain earnings from employment which offers the maximum potential both for effective service to the community and for enhancement of the educational development of such students.

"(b) There are authorized to be appropriated $50,000,000 for the fiscal year 1972 and each succeeding fiscal year ending prior to July 1, 1976, to carry out this section through local project grants, without regard to the provisions of section 465.

"(c) The Commissioner is authorized to enter into agreements with public or private nonprofit agencies under which the Commissioner will make grants to such agencies to pay the compensation of students who are employed by such agencies in jobs providing needed community services and which are of educational value.

"(d) An agreement entered into under subsection (c) above shall—

"(1) provide for the part-time employment of college students in projects designed to improve community services or solve particular problems in the community.

"(2) provide assurances that preference will be given to veterans who served in the Armed Forces in Indochina or Korea after August 5, 1964 in recruiting students in eligible institutions for jobs under this section, and that the agency will make an effort to relate the projects performed by students to their general academic program and to a comprehensive program for college student services to the community.

"(3) conform with the provisions of clauses (A), (B) and (C) of paragraph (1) of section 444(a), and provide for the selection of students who meet the requirements of clauses (A), (B) and (C) of paragraph (3) of section 444(a);

"(4) include such other provisions as the Commissioner shall deem necessary or appropriate to carry out the purposes of this section.

"(e) For purposes of this section, the term 'community service' includes, but is not limited to, work in such fields as environmental quality, health care, education, welfare, public safety, crime prevention and control, transportation, recreation, housing and neighborhood improvement, rural development, conservation, beautification, and other fields of human betterment and community improvement."

PART D—EXTENSION AND AMENDMENT OF COOPERATIVE EDUCATION PROGRAMS

EXTENSION OF PROGRAM

SEC. 431. (a) Section 451(a) of the Higher Education Act of 1965 is amended by striking out "There are authorized to be appropriated $340,000 for the fiscal year ending June 30, 1969, $8,000,000 for the fiscal year ending June 30, 1970, and $10,000,000 for the fiscal year ending June 30, 1971," and inserting in lieu thereof "There are authorized to be appropriated such sums as may be necessary for the fiscal year 1972, and for each succeeding fiscal year ending prior to July 1, 1976,".

(b) The second sentence of such section 451(a) of such Act is repealed.

(c) Section 451(b) of such Act is amended by striking out "$750,000 for the fiscal year ending June 30, 1969, and for each of the two succeeding fiscal years," and inserting in lieu thereof "such sums as may be necessary for the fiscal year 1972, and for each fiscal year ending prior to July 1, 1976,".

NEW USE OF FUNDS

SEC. 432. (a) Section 451(b) of the Higher Education Act of 1965 is amended by inserting after "training" the following: ", demonstration,".

(b) Section 453 of such Act is amended by inserting immediately before "or for research" the following: "for projects demonstrating or exploring the feasibility or value of innovative methods of cooperative education,".

PART E—AMENDMENTS TO GENERAL PROVISIONS RELATING TO STUDENT ASSISTANCE

FORMULA FOR ALLOTTING STUDENT FINANCIAL ASSISTANCE FUNDS AMONG STATES

SEC. 441. Part E of title IV of the Higher Education Act of 1965 is amended by inserting after section 464 the following new section:

"ALLOTMENT OF FUNDS TO STATES

"SEC. 465. (a) Subject to the provision of subsection (c) ninety per centum of the sums appropriated for a fiscal year (1) under section 401(b) of this Act, (2) under section 441(b) of this Act (after making the reservation provided for in section 442), or (3) under section 201 of the National Defense Education Act of 1958, for fiscal years ending prior to July 1, 1976, shall each be allotted by the Commissioner among the States as provided in subsection (b).

"(b) In allotting sums under subsection (a), the Commissioner shall allot not to exceed two per centum of each sum being allotted between American Samoa and the Trust Territory of the Pacific Islands according to their respective needs for the assistance for which the sum being allotted was appropriated. The remainder of each sum shall be allotted as follows:

"(1) one-third shall be allotted by the Commissioner among the States so that the allotment to each State under this clause will be an amount which bears the same ratio to such one-third as the number of persons enrolled on a full-time basis in institutions of higher education in such State bears to the total number of persons enrolled on a full-time basis in institutions of higher education in all the States;

"(2) one-third shall be allotted by the Commissioner among the States so that the allotment to each State under this clause will be an amount which bears the same ratio to such one-third as the number of high school graduates (as defined in section 103(d)(3) of the Higher Education Facilities Act of 1963) of such State bears to the total number of such high school graduates of all the States; and

"(3) one-third shall be allotted by him among the States so that the allotment to each State under this clause will be an amount which bears the same ratio to such one-third as the number of related children under eighteen years of age living in families with annual incomes of less than $3,000 in such State bears to the number of related children under eighteen years of age living in families with annual incomes of less than $3,000 in all the States.

"(c) In the event the allotment to a State for a fiscal year after the fiscal year 1972 from the appropriations described in clause (1), amounts allotted under subsection (d), is less than the amount so allotted to such State from the amount so appropriated for the fiscal year 1972, such allotment to the State shall be increased to an amount equal to its allotment from such appropriation for the fiscal year 1972, and the total of the increases thereby required shall be derived by proportionately reducing the allotments of each of the remaining States, but with such adjustments as may be necessary to prevent the allotment from such appropriation to any State from being thereby reduced below its allotment from such appropriations for the fiscal year 1972.

"(d) The sums remaining after making the allotments provided for in subsection (a) of this section shall be allotted among the States by the Commissioner in accordance with equitable criteria which he shall establish and which shall be designed to achieve a distribution of the sum being allotted among the States which will most effectively carry out the purpose for which the funds were appropriated. Sums allotted to a State under this subsection shall be consolidated with, and become a part of, its allotment of funds from the same appropriation under the preceding subsections of this section.

"(e) The portion of any State's allotment under subsections (a), (b), (c), and (d) of this section for a fiscal year which the Commissioner determines will not be required in the State for the purpose for which appropriated may be reallotted by the Commissioner from time to time, on such dates as he may fix, to other States in such manner as he determines will best assist in achieving the purpose for which the funds were appropriated.

"(f) For purposes of this section (other than subsection (g)), the term 'State' does not include American Samoa or the Trust Territory of the Pacific Islands.

"(g) Sums appropriated under section 201 of the National Defense Education Act of 1958 for a fiscal year ending after June 30, 1976, shall be allotted among the States in such manner as the Commissioner determines to be necessary to carry out the purpose for which such amounts were appropriated."

TRANSFER OF FUNDS BETWEEN PROGRAMS

SEC. 442. (a) Effective with respect to fiscal years ending after June 30, 1972, subject 1 of part E of title IV of the Higher Education Act of 1965 is amended by adding at the end thereof (after the section added by section 441) the following new sections:

"TRANSFERS BETWEEN PROGRAMS

"SEC. 446. Up to 10 per centum of the allotment of an institution of higher education for a fiscal year under section 405 or 442 of this Act, may be transferred to, and used for the purposes of, the institution's allotment under the other section within the discretion of such institution in order to offer an arrangement of types of aid, including institutional and State aid, which best fits the needs of each individual student. The Commissioner shall have no control over such transfer, except as specifically authorized, except for the collection and dissemination of information.

"GUIDELINES

"SEC. 467. Copies of all rules, regulations, guidelines, instructions, and application forms published or promulgated pursuant to this title shall be provided to the Committee on Labor and Public Welfare of the Senate and the Committee on Education and Labor of the House of Representatives at least thirty days prior to their effective date."

PART F—SECONDARY MARKET AND WAREHOUSING

SEC. 451. Title IV of the Higher Education Act of 1965 is amended by adding at the end thereof the following new part F:

"PART F—STUDENT LOAN MARKETING ASSOCIATION

"DECLARATION OF PURPOSE

"SEC. 471. Congress hereby declares that it is the purpose of this part to establish a Government-sponsored private corporation which will be financed by private capital and which will serve as a secondary market and warehousing facility for insured student loans and provide liquidity for student loan investments.

"CREATION OF AGENCY

"SEC. 472. (a) There is hereby created a body corporate to be known as the Student Loan Marketing Association (hereinafter referred to as the 'Association'). The Association shall have succession until dissolved by Act of Congress. It shall maintain its principal office in the District of Columbia and shall be deemed, for purposes of venue in civil actions, to be a resident thereof. Offices may be established by the Association in such other place or places as it may deem necessary or appropriate for the conduct of its business.

"(b) The Association, including its franchise, capital, reserves, surplus, mortgages, or other security holdings, and income shall be exempt from all taxation now or hereafter imposed by any State, territory, possession, Commonwealth, or dependency of the United States, or by the District of Columbia, or by any county, municipality, or local taxing authority, except that any real property of the Association shall be subject to State, territorial, county, municipal, or local taxation to the same extent according to its value as other real property is taxed.

"(c) There are hereby authorized to be appropriated to the Secretary of Health, Education, and Welfare such sums as may be necessary for making advances for the purpose of helping to establish the Association. Such advances shall be repaid within such period as the Secretary may deem to be appropriate in light of the maturity and solvency of the Association.

"BOARD OF DIRECTORS

"SEC. 473. (a) The Association shall have a Board of Directors which shall consist of twenty-one persons, one of whom shall be designated Chairman by the President.

"(b) An interim Board of Directors shall be appointed by the President, one of whom he shall designate as interim Chairman. The interim Board shall consist of twenty-one members, seven of whom shall be representative of banks or other financial institutions which are insured lenders under this title, seven of educational institutions, and seven of the general public. The interim Board shall arrange for an initial offering of common and preferred stocks and take whatever other actions are necessary to proceed with the operations of the Association.

"(c) When in the judgment of the President, sufficient common stock of the Association has been purchased by educational institutions and banks or other financial institutions, the holders of common stock which are educational institutions shall elect seven members of the Board of Directors and the holders of common stock which are banks or other financial institutions shall elect seven members of the Board of Directors. The President shall appoint the remaining seven directors, who shall be representative of the general public.

"(d) At the time the event described in subsection (c) has occurred, the interim Board shall turn over the affairs of the Association to the regular Board so chosen or appointed.

"(e) The directors shall serve for a term ending on the date of the next annual meeting of the common stockholders of the Association and, in the case of those directors appointed by the President, until their successors have been appointed and have qualified. Any appointive seat on the Board which becomes vacant shall be filled by appointment of the President. Any elective seat on the Board which becomes vacant after the annual election of the directors shall be filled by the Board, but only for the unexpired portion of the term.

"(f) The Board of Directors shall meet at the call of its chairman, but at least semiannually. The Board shall determine the general policies which shall govern the operations of the Association. The Chairman of the Board shall, with the approval of the Board, select, appoint, and compensate qualified persons to fill the offices as may be provided for in the bylaws, with such executive functions, powers, and duties as may be prescribed by the bylaws or by the Board of Directors, and such persons shall be the executive officers of the Association and shall discharge all such executive functions, powers, and duties.

"FUNCTIONS

"SEC. 474. (a) The Association is authorized, subject to the provisions of this part, pursuant to commitments or otherwise, to make advances on the security of, purchase, service, sell, or otherwise deal in, at prices and on terms and conditions determined by the Association, student loans which are insured under this part.

"(b) Any advance made under subsection (a) of this section shall not exceed 80 per centum of the face amount of an insured loan. The proceeds from any such advance shall be invested in additional insured student loans.

"COMMON STOCK

"SEC. 475. (a) The Association shall have common stock having a par value of $100 per share which may be issued only to lenders under part B of this title who are qualified as insured lenders under such part or who are eligible institutions as defined in section 435(b) (other than an institution outside the United States).

"(b) Each share of common stock shall be entitled to one vote with rights of cumulative voting at all elections of directors. Voting shall be by classes as described in section 473(c).

"(c) The common stock of the Association shall be transferable only as may be prescribed by regulations of the Secretary, and, as to the Association, only on the books of the Association. The Secretary shall prescribe the maximum number of shares of common stock the Association may issue and have outstanding at any one time.

"(d) To the extent that net income is earned and realized, subject to section 476 (b), dividends may be declared on common stock by the Board of Directors. Such dividends as may be declared by the Board shall be paid to the holders of outstanding shares of common stock, except that no such dividend shall be payable with respect to any share which has been called for redemption past the effective date of such call.

"PREFERRED STOCK

"SEC. 476. (a) The Association is authorized, with the approval of the Secretary, to issue nonvoting preferred stock with a par value of $100 per share. Any perferred share issued shall be freely transferable, except that, as to the Association, it shall be transferred only on the books of the Association.

"(b) The holders of the preferred shares shall be entitled to such rate of cumulative dividends and such shares shall be subject to such redemption or other conversion provisions, as may be provided for at the time of issuance. No dividends shall be payable on any share of common stock at any time when any dividend is due on any share of preferred stock and has not been paid.

"(c) In the event of any liquidation, dissolution, or winding up of the Association's business, the holders of the preferred shares shall be paid in full at par value thereof, plus all accrued dividends, before the holders of the common shares receive any payment.

"OBLIGATIONS

"SEC. 477. (a) The Association is authorized with the approval of the Secretary and the Secretary of the Treasury to issue and have outstanding obligations having such maturities and bearing such rate or rates of interest as may be determined by the Association. Such obligations may be redeemable at the option of the Association before maturity in such manner as may be stipulated therein.

"(b) The Secretary is authorized, on behalf of the United States, to guarantee payment when due of principal and interest on obligations issued by the Association in an aggregate amount determined by the Secretary in consultation with the Secretary of the Treasury.

"(c) To enable the Secretary to discharge his responsibilities under guarantees issued by him, he is authorized to issue to the Secretary of the Treasury notes or other obligations in such forms and denominations, bearing such maturities, and subject to such terms and conditions, as may be prescribed by the Secretary with the approval of the Secretary of the Treasury. Such notes or other obligations shall bear interest at a rate determined by the Secretary of the Treasury, taking into consideration the current average market yield on outstanding marketable obligations of the United States of comparable maturities during the month preceding the issuance of the notes or other obligations. The Secretary of the Treasury is authorized and directed to purchase any notes and other obligations issued hereunder and for that purpose he is authorized to use as a public debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, as amended, and the purposes for which securities may be issued under that Act, as amended, are extended to include any purchase of such notes and obligations. The Secretary of the Treasury may at any time sell any of the notes or other obligations acquired by him under this subsection. All redemptions, purchases, and sales by the Secretary of the Treasury of such notes or other obligations shall be treated as public debt transactions of the United States. There are hereby authorized to be appropriated to the Secretary such sums as may be necessary to pay the principal and interest on the notes or obligations issued by him to the Secretary of the Treasury.

"GENERAL POWERS

"SEC. 478. The Association shall have power—

"(a) to sue and be sued, complain and defend, in its corporate name and through its own counsel;

"(b) to adopt, alter, and use the corporate seal, which shall be judicially noticed;

"(c) to adopt, amend, and repeal by its board of directors, bylaws, rules, and regulations as may be necessary for the conduct of its business;

"(d) to conduct its business, carry on its operations, and have officers and exercise the power granted by this part in any State without regard to any qualification or similar statute in any State;

"(e) to lease, purchase, or otherwise acquire, own, hold, improve, use, or otherwise

deal in and with any property, real, personal, or mixed, or any interest therein, wherever situated;

"(f) to accept gifts or donations of services, or of property, real, personal, or mixed, tangible or intangible, in aid of any of the purposes of the Association;

"(g) to sell, convey, mortgage, pledge, lease, exchange, and otherwise dispose of its property and assets;

"(h) to appoint such officers, attorneys, employees, and agents as may be required, to determine their qualifications, to define their duties, to fix their salaries, require bonds for them and fix the penalty thereof; and

"(i) to enter into contracts, to execute instruments, to incur liabilities, and to do all things necessary or incidental to the proper management of its affairs and the proper conduct of its business.

"AUDIT

"SEC. 479. The accounts of the Association shall be audited at least annually. Such audits shall be conducted in accordance with generally accepted auditing standards by independent certified public accountants or by independent licensed public accountants, licensed on or before December 31, 1970, who are certified or licensed by a regulatory authority of a State or other political subdivision of the United States, except that independent public accountants licensed to practice by such regulatory authority after December 31, 1970, and persons who, although not so certified or licensed, meet, in the opinion of the Secretary, standards of education and experience representative of the highest standards prescribed by the licensing authorities of the several States which provide for the continuing licensing of public accountants and which are prescribed by the Secretary in appropriate regulations may perform such audits until December 31, 1975. A report of each such audit shall be furnished to the Secretary of the Treasury.

"AUDIT REPORT TO CONGRESS

"SEC. 480. A report of each such audit for a fiscal year shall be made by the Secretary to the President and to the Congress not later than six months following the close of such fiscal year. The report shall set forth the scope of the audit and shall include a statement (showing intercorporate relations) of assets and liabilities, capital and surplus or deficit; a statement of surplus or deficit analysis; a statement of income and expense; a statement of sources and application of funds; and such comments and information as may be deemed necessary to keep the President and the Congress informed of the operations and financial condition of the Association, together with such recommendations with respect thereto as the Secretary may deem advisable, including a report of any impairment of capital or lack of sufficient capital noted in the audit. A copy of each report shall be furnished to the Secretary of the Treasury and to the Association.

"OBLIGATIONS AS LAWFUL INVESTMENT, ACCEPTANCE AS SECURITY

"SEC. 481. All obligations issued by the Association shall be lawful investments, and may be accepted as security for all fiduciary, trust, and public funds, the investment or deposit of which shall be under authority or control of the United States or of any officer or officers thereof. All stock and obligations issued by the Association pursuant to this part shall be deemed to be exempt securities within the meaning of laws administered by the Securities and Exchange Commission, to the same extent as securities which are direct obligations of, or obligations guaranteed as to principal or interest by, the United States. The Association shall, for the purposes of section 14(b)(2) of the Federal Reserve Act, be deemed to be an agency of the United States.

"PREPARATION OF OBLIGATIONS

"SEC. 482. In order to furnish obligations for delivery by the Association, the Secretary of the Treasury is authorized to prepare such obligations in such form as the Board of Directors may approve, such obligations when prepared to be held in the Treasury subject to delivery upon order by the Association. The engraved plates, dies, bed pieces, and other materials, executed in connection therewith shall remain in the custody of the Secretary of the Treasury. The Association shall reimburse the Secretary of the Treasury for any expenditures made in the preparation, custody, and delivery of such obligations.

"ANNUAL REPORT

"SEC. 483. The Association shall, as soon as practicable after the end of each fiscal year, transmit to the President and the Congress a report of its operations and activities during each year.

"SEPARABILITY

"SEC. 484. If any provision of this part or the application thereof to any person or circumstance is held invalid, the validity of the remainder of the part, and the application of such provisions to other persons or circumstances, shall not be affected.".

AMENDMENTS RELATING TO FINANCIAL INSTITUTIONS

SEC. 452. (a) The sixth sentence of the seventh paragraph of section 5136 of the Revised Statutes, as amended (12 U.S.C. 24), is amended by inserting "or obligations or other instruments or securities of the Student Loan Marketing Association," immediately after "or obligations, participation, or other instruments of or issued by the Federal National Mortgage Association or the Government National Mortgage Association,".

(b) Section 5200 of the Revised Statutes, as amended (12 U.S.C. 84), is amended by adding at the end thereof the following new paragraph:

"(14) Obligations of the Student Loan Marketing Association shall not be subject to any limitation based upon such capital and surplus."

(c) The first paragraph of section 5(c) of the Home Owners' Loan Act of 1933, as amended (12 U.S.C. 1464 (c)), is amended by inserting "or in obligations or other instruments or securities of the Student Loan Marketing Association;" in the second proviso immediately after "any political subdivision thereof".

(d) Section 107(8)(E) of the Federal Credit Union Act, as amended (12 U.S.C. 1957(8)(E)), is amended by inserting before the semicolon at the end thereof the following: ", or in obligations or other instruments or securities of the Student Loan Marketing Association".

PART G—EXTENSION AND AMENDMENT OF TITLE II OF THE NATIONAL DEFENSE EDUCATION ACT OF 1958

EXTENSION OF STUDENT LOAN PROGRAM

SEC. 461. The first sentence of section 201 of the National Defense Education Act of 1958 is amended to read as follows: "For the purpose of enabling the Commissioner to stimulate and assist in the establishment at institutions of higher education of funds for the making of low interest loans to students in need thereof to pursue their courses of study in such institutions, there are hereby authorized to be appropriated $425,000,000 for the fiscal year 1972, $475,000,000 for the fiscal year 1973, $575,000,000 for the fiscal year 1974, and $675,000,000 for the fiscal year 1975 and the succeeding fiscal year, to carry out this part, and there are further authorized to be appropriated such sums for the fiscal year 1977, and each of the next three fiscal years, as may be necessary to enable students who have received loans for school years ending prior to July 1, 1976, to continue or complete their education."

REVISION OF STATE ALLOTMENT FORMULA

SEC. 462. Section 202 of the National Defense Education Act of 1958 is amended to read as follows:

"ALLOTMENTS TO STATES

"SEC. 202. The Commissioner shall allot funds appropriated pursuant to section 201 among the States in accordance with section 465 of the Higher Education Act of 1965."

MODIFICATION OF LOAN LIMIT

SEC. 463. Section 205(a) of the National Defense Education Act of 1958 is amended to read as follows:

"SEC. 205. (a) The aggregate of the loans for all years made by institutions of higher education from loan funds established pursuant to agreements under this title may not exceed $10,000 in the case of any graduate or professional student (as defined by regulations of the Commissioner, and including any loans from such funds made to such person before he became a graduate or professional student), $5,000 in the case of a student who has successfully completed two years of a program of education leading to a bachelor's degree, but who has not completed the work necessary for such a degree (determined under regulations of the Commissioner, and including any loans from such funds made to such person before he became such a student), and $2,500 in the case of any other student."

ASSIGNMENT OF LOANS IN DEFAULT TO THE COMMISSIONER

SEC. 464. (a) Effective thirty days after the date of enactment of this Act, section 204 of the National Defense Education Act of 1958 is amended by striking out "and" at the end of paragraph (3), by renumbering paragraph (4) as paragraph (5), and by inserting after paragraph (3) the following new paragraph:

"(4) provide that where a note or written agreement evidencing a loan has been in default for at least one hunderd and eighty days despite due diligence on the part of the institution in making collection thereon, the institution may assign its rights under such note or agreement to the United States, without recompense, and that in that event any sums collected on such a loan shall be deposited in the general fund of the Treasury."

INCREASE IN MINIMUM RATE OF REPAYMENT

SEC. 465. Section 205(b)(2)(F) of the National Defense Education Act of 1958 is amended by striking out "$15" and inserting "$30."

PROVIDING THAT A VETERAN SHALL BE CONSIDERED SELF-SUPPORTING IN DETERMINING HIS NEED FOR A LOAN

SEC. 466. Section 207 of the National Defense Education Act of 1958 is amended by adding at the end thereof the following new subsection:

"(e) In determining, for purposes of clause (A) of paragraph (1) of subsection (b) of this section, whether a student who is a veteran (as that term is defined in section 101(2) of title 38, United States Code), is in need an institution shall not take into account the income and assets of his parents."

REIMBURSEMENT IN FULL TO COVER REDUCTIONS

SEC. 467. Section 208 of the National Defense Education Act of 1958 is amended to read as follows:

"PAYMENTS TO COVER REDUCTIONS IN AMOUNTS OF LOANS

"SEC. 208. In addition to the payments otherwise authorized to be made pursuant to this title, the Commissioner shall pay to the appropriate institution, at such time or times as he determines, an amount equal to the interest which, after the effective date of the Higher Education Act of 1971, has been prevented from accruing and the portion of the principal which has been canceled after such effective date on student loans pursuant to paragraph (3) of section 205(b)

(and not previously paid under this section)."

REVISION OF PROVISION RELATING TO LOAN FORGIVENESS

SEC. 468. (a) Section 205(b)(3) of the National Defense Education Act of 1958 is amended to read as follows:

"(3) part or all of such loan may be canceled for certain service as a teacher, in accordance with section 210;".

(b) Title II of such Act is amended by adding the end thereof the following new section:

"CANCELLATION FOR CERTAIN SERVICE AS A TEACHER

"SEC. 210. (a)(1) Fifteen per centum of the total amount of any loan made after June 30, 1972, from a student loan fund established under this title shall be canceled for each complete academic year of service by the borrower—

"(A) as a full-time teacher in an elementary or secondary school described in paragraph (3),

"(B) as a full-time staff member in a preschool program carried on under section 222(a)(1) of the Economic Opportunity Act of 1964 which is operated for a period which is comparable to a full school year in the locality: *Provided*, That the salary of such staff member is not more than the salary of a comparable employee of a local educational agency, or

"(C) as a full-time teacher of handicapped children (including mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed or other health impaired children who by reason thereof require special education) in a public or other nonprofit elementary or secondary school system.

"(2) A teacher may receive cancellation of a loan under subparagraph (A) of paragraph (1) only for service in an academic year in a public or other nonprofit elementary or secondary school which is in the school district of a local educational agency which is eligible in such year for assistance pursuant to title I of the Elementary and Secondary Education Act of 1965, as amended, and which for purposes of this paragraph and for that year had been determined by the Commissioner (pursuant to regulations and after consultation with the State educational agency of the State in which the school is located) to be a school in which the enrollment of children described in clause (A), (B), or (C) of section 103(a)(2) of title I of the Elementary and Secondary Education Act of 1965, as amended (using a low-income factor of $3,000), exceeds 40 per centum of the total enrollment of the school.

"(b) In the case of a loan made before July 1, 1972, not to exceed 50 per centum of such loan (1) shall be canceled for service as a full-time teacher in a public or other nonprofit elementary or secondary school in a State, in an institution of higher education, or in an elementary or secondary school overseas of the Armed Forces of the United States at the rate of 10 per centum of the total amount of such loan for each complete academic year of such service, except that (A) such rate shall be 15 per centum for each complete academic year of service as a full-time teacher in a public or other nonprofit elementary or secondary school which is in the school district of a local educational agency which is eligible in such year for assistance pursuant to title I of the Elementary and Secondary Education Act of 1965, as amended, and which for purposes of this paragraph and for that year has been determined by the Commissioner (pursuant to regulations and after consultation with the State educational agency of the State in which the school is located) to be a school in which there is a high concentration of students from low-income families, except that (unless all of the schools so determined are schools in which the enrollment of children described in clause (A), (B), or (C) of section 103(a)(2) of such title (using a low-income factor of $3,000) exceeds 50 per centum of the total enrollment of the school) the Commissioner shall not make such determination with respect to more than 25 per centum of the total of the public and other nonprofit elementary and secondary schools in any one State for any one year, (B) such rate shall be 15 per centum for each complete academic year of service as a full-time teacher of handicapped children (including mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, or other health impaired children who by reason thereof require special education) in a public or other nonprofit elementary or secondary school system, and (C) for the purposes of any cancellation pursuant to clause (A) or (B), an additional 50 per centum of any such loan may be canceled, and (2) shall be canceled for service after June 30, 1970, as a member of the Armed Forces of the United States at the rate of 12½ per centum of the total amount of such loan for each year of consecutive service, but only if such loan was made after April 13, 1970.

"(c)(1) If any academic year any portion of a loan is canceled under subsection (a) or (b), the entire amount of interest on such loan which accrues for such year shall be canceled.

"(2) Nothing in this section shall authorize refunding any repayment of a loan.

"(c) For purposes of this section, the term 'academic year' means an academic year or its equivalent (as determined under regulations of the Commissioner)."

Mrs. GREEN of Oregon. Mr. Chairman, I ask unanimous consent that title IV 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 gentlewoman from Oregon?

There was no objection.

The CHAIRMAN. Are there any amendments to the proposed title IV?

AMENDMENT OFFERED BY MR. QUIE

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

The Clerk read as follows:

Amendment offered by Mr. QUIE: Beginning with line 9 on page 106, strike out everything down through line 21 on page 113, and insert in lieu thereof the following:

PART A—EXTENSION AND AMENDMENT OF EDUCATIONAL OPPORTUNITY GRANT PROGRAM

STATEMENT OF POLICY; EXTENSION OF PROGRAM

SEC. 401. (a) Section 401(a) of the Higher Education Act of 1965 is amended to read as follows:

"SEC. 401. (a) It is the purpose of this part to provide educational opportunity grants to qualified students with demonstrated need to assist them to pursue post-secondary education programs."

(b) Section 401(b) of such Act is amended—

(1) by striking out "and" after "1970", and by inserting after "1971" the following: ", and subject to the last sentence of this subsection, such sums as may be necessary for each succeeding fiscal year ending prior to July 1, 1976,",

(2) by striking out "for the initial academic year",

(3) by striking out the last three sentences and inserting in lieu thereof the following: "In addition there are authorized to be appropriated for the three succeeding fiscal years, such sums as may be necessary for payments to such institutions for use by theme for making educational opportunity grants to undergraduate students who received such grants for an academic year beginning during the fiscal year 1976 from funds appropriated under the preceding sentence, to enable them to continue their education. Sums appropriated pursuant to this subsection for any fiscal year shall be available for payment to institutions until the close of the fiscal year succeeding the fiscal year for which they were appropriated." The amount authorized to be appropriated for any fiscal year under this subsection shall not exceed the amount appropriated for carrying out this part for fiscal year 1972 unless the amount appropriated for such fiscal year for carrying out part C of this title and title II of the National Defense Education Act of 1958 is, in each case, not less than the amount so appropriated for the fiscal year 1972.

(c) Section 407(a)(5) of such Act is amended by inserting after "thereof" the folowing: "and without discrimination against students transfering from other institutions".

DETERMINATION OF AMOUNTS OF EDUCATIONAL OPPORTUNITY GRANTS

SEC. 402. Section 402 of the Higher Education Act of 1965 is amended to read as follows:

"AMOUNT OF EDUCATIONAL OPPORTUNITY GRANT

"SEC. 402. (a) From the funds received by it for such purpose under this part for an academic year, an institution of higher education shall award an educational opportunity grant to each of its eligible students for such academic year in an amount determined by the institution for such student with respect to that year under this section. Except in a case to which subsection (c) of this section is applicable, such amount shall be equal to whichever is the lesser, (1)($1,400 (or such other amount as may be arrived at by the Secretary under section 406(c)) minus the student's expected family contribution, or (2) one-half of the amount he needs to attend the institution. If the amount of the payment so determined for an academic year is less than $200 for a student, no payment shall be made under this part to that student on that year.

"(b) For purposes of making determinations under subsection (a)—

"(1) the cost of attending an institution shall be the amount required as tuition, books, and fees and the reasonable costs of board and lodging,

"(2) the student's expected family contribution shall be determined by a method to be prescribed by the Commissioner by regulation (to which section 553 of title 5, United States Code, shall apply) which shall be uniform for all institutions and shall include the portion of its resources which a family can reasonably be expected to contribute to the education of the student in light of (A) family income and assets, (B) number of children in the family, (C) number of persons in the family attending institutions of higher education, (D) any unusual medical expenses of the family, (E) business failures, and (F) any other circumstances affecting the student's financial need; but no consideration shall be given to the earnings of a student during the summer (or other comparable period) preceding the academic year; and

"(3) the amount the student needs to attend any institution of higher education shall be equal to the cost of attending the institution minus the student's expected family contribution.

"(c) Notwithstanding any provision of this section, an individual who has, in years prior to the effective date of the Higher Education Act of 1971, been awarded an educational opportunity grant pursuant to this part shall continue to be eligible to receive a grant in accordance with the provisions of this part as

in effect at the time of the initial grant if he so elects in the manner prescribed in regulations of the Commissioner."

DURATION

SEC. 403. (a) The first sentence of section 403 of the Higher Education Act of 1965 is amended to read as follows: "A student eligible therefor may be awarded an educcational opportunity grant under this part for each academic year of the period required for completion by the recipient of his undergraduate course of study, except that such period shall not exceed four academic years."

(b) The second sentence of such section is amended by inserting after "(2)" the following: "except in a case to which section 408 is applicable,".

ELIGIBILITY

SEC. 404. Section 404 of the Higher Education Act of 1965 is amended to read as follows:

"DETERMINATION OF ELIGIBILITY FOR EDUCATIONAL OPPORTUNITY GRANTS

"SEC. 404. An individual shall be eligible for the award of an educational opportunity grant under this part at any institution of higher education which has made an agreement with the Commissioner pursuant to section 407 (which institution is hereafter in this part referred to as an 'eligible institution'), if the individual (1) has been accepted for enrollment as a student at such institution on at least a half-time basis or, in the case of a student already attending such institution, is in good standing and in attendance on at least a half-time basis as an undergraduate student, and (2) makes application at the time and in the manner prescribed by that institution."

REQUIREMENT FOR OTHER FINANCIAL AID

SEC. 405. Part A of title IV of the Higher Education Act of 1965 is amended by striking out section 405 and inserting in lieu thereof the following new section:

"REQUIREMENT FOR OTHER FINANCIAL AID

"SEC. 405. (a) No institution of higher education shall make any educational opportunity grants for any academic years unless all recipients of such grants will receive other financial aid for that academic year in an amount at least equal to the amount of such grant for such year.

"(b) Where an institution of higher education is unable to provide the other financial aid required by subsection (a) from its own resources, and is unable to obtain, or assist its student to obtain, such aid from other public or private sources, and the Commissioner determines the institution has made appropriate efforts to obtain such aid for its students but has been unable to do so through no fault of its own, then the Commissioner may reduce the requirement of subsection (a) for that institution for that year.

"(c) For purposes of this section, the term 'other financial aid' means financial aid from sources outside the student's family, and may include grants, loans, or wages."

AMOUNT OF GRANTS TO INSTITUTIONS

SEC. 406. Section 406 of the Higher Education Act of 1965 is amended to read as follows:

"DETERMINATION OF AMOUNT OF GRANTS TO INSTITUTIONS

"SEC. 406. (a) The Secretary shall set dates by which eligible institutions with which he has agreements under this part must submit to him the information necessary for him to determine the aggregate amount which will be necessary to enable each institution to make payment to its students of the educational opportunity grants to which they are entitled under section 402 for the fiscal year.

"(b) On the basis of the information submitted under subsection (a) (as revised from time to time) the Commissioner shall determine the aggregate amount necessary for all institutions of higher education, for such fiscal year, to provide their students the educational opportunity grants to which they are entitled.

"(c) In the event appropriations for making educational opportunity grants under this part for a fiscal year after making the grants required by section 402(c) are insufficient to award all students eligible for such a grant the amount to which they are entitled applying the $1,400 figure in the formula prescribed in section 402(a), the Secretary shall adjust such figure downward until he arrives at a figure which will permit him within the limits of available appropriations, to make educational opportunity grants to all students eligible therefor in the full amount arrived at by use of such reduced figure in computing the amounts of such grants."

PROVISIONS OF AGREEMENTS WITH INSTITUTIONS

SEC. 407. (a) Section 407(a)(2) of the Higher Education Act of 1965 is amended to read as follows:

"(2) provide that the institution will obtain, and provide the Commissioner with, the information necessary for him to carry out his duties under section 406;".

(b) Section 407(a)(4) of such Act is repealed.

(c) Section 407(b) of such Act is repealed.

ELIGIBILITY OF PART-TIME STUDENTS FOR GRANTS

SEC. 408. Part A of title IV of the Higher Education Act of 1965 is amended by adding after section 407 the following new section:

"ELIGIBILITY OF PART-TIME STUDENTS

"SEC. 407A. Notwithstanding any other provision of this part, students who are in attendance at an eligible institution on a less than full-time, but not less than half-time, basis shall be eligible for reduced educational opportunity grants under this part, and the Commissioner may adjust any of the provisions of this part in a manner which appropriately reflects the differences between such students and those attending on a full-time basis."

On page 111, strike out line 12 and insert in lieu thereof the following: "year, to be used for the".

Strike out lines 24 and 25 on page 129 and line 1 on page 130 and insert in lieu thereof the following: "year (1) under section 441(b) of this Act (after making the reservation provided for in section 442), or (2) under section 201 of".

On page 131, strike out line 15 and insert in lieu thereof the following: "scribed in clause (1) or (2) or subsection (a) plus any".

Renumber section 402 as section 409, and section 403 as section 410.

Mr. QUIE (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 Minnesota?

There was no objection.

(Mr. QUIE asked and was given permission to revise and extend his remarks).

Mr. QUIE. Mr. Chairman, this is the amendment which the gentleman from Minnesota (Mr. FRASER) and I have joined together in offering. It is a substitute for the educational opportunity grant program that is in the committee bill.

As I pointed out yesterday, the allotment formula for the educational opportunity grant program in the bill, compared to the allotment formula that exists in the present act, so far as I am concerned makes the program more inequitable than it is at present. I can go into that further. The bill also leaves less chance of equitability for all the students who can qualify for educational opportunity grants than presently exists.

Instead, I am offering the substitute, which I will go through over here with these charts, so that I can give a more visual presentation of what we are talking about. First, the general principles.

What the substitute will do is to enable the Congress to achieve a goal I believe it wanted to achieve when it set up the educational opportunity grant program in the Higher Education Act of 1965; that is, that no qualified student be denied the opportunity for postsecondary education, because of lack of financial means. I believe the substitute will enable the Congress to help achieve that national goal.

For the States, I believe the substitute will provide each with its fair share, because the aid will be distributed based on the eligible students—the needy students—according to the amount of money they need.

As I indicated yesterday, States vary considerably as to whether they have a net outmigration or an inmigration of students. Some States attract many more students than they graduate from their own high schools. Others export more than they educate in their own State. The substitute takes into consideration differences in the cost of education among the States, because needs will be determined and money will be distributed based on the students' need in that State. You do not depend on an arbitrary State formula and allow the colleges to get only a percentage of that amount.

If the program stays in the bill as it is now and you have about the same money as is presently the case, you will find some States getting only 15 percent of their request and others getting more than 40 percent of their request. This is not fair at all. The substitute would require a fair distribution of money to the students no matter which State they happen to live in or no matter which State they happen to choose to go to college.

For the colleges, it will give them greater predictability for their program. Right now the college estimates its need, which goes to a regional panel and that regional panel determines how much of the money goes for renewal of the educational opportunity grants made in previous years and what is approved for new grants. The panel approves an amount and then the institution gets a percentage of the allotment that happens to be distributed to that State. If the allotment is inequitable or the panel approved request is inequitable the college receives some unpredictable percentage of aid compared to the amount a similar institution might receive in a different State.

For the student it will provide equal access. It does not make any difference where the student lives or where the student chooses to attend college. He can easily learn how the program works and

how the amount he will be able to receive to attend a college any place will be determined.

The next chart I would like to show you relates to what has concerned many people. When the college makes a determination as to the amount the student's family could contribute to his education, there are presently four basic systems it may use. Some colleges have devised their own systems. At the present time representatives of those basic systems are working together to try to find some common means for determining parental contribution. It is expected here that they will be able to get together and agree upon a standard method for establishing the family contribution.

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

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

Mr. QUIE. When a determination of parental contribution is made under this formula, here are the factors which will be taken into consideration: the income of the family, the assets that the family has, the number of children in the family, the number of children in college, unusual expenses that they might have, and so forth. For instance, there might be a business reverse, so there is no extra money that year. That will be taken into consideration. The mother may need an expensive operation. Therefore, that has drawn down the family resources. That will be taken into consideration. Anything else that is relevant in determining the ability of the family to contribute to the student's education is weighed. But, wherever the student attends, the same method would be used in determining the contribution that would be expected and the educational opportunity grants that would be available to the student.

I think this is important, because under this proposal the student will not have to shop around to see in which State he can get the best deal or which college will give him the best deal. As I indicated earlier, some colleges or some States get a higher percentage of their institutional requests than other States. And there are various ways of determining parental contribution. Now the student finds it necessary to shop around for the best deal.

I would also like to show you how this formula actually would work out, because some people are concerned about the middle-income students and are fearful that this proposal might hurt middle-income students.

It would help middle-income students. What it would do is to provide equity for all of the students no matter what their incomes are.

So, in the column over to the right you have the total cost of education, and we assume that probably $1,000 is about the least amount for education when you are talking about tuition and fees, books and the normal cost of room and board. On the chart, we run it up to a cost of $3,000 to show how the formula would work at various cost levels. Some colleges actually cost as much as $5,000. Across the top is listed the expected family contribution. If it were an extremely poor family and that family could not contribute, then of course they would not be expected to. The proposal works this way: You take $1,400-minus the expected family contribution or you take one-half of the need. So, if the cost is $1,000 and the family contribution $200, you subtract the $200 from the $1,000 and you get a need of $800. One-half of the need would be $400.

However, if you get out to a place where the cost of education is $3,000 and the family contribution was $200, you subtract the $200 from the $1,400 and the student in that case would get a $1,200 EOG.

So, if you study this chart for a period of time you can see there the equitable manner of determining the availability of educational opportunity grants. Students across this Nation could look at that and see what they could expect to receive in the form of an EOG grant. A college could look at it and knowing pretty much the experience of the students the year before, could be able to determine the amount of money they would be able to receive.

Mr. Chairman, I would say that this is the fairest and most equitable method you can devise now for EOG.

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

Mrs. GREEN of Oregon. Mr. Chairman, I move to strike the last word.

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

Mr. Chairman, this is one of the most important parts of the Higher Education bill. It will determine the direction in which all student financial aid is going to go in the next 5 years or until the act comes back for amendment.

Mr. Chairman, the gentleman from Minnesota listed four changes that would be effected if his amendment is adopted.

First, Congress would achieve its goal. I suggest that Congress has achieved its goal.

The EOG program was designed for students with exceptional need. This last year over 280,000 Educational Opportunity grants were awarded to needy students. The committee still insists that this aid go to students with exceptional financial need.

How well have we achieved our goal? Of the money that has been given through Educational Opportunity Grants 88 percent of the Educational Opportunity Grants have gone to sons and daughters who come from families with less than $7,500 gross income, not adjusted, but gross income. I think that is a remarkable record of achievement.

In addition to that 88 percent, an additional 8 percent of all the grants that have been awarded have gone to students who come from families with less than $9,000 gross income. In other words, has Congress achieved its goal? Yes.

Ninety-six percent of all of the educational opportunity grants that we have awarded have gone to students of exceptional need. I suggest that if we could achieve that record of 96-percent success in all of the other programs that this Congress passes we would be mighty, mighty happy. I believe this is a wonderful achievement of a goal.

The gentleman from Minnesota says that under his formula the States will be guaranteed a fair share. There is not a single State in the Union that would be guaranteed a dime because the amendment wipes out their allotment. He says that we are going to make it possible for every student to receive $1,400 minus what his parents can contribute. He refers to this as an entitlement, but he entirely eliminates the State allocation. I think that we must preserve the State allocations in order to achieve some stability in the program.

He says the colleges will have a degree of predictability on how much money they will receive. You and I know there is absolutely no predictability because it depends entirely upon what the Committee on Appropriations of this Congress does. If they do not appropriate more money, then the institution will not get more money. There is no more predictability under that than under the formula in the bill.

He further states that every student will have equal access to higher education. The whole student financial aid program was put together as a ladder. We have educational opportunity grants for those with the lowest incomes, and with exceptional need; but we also have work study for the students with exceptional need, and the ones who might be from the lower or middle income groups. Then we have the NDEA loans for the exceptionally needy students and those in the lower and middle income groups.

In addition, we have the guaranteed loans for the students from middle income families and any who might need additional money. This kind of flexibility in our programs and the decision as to which are most appropriate for an individual student ought to be left to the individual institution. I cannot, for the life of me, understand why we say we trust the colleges and universities and credit them with the wisdom and judgment to administer a multimillion-dollar budget, yet somehow when we get to student financial aid, then Congress has to impose national standards from Washington.

I read the statement before pointing out that the Commissioner of Education under the amendment would be given the authority to determine what the dollar criteria should be—to determine what the parents' contribution ought to be. Again I would repeat we have no right to impose the will of the Federal Government on them. We cannot let the Commissioner of Education say to the parents, "You have a $15,000 income; you ought to be contributing x number of dollars toward the education of your child." Let us leave that determination to the universities and colleges. Let us leave the flexibility there.

Mr. STEIGER of Wisconsin. Mr. Chairman, will the gentlewoman yield?

Mrs. GREEN of Oregon. I would prefer not to yield to the gentleman at this moment. When I have finished, I will be

pleased to yield to the gentleman if there is time remaining.

The present level of funding of EOG is $175 million. The proposal of the gentleman from Minnesota (Mr. QUIE) if it is adopted, and if it is fully funded, would cost about $500 million.

Now, I just cannot believe that this Congress is going to jump from a $175 million appropriation for educational opportunity grants to $500 million. And if they do, if they put all their eggs in one basket and fund the EOG program at that level, it will be at the expense of the work-study and NDSL funds, and I do not believe that is desirable.

Also, Mr. Chairman, the gentleman gives the unusual authority to the Commissioner to impose this national standard, and it is a new departure. It makes just as much sense, or as little sense, I might say, if the Commissioner were to have authority to set national standards on how much each State or each institution ought to contribute to a student.

The CHAIRMAN. The time of the gentlewoman from Oregon has expired.

(By unanimous consent, Mrs. GREEN of Oregon was allowed to proceed for 5 additional minutes.)

Mrs. GREEN of Oregon. So, Mr. Chairman, I would urge that we retain the flexibility and allow that decision to be made at the local level. Let the student and the financial aid officer sit down and determine the need and work out a suitable aid package. The aid officer is in a position to sit down with the students and say, "Let us consider all the factors How much time are you working? How much money are you making? What is your State scholarship? How much is the institution able to give to you? What are the needs of your family?"

The student financial aid officer must consider whether there is a catastrophic illness in the family, whether there has been a business failure, whether they have five other children in college at the same time, or whether the family is paying costs to other schools to educate other children in the family.

The flexibility we have is working well. Let the institutions continue to operate with that flexibility as they are at the present time.

Also, may I point out with respect to that total student aid package, that some States such as New York, California, Connecticut, and Pennsylvania have done a remarkably fine job in providing assistance to their students.

The student financial aid officer, if we retain the present flexibility, will be able to consider how much a State is going to contribute. He will be able to consider institutional and private contributions. He will put all of those factors together along with the Federal contribution, and come up with the kind of aid package the student needs.

The gentleman from Minnesota placed in the RECORD yesterday a chart. I want you please to look at that chart. I have the greatest respect for my colleague, the gentleman from Minnesota, and I do not want to be misunderstood. I have the greatest respect for his integrity and I am sure he would not intentionally mislead.

But the figures in the chart which he placed in the CONGRESSIONAL RECORD show what every State supposedly is getting at the present time, and how much they would get if the amendment were enacted.

But the gentleman from Minnesota failed to point out that the change in the committee bill reserves 10 percent of all the funds for the Commissioner of Education in case inequities occur.

On this chart he shows an expenditure allocation under current law of $63,923,000. If the committee bill were passed, the chart shows an allocation of $56 million.

Obviously, if we are going to have $7 million less to distribute, then the States are going to get less money.

If you are going to make a fair comparison, you ought to have $63 million in both instances—and not $63 million distribution in one and $56 million in the other. To do so and then point to certain Congressmen and say, "Well, now, you come to this State—look how much less your State is going to get," is inaccurate and misleading.

Of course, that State is going to get less—if you do not assume the same funding level under both formulas and apply the same rules. So I would say, in terms of aid that would be received under the committee bill, every State is guaranteed to receive no less than what it received last year.

In conclusion, the committee bill adds some new provisions that will make EOG distribution even more equitable. We think we have achieved the goal we sought in establishing the program. We think we have one of the best programs possible to identify the needy student who is bright and capable and who might not otherwise go to college except for the receipt of these funds.

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

Mrs. GREEN of Oregon. I yield to the gentleman.

Mr. QUIE. I just want to point out to the gentlewoman on page 37778 I do state—

> Under H.R. 7248 the situation worsens. Taking out first the 10 percent the bill would reserve for the Commissioner to distribute.

And then I go on to explain the table.

Therefore, this table was placed in the RECORD in that way assuming that the same amount of money was appropriated next year. That is why I used percentages rather than the dollar sums.

Mr. FRASER. Mr. Chairman, I move to strike out the last word and rise in support of the amendment.

Mr. Chairman and Members of the Committee, I am joining my colleague, the gentleman from Minnesota (Mr. QUIE) in the sponsorship of this amendment. We do not often work together, but in this case an examination of the amendment which he proposes demonstrates that his amendment would provide considerably more equity and more accuracy in achieving the objective of the equal opportunity grant.

Let me say first of all, I think this is a good higher education bill. I have read through the various titles and I congratulate the gentlewoman from Oregon (Mrs. GREEN) and the other members of the subcommittee and of the full committee.

On the whole I think the measure is a step forward in providing Federal underpinning for higher education.

But in the case of equal opportunity grants, let me urge you to get out the CONGRESSIONAL RECORD which was published yesterday and look at the chart on page 37779, because what you will find there is that many States, and particularly some of the large States, are going to suffer a net reduction in their share of equal opportunity grant money. They are going to be reduced unfairly. It is not that they are going to be reduced to some fair, proper average, but that they are going to go below what would be a reasonable proportion of the total allotment that would be made available of the so-called 90 percent of the money to be allotted to the States.

Why does that happen? It happens because the committee has introduced three factors, two of which are irrelevant to the need for equal opportunity grants. What are the three factors? First, enrollment in higher education, and that is the way the law is today. If you left that alone, it would make better sense. But the committee did not do that. It added two other factors that have nothing to do with the number of students who need equal opportunity grants. They added in the factor of the number of children under 18 with families having incomes under $3,000. Then they added in the factor of the number of high school graduates. Why add those two factors in? All it does is distort and alter a measure of need which is more accurately assessed by simply counting the number of eligible students at each higher education institution. That is the honest measure.

You know, this committee version is something like saying, "What we ought to do is to rewrite the social security program of the United States. We are not going to pay people social security benefits based upon the person's entitlement. Instead, we are going to let the State count the number of people over 65, or who have just reached 65 last year, and we are going to count the number of people who have incomes under $3,000. We will send the money then to the State and they can decide how they will distribute it to each old-age beneficiary."

That does not make sense. People have the right under social security to know where they will stand and how much they will get. This is what we are trying to do with the equal opportunities grants: to set a national method of measuring need. We should measure the institutional requirements by the number of students who need help in each institution and then see that the money flows directly to them.

Mrs. GREEN argues for State allotments. I cannot understand what her argument consists of. All you are doing is imposing an arbitrary measure between the Federal supply of funds and the institutional need. It is the institutional need that ought to be the measure. That is the measure provided for in this amendment.

One other factor that I think deserves

reiteration is that the way it works now, a student can go shopping. He can go around to different institutions and see if he can get a better break, because there is a lot of discretion left so that he may get an institution that will offer him a higher equal opportunities grant. I do not think that makes sense. That is like saying to a social security beneficiary, "You can shop around among the different States and try to get higher social security benefits. You might happen to land in a State that likes the way you cut your hair, or something like that."

I think the equal opportunity grants ought to be administered fairly. They ought to be equitable. They ought to be uniform. They ought to be based upon some kind of national standard in terms of what the family can contribute. That is why I think the amendment would improve what I believe is otherwise an excellent bill, and I again wish to commend the gentlewoman from Oregon (Mrs. GREEN) for reporting a fine bill, and I particularly support her antisex provision.

Mrs. GREEN of Oregon. Mr. Chairman, will the gentleman yield?

Mr. FRASER. I yield to the gentlewoman from Oregon.

Mrs. GREEN of Oregon. The gentleman almost persuades me to accept the amendment in return, but not quite.

Will the gentleman yield further?

Mr. FRASER. I yield to the gentlewoman.

Mrs. GREEN of Oregon. Would the gentleman agree that the Work Study program that is now in existence has worked reasonably well?

Mr. FRASER. If you want my honest answer, I would change the formula, because I think your 3-factor formula on that, which you are borrowing for this, introduces distortions to allocations. But I am not arguing that point now.

Mrs. GREEN of Oregon. Would you give me an example of such distortion? Can you give me any examples of where there has been distortion?

Mr. FRASER. The State of California under the existing program now gets as its national share for Equal Opportunity Grants a proportionate share of Equal Opportunity Grant money. Under your amendment they would drop down to about 5 percent below the national average.

Illinois now is 3 percent under the national average. They would drop to about 6 percent under the national average. So it seems to me that is unfair.

The CHAIRMAN. The time of the gentleman from Minnesota (Mr. FRASER) has expired.

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

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

Mr. FRASER. I yield to the gentleman from California.

Mr. BURTON. Mr. Chairman, the gentleman mentioned a problem confronting California. There are two Californians on the Committee, on our side of the aisle, as for me, I am in support—on balance—of this legislation.

Mr. FRASER. Mr. Chairman, if the gentleman can tell me why he is not willing to measure the needs on the basis of the number of students who need help, perhaps I can understand.

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

Mr. FRASER. I yield to the gentleman from Minnesota (Mr. QUIE).

Mr. QUIE. Mr. Chairman, some States might get 100 percent of their needs requested under the work study formula. One State, South Carolina, gets 149.4 percent. Then we have to reallocate among the other States. As the gentleman indicated, in California they receive only 54.73 percent of their requests. They run from a low of 73 percent of their requests on this work study program for the District of Columbia, up to 140 percent of the request. Then they have to be reallocated. How can we have a more equitable formula than is in work study? To say that work study works well does not say the formula works well.

Mr. FRASER. The gentleman makes an important point. Here the inequities are aggravated by the committee's formula.

Mrs. GREEN of Oregon. Mr. Chairman, will the gentleman yield?

Mr. FRASER. I yield to the gentlewoman from Oregon.

Mrs. GREEN of Oregon. Mr. Chairman, in Work Study we have 20 percent matching grants. The poor institutions are the ones who cannot come up with the 20 percent matching funds needed. But we can prove anything with figures. The Office of Education has produced figures which were given to the committee on the day of the vote. They were aware of the two formulas for many weeks, even months. Yet they waited till the day of the vote and then circulated columns of figures to members they tried to persuade. Higher education personnel from New York identified the errors which were not minor but major distortions of what would happen.

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

(On request of Mrs. GREEN of Oregon, and by unanimous consent, Mr. FRASER was allowed to proceed for 1 additional minute.)

Mrs. GREEN of Oregon. Mr. Chairman, if the gentleman will yield further, it was pointed out that those figures were inaccurate, and the Office of Education then withdrew them. Again I do not know how widely this other column of figures on institutional aid has been distributed by the Office of Education, but it lists institutions by dollar amount for 2-year institutions, 4-year institutions, and black institutions. Now anyone can add all the grants given to the black institutions and come up with a total of $5 million, but on the chart supplied by the Office of Education, the total given is $2 million. Let us not be misled by other new figures which are presented to show what State allotments would be when that is entirely dependent on whether or not the program is going to be funded at the level of $500 million. I would be willing to wager that this Congress is not going to appropriate it at the $500 million level.

Mr. FRASER. If we do get full funding, and I hope we will, all this will do is aggravate the inequities under the committee version. There are two factors which I say have no relationship to the need.

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

(On request of Mr. QUIE, and by unanimous consent, Mr. FRASER was allowed to proceed for 1 additional minute.)

Mr. QUIE. Mr. Chairman, if the gentleman will yield, again Mrs. GREEN raises an irrelevant point. The gentlewoman points to the institutional grant program. That is not before us. We are quoting from the distribution of funds for this last year. That has already been done. It is not a question whether that is an equitable projection into the future. This has already happened. Do not raise other points on other programs. Let us talk about what is before us.

Mr. FRASER. The fact is some States get well above their proportion in terms of the national share. That is an effect of the three-factor formula that I think is wrong. That is why I think this amendment ought to be adopted.

THE FEDERAL GOVERNMENT'S AND THE NATION'S ACUTE FINANCIAL DISTRESS

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

Mr. Chairman, the burdens which are heaped upon another committee of the House, the Committee on Appropriations, are tremendous. We do not have—either in hand or in sight—the revenues from which to make the added appropriations which this and various other bills would authorize. The money would have to be borrowed, and in that context I am beginning to wonder just how relevant the pending amendment is.

It is proposed that we embark on an entirely new program; that is, go out and support the colleges as a general proposition—provide general institutional support. There are a number of other new or expanded programs in this very expensive bill.

The predicate for much of this bill seems to be stated on page 2 of the committee report. Says the Committee on Education and Labor:

> Testimony indicated that the higher education community is now facing extraordinary change made difficult by acute financial distress.

Financial distress. Think of us talking about the financial distress of the colleges when this Nation and this Federal Government are in an even more critical state of financial distress. Yet we seem to be debating this bill as though we had the money in hand or in sight to finance the programs about which we are talking.

And, at the same time, some displeasure with inflation is expressed. In the same paragraph on page 2 of the committee report, while urging action to help relieve the educational crunch—of course, education ranks high in our scale of priorities—the committee further says:

> Meanwhile inflation and rising costs have produced endemic deficit financing.

Meaning in the colleges.

Well, what has happened to the Federal Treasury?

Why do we have wage-price freeze?

Why are we preparing to extend the authority of the President to control the economy?

Why are we about to go into phase II of the economic control program?

It is because of galloping inflation brought about in considerable measure by this Congress and by the administration and by this Government generally. Galloping inflation.

And yet, by enlarging present programs and starting new programs we are laying the groundwork for ever larger spending when we do not have the funds in hand or in sight. Are we not moving in an opposite direction from what phase II of the economic control program is designed to achieve?

For example, on page 49 of the committee report I find reference to title IX of the bill, which would authorize a new program for interns for political leadership. That is just one of a number of titles in the bill. At this time, when the dollar is in trouble overseas and when we are in desperate economic trouble here at home which threatens all education, is this the time to talk about a new program for interns for political leadership? Should we not take stock of our own political leadership as individual Members of Congress? I am talking about all of us, collectively. I am speaking in the light of our collective responsibility and our national economic and fiscal plight.

Yes, the colleges are in financial trouble—some of them.

But so is the Government. And the situation is getting worse, not better. The deficit in Federal funds in fiscal year 1970 was $13 billion. We went in the red that much.

The Federal funds deficit in fiscal year 1971 was $30.2 billion, more than twice as much as the year before.

The Federal funds deficit predicted for this current fiscal year, 1972, is at least $35 billion, and it may come nearer to being $40 billion.

When we talk about expanding programs and starting new programs, it is all very well, but where does this lead us when we don't have the funds in hand or in sight? To more and more inflation, to getting less effectiveness from what we spend because the dollar buys less, and to more of the very thing that has helped bring about the fiscal squeeze in the colleges.

It is most disturbing to recount certainly to the Republicans, who I am sure try to do the best they can, and to the Democrats, who I am sure try to do the best we can, that the deficit in Federal funds for the 3 fiscal years of 1970, 1971, and 1972 will likely be $80 billion plus, and for the following year, fiscal 1973, the Federal funds deficit will certainly be so high as to run the 4-year deficit total well above $100 billion. Yet we talk about new expensive programs which would run into additional billions of dollars. Where are we headed—is this what the American people really want? Is such course in our overall best interests?

Now, as chairman of the Committee on Appropriations, I want to say that if we had the money I would like to go as far as we reasonably can in meeting our pressing requirements—if we have the money.

But do we have the money? Of course not.

Are we inspired to go out and raise the revenues to get the money? Of course not.

A distinguished member of the Committee on Ways and Means has just asked me to yield, and I hope to yield if I have the time.

But what have we done on the revenue side, my friends?

The CHAIRMAN. The time of the gentleman has expired.

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

Mr. MAHON. I will be glad to yield to the gentleman from Florida if I may proceed for just a few moments.

What have we done toward closing the gap and reducing the Federal funds deficit?

In the Tax Reform Act of 1969 and related actions we cut revenues over a 4-year period to the extent of roughly $16 or $17 billion.

In the Revenue Act of 1971 which we recently passed and which is now pending in the other body, we reduced revenues over a 3-year period to the extent of about $17 billion.

This is roughly a $33 billion reduction in revenues.

I recognize, of course, that the aim of these reforms and reductions is to stimulate economic activity and growth which in turn is designed to aid in relieving unemployment. But the fact remains that we are suffering from the consequences of inflationary deficits, and spending nearly always seems to outdistance any rise in revenues. That is the harsh historical fact. It is the harsh fiscal fact of recent years. Budget outlays this fiscal year will exceed last year by in excess of $20 billion.

Yet we seem not to hesitate to initiate new programs when we are not able to finance the programs and activities of the Government which we already have in operation. Many are for worthwhile purposes, as indeed is the case with many of the provisions of the pending bill.

We seem to be unwilling to face the fiscal facts of life. I am not claiming to be holier than thou. I recognize that I voted for many of these educational programs and other programs, but does it not make sense to try to do something to hold the line, to hold our appetites for spending in check at least to some degree until we have the courage or the capacity or the ingenuity to raise the funds to pay for the programs which we want?

It is time in this country that we give more attention to the art of political leadership.

I regret to vote against many of the provisions in this bill, because I am for aid to higher education. Yet I find myself reluctant to vote for expanding old programs and initiating far-reaching new programs at a time when we are threatened with economic instability and the collapse of the dollar. I do not believe I can bring myself to the point of doing so.

I would much rather go along at the level of current spending until we see a little light ahead of us and are able to bring our fiscal house in better order and, hopefully, prevent the collapse of the economy of our country. If it does collapse, that means education and everything else loses.

So I just felt in the course of this debate when in some instances we may discuss the differences between Tweedledee and Tweedle-dum, the larger issue, my friends, which we must, I believe, keep in mind is what should we do about inaugurating huge programs and encouraging people to think we can finance them when we know that we cannot.

Everybody knows we cannot fully finance these programs. We do not have the money. There is not enough money in all the land to fully finance all of the various programs we are authorizing. It just seems to me a time to take stock and call a halt.

Mr. Chairman, I just felt as I scanned this report that somebody ought to encumber the RECORD with certain harsh, unvarnished facts of life. That is what I have undertaken to do.

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

Mr. MAHON. I now yield to the distinguished gentleman from Florida.

Mr. GIBBONS. I appreciate the chairman yielding to me.

I want to commend him for raising this issue.

Mr. MAHON. It ought to be raised.

Mr. GIBBONS. It needs to be raised and we need to talk about it, Mr. Chairman. I agree with much of what you said. But if there was ever a time when this country needed great political leadership—and I am including ourselves in it—it is now. We have to think of the future. I did not come here to defend this bill because I am sure Mrs. GREEN and the other members of the committee can do it much better than I can, but the reason why, as I see it, we are much worse off this year than last year is because we have 6 million people unemployed and we have 27 percent of our industrial capacity lying idle, and we threw away between $9 billion and $10 billion worth of revenue last week without a rollcall vote. We gave almost $1 billion to the biggest export industry in the world that did not need any subsidy, and gave about $4 billion or $5 billion to industry for doing nothing. That is the reason why we are in trouble, Mr. Chairman.

Mr. MAHON. I thank the gentleman for his observations.

With respect to leadership among members of the House, I want to say this: There is no abler leader in any legislative body, in the U.S. Congress or otherwise, than the distinguished gentlewoman from Oregon, EDITH GREEN.

The gentlewoman from Oregon has made a tremendous contribution to this country. I know that she wrestles with these vitally important problems. I have the greatest respect and admiration for her.

However, I am talking about the general pressure from all sources to spend more and more when in my judgment and that of many others we just cannot afford to do it by going deeper in the red—and at a quickening pace—without jeopardizing this Nation.

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

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

Mr. MAHON. Mr. Chairman, I would not be making this unpopular speech if I did not feel very deeply about the course of our national affairs and the present precarious condition of the dollar and the Federal Treasury.

Mr. Chairman, I want to further underline the extent of our precarious situation by pointing to the full employment budget, which is the one the economists lay considerable store by—and the one on which the administration's current budget is officially based. That budget was submitted last January with a projected razor-thin full employment surplus of $100 million in an overall spending budget of about $229 billion plus. And it was accompanied by a general warning that except under the most extreme emergency conditions we should never let our expenditures exceed the so-called full employment revenues, that is, the revenues calculated to be received under the tax system if the economy were operating at reasonably full employment. Congress was told that if expenditures substantially exceeded the full employment revenues, inflation would return or new taxes would have to be levied.

Of course, the economy is not operating at full employment, so we are not actually collecting the revenues on that scale—thus the heavy Federal funds deficit this year.

Well, what is the current outlook on that basis? The full employment surplus has now vanished. The administration not long ago said that we now face a full employment deficit of roughly $8 billion in the current fiscal year. And the year has many months yet to go.

So, Mr. Chairman, by every budgetary measurement, it seems clear that we are skating mighty close to the edge of more acute financial distress.

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

Mr. Chairman, a minute ago a cosponsor of an amendment talked about the committee using more than one factor in determining the amount of money to be appropriated or, rather, to be designated or allocated, and if I correctly understood what I thought he said—and, maybe, I will be corrected if I am wrong—the factor of counting children under 18 years of age was irrelevant, but the fact that he thought it should remain a factor but with a $3,000 limit.

Mr. Chairman, any person earning less than that, I imagine would be counted.

Now, it is very possible that some of the Members here do not know that there are some families that have seven children, six children, or five children under 18 years of age where the breadwinner of that family may earn a little over $3,000. He might earn as much as $8,000 or $9,000, but who amongst you has any idea of believing that a family of that size with an income of $3,000 is not just as much in need as some person who happens to be on welfare and who is earning below $3,000.

Mr. Chairman, this committee has thought long and hard about this factor and this legislation. It thought along the lines of the able chairman of the Appropriations Committee, a man for whom I have the greatest admiration and esteem. But when do we determine at this stage of life in this country that we have reached a stage where because of our past excesses outside of the territorial limits of this country we now have to clamp down on those things that are necessary to the progress, the welfare and the well-being of our people?

I assure you that any nation that drifts from an economy that we had after World War II to the present state of affairs does not want to look inwardly to the problem of the money that it has spent for its peoples, because we have spent more money outside the territory of the United States in all our excesses we have indulged in the matter of trade, in the matter of aid, in the matter of war, in the matter of preparedness for the defense of other nations as well as our own.

Just 2 weeks ago the leadership of the U.S. Senate said that in the next 6 years we will have to spend $60 billion for foreign aid. I did not hear anybody get up and say that this country could not afford it—and if it comes up for a vote it will pass overwhelmingly.

I thought we might have learned something during these years. The gentleman from Florida said 27 percent of the manufacturing capacity of this Nation is dead; not dying, it is dead. The furnaces are out. The smoke has left the chimneys. He said there were 6 million unemployed. Do you know how many unemployed we have in this Nation as we counted it in the Hoover days? Everybody who could breathe and walk in the Hoover days was counted unemployed.

So we have 26 million Americans drawing social security, unemployed; 14 million Americans on welfare, unemployed; 11 million Americans working for the Federal, State, and local governments—where in the days of Hoover we had less than 2 million; 9 million more tied up in the Defense Department and its expenditures—not the kind and type of employment that we would have if there was not the need for it militarily.

Our industry in this country is dead. Not dying, it is dead.

I want to tell you that this is no time to make the kind of voluntary agreements that the President bragged about 2 weeks ago. Let me tell you what that voluntary agreement has done for us. It froze in the textile industry 380,000 textile workers. That is how many textile workers are out of work, and will be out of work, because of that agreement if it is continued on.

Do you not understand that in this Nation of ours there is only one thing that makes the wheels go round, there is only one thing that creates the kind of money to do things that a nation should do for its people; there is only one thing, and that is a job. There is no other ingredient that can make this Nation strong, wealthy, powerful and progressive. The only ingredient is a job, and without that this Nation will die.

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

Mr. Chairman, I rise in support of the Quie amendment. Before I comment specifically on the amendment let me say that I listened very carefully to the chairman of the Committee on Appropriations, the gentleman from Texas (Mr. MAHON) and join in a real concern about a number of the points our esteemed colleague made, but I would point out to my colleagues on the floor of the House today that we are not today talking about all Government programs in all fields. Those we will take up a piece at a time as the bill comes along, and of course we must face the matter of relevant priorities when we deal with authorizations in various fields.

We are not even at this moment talking about all the aspects of this bill. We are talking about one particular part of this bill which deals with one part, the higher education field—the educational opportunity grant program.

In the points that have been made earlier, when we start bandying figures about, we run into the risk that we will be talking of apples and oranges because we are talking about a program where we talk about a full authorization in one—a full appropriation under one authorization and not a full appropriation under another authorization. We should get away from that because it is, of course, fundamentally true that everything in the way of access to Federal funds depends upon appropriations. We are unrealistic if we talk in terms of distribution to students or distribution to institutions or whatever else we may be talking about in terms of relative authorizations.

What we are talking about is what we think should be called for under a program. Eventually the Committee on Appropriations in this body will have to face the question of what we will do in the way of funding that particular program.

Now again when you look at the Quie proposal, I beg of you not to take Mr. QUIE'S amendment as an attack on educational opportunity grants. It is not an attack. We start with a strong word of support for this program and what this program has done. If we wanted to go beyond that and talk about work study programs and loan programs—those are good programs. Of course, anybody who would pay any attention to

those programs can come up with a host of good examples of what has been made possible in the present situation.

One of the strong points of the present situation is its flexibilities—if you talk about flexibility made up in part by educational opportunity grants and made up in part by work study programs and made up in part by nonsubsidized student loans and guaranteed nonsubsidized student loans. Of course, we want flexibility in this combination of programs, but that does not mean merely because we have a flexible program at the present time so that needy students can benefit, that what we have is an ideal program. It is anything but that.

Mr. QUIE's amendment is directed at a certain aspect of the educational opportunity grant—one component part of this flexible combination. It is an effort to improve all that the administration has done which is of some good, but which in our opinion can be made much better.

If we look at the educational opportunity grant program by itself, we find that there are inequities. In the final showdown, States do not share equitably. This means that a student from a certain State has a little better chance of getting funds under this program than a student from another State.

Different institutions within a given State also share inequitably. This means that students within a given State may be able to go to one institution with a far better chance to get a grant than a student in another institution within the same State. Or it may mean that two students in the same situation in a single State will not be treated equitably.

What this proposal is intended to do is to correct these inequities, so that it builds on top of what is good and makes it still better.

Let there be no misunderstanding about one other aspect of this. This is not a case of saying that, under the Quie proposal, we will take care of just those in the very lowest income situations.

There is a clear provision here that there will be equity and that there will be a standard approach in a given situation so a student can make his choice as to where he or she would like to go instead of being forced to take the road that may not be the ideal road for him merely because there may be dollars available.

In that situation, the situation the student going through that package will have taken into consideration the full family capacity as well as the student's individual capacity.

If you look at page 42, subsection 402 (b)(2)—it is absolutely clear that there shall be consideration of all the variables in that family situation and in that student situation.

The Quie amendment is an attempt to set priorities. I feel very strongly that the Quie proposal builds more equity into the present law.

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

The CHAIRMAN. The gentleman from Kentucky is recognized.

Mr. PERKINS. Mr. Chairman, I rise in opposition to the amendment. Every Member who has put in an appearance in the well has talked about inequities. I quite agree that there have been great inequities in the past, but this is due exclusively to the inadequate level of funding accorded the educational opportunity grant program.

Let me cite as an example the current fiscal situation: The fiscal year 1972 appropriation of $175 million meets less than 25 percent of the approved requests from colleges and universities for initial year funds. Obviously, Mr. Chairman, inequities will result.

The sponsors of the amendment argue that under their proposal, grants would go to the neediest students first. This is most admirable. According to our hearing record, this is precisely what is happening under present law. Consider that 88 percent of the EOG recipients come from families with gross—and I underscore the word gross—incomes of less than $7,500. Student aid officers have consistently advised the committee that they accord the highest priority to the neediest first and the statistics fully support their claims.

The proponents argue that State allotment formula produces inequities. Clearly this is a difficult issue. But I will again repeat that there is a direct correlation between the inequities one might cite and the totally inadequate level of funding. As one projects increased levels of support, the inequities between institutional requests and State allotments very quickly disappear.

The least desirable solution to this problem is to abdicate our legislative responsibility and throw the entire allocation to the Commissioner of Education as the authors of the amendment propose. The proponents talk about entitlements, assurances, et cetera. There is no entitlement and there is no assurance to anyone under the proposed substitute, for such assurances depend on the annual appropriations process. And you cannot tell a student today what his entitlement is going to be next year or the year thereafter, when you do not know what that appropriation is going to be.

In my judgment, only the committee reported bill offers any assurance at all, for at least we know that every State is entitled to as much in educational opportunity grant funds as they received in fiscal year 1972. The proponents of this amendment can make no such claim.

Finally, in the name of equity, the proponents argue that we should federalize everything. I believe that we are in a situation analogous to one which was debated on the floor of the House just a few days ago. This Congress has on numerous occasions, reaffirmed its intention that every needy student be provided a free or reduced price lunch under the School Lunch Act. In action taken just a week and a half ago—action which was absolutely necessary—the House of Representatives unanimously demonstrated its total dissatisfaction with the national guidelines and criteria which had been promulgated by the Department of Agriculture. By assorted regulation, it was proposed that entire categories of otherwise eligible students be denied a school lunch. Keep this example in mind as we debate whether or not to authorize these nationally prescribed schedules and guidelines. In my judgment, the EOG program under the substitute would be highly vulnerable to twisting and turning—depending on what particular views the Commissioner of Education might have or on what the current budget situation might dictate.

I urge the amendment be defeated.

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

(On request of Mr. DELLENBACK and by unanimous consent, Mr. PERKINS was allowed to proceed for 2 additional minutes.)

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

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

Mr. DELLENBACK. Mr. Chairman, I commend the chairman of the full committee for his strong support of this legislation and strong support of the economic opportunity grant program, but I do not think it is fair for the gentleman to talk of continuing the program versus changing the program, because there is a series of changes in the program, and what we are talking about is the nature of the changes which should be made.

Now, talking about the total dollars, can the gentleman give us an estimate of what full funding of the committee's proposal in this field would amount to as compared with what is involved in the proposal of the gentleman from Minnesota (Mr. QUIE)?

Mr. PERKINS. I cannot and the committee report explains why such an estimate is impossible. Considering the requests of the various colleges and universities, we should have appropriated four times as much for initial year grants. If we did these inequities we are talking about would disappear. But I cannot assure the gentleman what sums may be appropriated. I am telling the gentleman that, despite inadequate funding, this program has worked efficiently and effectively.

Mr. DELLENBACK. The gentleman in the well was striving to make a point of comparable cost. He now tells us he has no figure which he can compare for authorizations in the bill and that proposed by the gentleman from Minnesota (Mr. QUIE).

Mr. PERKINS. May I say to the gentleman, with the $175 million which has been appropriated, we will take care of only a fourth of the entering students who qualify for grants.

Mrs. GREEN of Oregon. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentlewoman from Oregon (Mrs. GREEN).

Mrs. GREEN of Oregon. Mr. Chairman, there were 280,000 grants out as of now. In reply, if I understand the gentleman's question, the amount that is in the committee bill for fiscal year 1972 is $295 million for EOG. The amount in the gentleman's substitute would have to be $500 million. When we were working on the bill, we did try to give prior-

ity to the different items. This was one where we thought $500 million was too high.

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

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

Mr. ERLENBORN. I yield to the gentleman from Oregon.

Mr. DELLENBACK. Mr. Chairman, let me make just a concluding remark on the subject that I was in dialog on with the chairman of the full committee. The figure of $295 million which the chairman of the committee made reference to is for 1972. Beyond that our projections would indicate that, if we were to take the present program and project it on the basis of what was done in the past and go just to the present law's $1,000 maximum, we would need approximately $371 million. And that does not take into account rising to the bill's $1,500 ceiling from the present $1,000 ceiling. It does not take into account anything for half-time students. It does not take into account anything for proprietary schools.

If we are going to compare apples with apples instead of apples with oranges, I would suggest we are dealing with two figures which are roughly equal. What we are dealing with is which is the more equitable program, and not which is the more expensive program.

Mr. ERLENBORN. I thank the gentleman for his contribution.

Mr. Chairman, I should like to discuss this proposal in the committee bill relative to educational opportunity grants in light of the total bill and the philosophy which apparently is expressed by the bill.

I believe we have been well served until recent years by a free market economy. We have had some difficulty with it lately, which has led to the wage and price freeze and phase II, which is coming, but the basic philosophy of that free market economy is that the business sector responds because of economic enticement. People who have funds to spend buy what they want, and what they want is made available for them because of the economic power which they possess.

Until recent years this was true also in the field of higher education. The student and his family had funds, and they could choose the institution which was most responsive to the needs of that student. They could choose Harvard or MIT or that institution which provided the kind of a program the student wanted, because the student had the funds he could spend at the institution which was responsive to his needs.

Now, in the past few years we have seen a good deal of unrest on college campuses. I am not going to make the claim that this unrest is caused solely by a change in this response to need of the student, but at least in part, in my opinion, it has been because we have changed this free market sort of system in higher education by seeing that funds flow from the Federal Government directly to the institutions. Even those funds which we provide for the student through the educational opportunity grant and through work study, are apportioned to the States and then to the institutions, and now the economic power is held by the institution and the student has to shop around to find that institution which has the funds to enable him to get his education, rather than the institution which will respond to his educational needs.

The amendment offered by the gentleman from Minnesota I believe changes this basic concept and says once again if we are going to make Federal funds available to the student the student is going to get his entitlement. He will not have to shop around. With this economic power he has, with his funds available for education, he will go to that institution which is responsive to his needs.

The proposal in title VIII, for general institutional support, again is a basic change in the philosophy of how we support higher education. At this point when we go to the Federal funds flowing directly to the operating budget of every institution of higher education, whether it is run well or run poorly, merely because it is an institution of higher education, we have taken all economic power out of the hands of the student. We have said to the institution, "It makes no difference whether you are responsive. It makes no difference whether you have the kind of program people are seeking in higher education. You are an institution of higher education, and therefore you are going to get money directly out of the Federal Treasury."

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

Mr. Chairman, at the outset I believe the gentleman from Kentucky has really put his finger on the charts which have been supplied to us in the CONGRESSIONAL RECORD and otherwise, as to the effect of the underfunding which we have witnessed. The fact is that we have been about 25 percent funded in the educational opportunity grant sector, and those charts are going to show that no matter what happens so long as we continue to be underfunded.

This is further exacerbated, as the gentlewoman from Oregon pointed out, by the fact that 10 percent is automatically taken off by the commissioner, and those funds are then distributed. I checked out my own State of Washington and found out while we were receiving 27 percent of the so-called entitlement now, or full funding, that under the chart of the gentleman from Minnesota we would get 19 percent. However, when you deduct the 10 percent, which would be deducted, it means we are 2 percent better off because that 10 percent has been taken off in one instance and not in another.

There are two other points that ought to be made clear about this proposal or this amendment.

I think we have had enough, or certainly I have, of national guidelines. We have just been through, to me at least, one of the most frustrating experiences in this Congress. That was the school lunch program. What really happened in the school lunch program—and make no mistake about it—is this: The Office of Management and Budget said to the department "Here is how much you are going to spend." The department went down and with a lot of fanfare, which at first made us feel good, drew up some guidelines which in effect followed the Office of Management and Budget's ceiling price. We ended up with National guidelines which had the effect of cutting 1.5 million young people out of the school lunch program.

It is one thing to talk on the floor of the House about how much is going to be available and it is another thing when your administration is setting the amount that is going to be expended and then you are going to have to follow those guidelines which really carry out the expenditure.

I submit to you the real reason why this proposal is being made is to cut those expenditures which are going to go to young people who should be in our institutions of higher education.

There is a second problem that I see in this. This has not been touched on, so I would like to discuss it.

I think this proposal by the two gentlemen from Minnesota creates an impetus for low-tuition colleges to raise their tuitions. Let us take the example, for instance, of the University of Washington in my own State where the tuition is approximately $400 a year. That means under this plan all that a student can receive in this educational opportunity grant program is $200, because he can receive $1,400 or one-half of the tuition of the institution. Now, the high-priced private colleges who have $2,800 and $3,000 tuition are definitely going to receive the advantage in this kind of program, because the low-tuition schools are either going: First, to keep their tuitions low as they have and not receive the advantage of the program or second, they will raise their tuitions. I submit to you in all probability down the line they will begin to raise their tuitions to take advantage of this because they can say in all honesty to themselves, "We can raise our tuition and get more money for our school, and it really will not cost the low-income kids anything, because they will get one-half of their tuition regardless."

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

Mr. MEEDS. I am happpy to yield to the gentleman.

Mr. FRASER. I wonder if the gentleman understands what the amendment says. It says that the cost of attending the institutions shall include books, lodging, tuition fees, and so on.

Mr. MEEDS. Would the gentleman disagree that if the tuition is $400 in one school and $2,800 in another and books and lodging are about the same in both schools, the cost of that school is not going to be $2,800 more?

Mr. FRASER. The point of the matter is for most kids who have to live away from home the cost for lodging, food, fees, and so forth, will be way up there.

Mr. MEEDS. That is correct.

Mr. FRASER. So it will not make any difference. The equal opportunity grant will be used up. So there would be no incentive to raise tuitions.

Mr. MEEDS. I submit to you another way for the colleges and institutions to get the money is to raise their tuition. And, it is not going to cost the kids attending a thing if you follow this program. I am afraid I could not blame them for doing this.

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

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

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

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

Mr. STEIGER of Wisconsin. I would be delighted to yield to my colleague from Minnesota.

Mr. QUIE. I understand the argument which the gentleman from Washington is making, but the interesting thing is that the same argument can be made against the committee bill, which is the language of the distinguished gentlewoman from Oregon (Mrs. GREEN).

I cannot understand why the gentleman keeps making those arguments against this proposal when the gentleman could make the same arguments against the proposal of the gentlewoman from Oregon. Insofar as causing an increase in tuition is concerned any EOG program causes an increase in tuition in the same manner.

I thank the gentleman for yielding.

Mr. STEIGER of Wisconsin. Mr. Chairman, I admit to being somewhat confused about what bill is under consideration. I do not know how we got into the school lunch bill.

Mr. Chairman, it seems to me that there are three basic issues that are going to have to be faced by the Committee of the Whole House on the State of the Union, the first being whether or not you support the formula as reported by the committee or go with the Quie-Fraser amendment. Whether or not you will continue with an inadequate, unfair, and unequal distribution by the States, or a formula that is admittedly more equitable based upon all the data at hand or the other which has historically created a distortion as to the ability of young people to attend college. It is just that simple.

The committee amendment would make it possible for the first time to assure with a degree of certainty a student attending an institution and will do away with the inequalities that exist under the present law and under the Green formula.

Certainly, I must admit to being also confused about this concept of whether or not the Commissioner will have more or less power, or as the gentleman from Kentucky has attempted to tell the committee, we are going to federalize the EOG program. That is hogwash. We are not talking about the power of the administration versus the present system, but whether or not this Congress is willing to grant the power to student financial aid officers to make different decisions about students from incomes of the same level, because that is what you are going to run into when you have to come back here a year from now or 2 years from now to justify to a student from Wisconsin the facts as to why he cannot get an EOG grant while in Illinois or California a student from a family in similar circumstances received one because the student financial aid officer has the kind of discretion that the Green bill gives to him.

I do not believe that the record of the committee indicates that there is a high degree of capability in student financial aid officers, nor does it seem to me to be good judgment to try to grant this kind of power to them to make determinations over the amount of funds that will be granted to students that attend different institutions.

Mr. Chairman, a third factor is this: Within the bill there is a provision that changes the present law which will mean that each year an EOG student will have to come back and rejustify whether or not he is going to be eligible for an EOG grant, instead of assuring as the present law does and as the Quie-Fraser amendment does, his ability over the period of time he attends an institution to be eligible for an EOG program. I urge support for the amendment on an equity basis.

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

Mr. Chairman, I rise in opposition to this amendment, and I would like to ask the gentlewoman from Oregon (Mrs. GREEN) for a clarification of a number of points.

The first point I would like to have clarified is how will donations and assistance given to a student from a foundation affect the formula that the gentlewoman is supporting? I have in mind, for instance, the Ford Foundation, which has set aside $150 million as a program of assistance to needy minority children, or students. Will the assistance that they get from the Ford Foundation constitute income that is to be taken into consideration by the lending officer in ascertaining qualifications for the EOG program?

Mrs. GREEN of Oregon. Mr. Chairman, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentlewoman from Oregon.

Mrs. GREEN of Oregon. The student financial aid officers have been taking into consideration all of the assets that would be available to the students. I am sure they will continue to do so. For example, if the student is on a Rotary Club scholarship with $1,500, or some foundation grant, this would enter into the picture in our proposal, and it would enter into the picture under the substitute proposed by the gentleman from Minnesota (Mr. QUIE) as I understand the substitute.

Mr. PUCINSKI. So there is no question then that a youngster who gets assistance from one of these foundation grants will have to have that assistance considered in qualifying for assistance under the EOG program, and the lending officer will have to take this into account in ascertaining priorities or qualifications?

Mrs. GREEN of Oregon. Mr. Chairman, if the gentleman will yield further, it would be my judgment that any student financial aid officer would indeed take into consideration outside income or any of several other factors. We have mentioned about a dozen of them in the bill, but that is not intended to be an exclusive list.

Mr. PUCINSKI. I think there is much to be said about the gentlewoman's proposal that the individual lending officer ought to be given discretion to make a judgment. I wonder if the gentlewoman would not care to establish some legislative history here to clear up this idea of people whose children apply for this assistance having to lay bare before the institution every last single detail of their financial holdings and financial transactions? I have discussed this in the subcommittee. It had been my hope that we could set some sort of standards and guidelines, because I just think that we go, in the student loan applications, the EOG programs and the various other assistance programs, way beyond the Internal Revenue Service or anyone else in the inspection of these families as to whether we will give an applying youngster assistance. Is there any way that we can set some standards?

Mrs. GREEN of Oregon. If the gentleman will yield further, in the committee I told the gentleman that I would support an amendment if he wished to offer it. I believe they have gone too far. But beyond EOG, I have received information that the Office of Education is sending out letters to institutions to try to get the institutions to inform the office of the financial status of every family that is represented in that college. That is not the business of the Office of Education, and there is no authority for that request.

If the gentleman will yield further, the statement was made a moment ago by the gentleman from Wisconsin (Mr. STEIGER) if I understand the gentleman correctly, that the real question in the debate of this amendment is whether or not we want to give unlimited power to the student financial aid officer to determine the amount of the EOG.

May I say, if the gentleman will yield still further, we give the student financial aid officer, and we would under the substitute proposal, I presume, unlimited authority to determine how much they are going to receive from NDEA, how much they will receive in work study, how much they will receive from institutional aid which that institution itself contributes, and how much in State aid. They have unlimited authority in all these other areas to determine the amount. Then why pick out EOG and suddenly decide it is unthinkable to give the student financial aid officer the authority to determine the amount of an EOG award.

Mr. STEIGER of Wisconsin. Mr. Chairman, will the gentlewoman yield?

Mrs. GREEN of Oregon. If the gentleman will permit me to finish, the EOG program is a program that has worked well. The committee bill does give the individual institutions, not the individ-

ual, but the institution, the authority to determine the policy and the student financial aid officer administers it. We have seen that it has worked well. Let us continue it.

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

Mrs. GREEN of Oregon. Mr. Chairman, I wonder if we could arrive at some limitation on debate in regard to this particular amendment?

Mr. QUIE. What would the gentlewoman suggest?

Mrs. GREEN of Oregon. I do not know how many Members wish to speak, but I would suggest that we close debate on this amendment at 5 minutes after 3 o'clock.

Mr. QUIE. That is acceptable to me.

Mrs. GREEN of Oregon. I thank the gentleman.

Mr. Chairman, I ask unanimous consent that all debate on the pending amendment and all amendments thereto close at 5 minutes after 3 o'clock.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Oregon?

There was no objection.

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

Mr. Chairman, I rise in opposition to this amendment and urge approval of the section regarding student assistance as reported by the committee bill.

Mr. Chairman, I sympathize with the proponents of the amendment in trying to achieve an objective of putting our scarce dollars where they do the most good, but I submit this amendment will do more harm than good. It will set an arbitrary national standard for eligibility. I urge that we continue to entrust the responsibility of setting eligibility standards for our students to the local educational institutions.

The setting of national standards for eligibility for these grants would have adverse consequences by depriving our educational officers of our local institutions of the ability to use their own funds wisely according to local conditions.

A national standard, after all, is an average; it will either be too low for many students or be too high in some areas.

The stated objective of the amendment is to assure equity and predictability for students under the EOG program. But the result of the adoption of this amendment would be a far cry from this noble goal. Instead of guaranteeing that no qualified student would be barred from a post secondary education because of lack of financial assistance, the amendment would instead bar students in those States where the factual financial situation does not meet the rigid national criteria which would be prescribed by the Secretary.

In my own State of Hawaii, for instance, I would expect that there would be a drastic adverse effect if this amendment were to be adopted. Many needy students would be denied financial assistance. Next to the State of Alaska, Hawaii has the highest cost of living of any part of the country, and a national standard would not be able to take this factor into account. A national financial need level set forth by the administration would utterly ignore local conditions in Hawaii and elsewhere across the country.

I expect the same would be true in many other selected areas and in many other cities where the cost of living is excessively high and most of our industrial States would be hurt by this amendment. I do not feel we need to argue about which State will be hurt and which communities would be helped. The point is that this amendment does not establish equity, but instead picks and chooses who is to be aided in a manner which does not take into account individual local needs throughout our country.

Many students will be hurt. So the amendment should be rejected on this basis alone regardless of where these students might be located. We should leave the authority to prescribe eligibility to the State officials who have done an excellent job up to this point.

The amendment also proposes to abolish the State allotment formula with the result that nobody in this Chamber could be sure of how much assistance will be provided to needy students in their own State.

I fail to see why we should approve this change which could very possibly result in far less aid to needy students whose disqualification would be mandated by the Secretary here in Washington rather than by any real assessment of the actual needs of these families as well as their circumstances and their income.

In short, the amendment fails to achieve its promise of equity because it would deprive genuinely needy students in many parts of this country of that assistance which they desperately need in order to go to college.

Accordingly, Mr. Chairman, I urge the defeat of this amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Kentucky (Mr. MAZZOLI).

Mr. MAZZOLI. Mr. Chairman, I should first like to use a few seconds of my time to extend my congratulations to the gentlewoman from Oregon (Mrs. GREEN) for the patience, fortitude, and leadership which she showed in the committee and through all the arduous and deliberative meetings that were held on this bill.

In view of the actions of the other body in sending us a "Christmas tree" in the form of a higher education bill, she is to be commended for getting anything at all out on the floor.

I would also like to call to the attention of the members of the committee the forceful statement that Chairman PERKINS made yesterday on the floor concerning another aspect of the bill which will be coming up, the institutional aid title.

I should like to say, in the few brief remaining seconds, that I believe the States ought to remain in the EOG formula. The States ought to have an opportunity, active in regional compacts, to judge applications for EOG grants. It seems to me imperative that we not turn to a federalized system, Federal criteria, a Federal set of standards, more Federal redtape, more guidelines. We are strangling in them now.

Earlier today the gentlewoman from Oregon made the point that the present EOG formula does provide something like 90 percent or more of the available money to children who come from needy circumstances. So this present system is very sensitive to the needy student. It ought to be maintained. I therefore express my opposition to the substitute and my support of the committee formula.

There are three basic reasons for any State allotment formula: First that there are important differences in per capita income and in standards of living between regions of the country and that those differences must in equity be recognized; second, that some restraints must be imposed on the authority of the bureaucracy to distribute aid according to its whims of the moment—these whims are sometimes described as shifts in policy; and, third, that the State allotment system permits effective and inexpensive self-policing by participating institutions through the regional panel system.

Without any question important differences exist regionally in per capita income and in standards of living, per capita incomes range from a State low of $2,561 in Mississippi and a regional low in the Southeast of $3,163 to a State high of $4,797 in New York and $4,807 in Connecticut and a regional high in the Mideast of $4,457. Monthly welfare support standards for a family of four range from a low of $230 in Alabama and $232 in Mississippi to a high of $380 in California.

The committee bill recognizes these differences. The State allotment formula adopted in the committee bill allots 90 percent of the appropriation on a formula which gives a State one-third based on the proportion of high school graduates, one-third on the proportion of students in college, and one-third on the basis of families with incomes of less than $3,000 a year. Since the welfare level of support in the wealthier States is higher than that income level, the general effect is to move Federal money into the poorer States in the Southeast.

On the record, there is every reason to be concerned about arbitrary shifts in policy by OE. Within the past 2 years OE has substituted its own policy for that of Congress in at least two areas, library aid and student aid. In both, programs of general aid were distorted into programs for delivery of aid for a social welfare purpose—aid to the disadvantaged—selected by OE itself. The new policies may be in themselves quite praiseworthy but the point is that they are unsupported by congressional action. A State allotment formula may not be the best tool to restrain a self-serving bureaucracy but it is available.

The self-policing systems of regional panels made up of financial aid officers from institutions of higher education has worked well.

A state allotment must be shared by institutions within the State. The institutions know each other and the necessity of sharing the available money—which is never enough to fully fund all requests—gives them incentive to be critical of the reasonableness of each other's requests. The procedural device of a panel made up of financial aid officers gives each officer a chance to judge every other request. This type of participation is a key factor in the decision-making process.

If State allotment is dropped, the regional panel system will lose it effectiveness. Its function will shift from that of accomplishing a reasonable sharing of inadequate funding within a region to that of puffing up the region's claims against the competing claims of other regions for a share of the national pot.

If the State allotment system is abandoned and self-policing should be no longer possible, the policing function will have to be assumed by the bureaucracy. OE will have to expand enormously its regulatory, inspection, hearings, and appeals functions. This is not desirable in my opinion.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota (Mr. FRASER).

Mr. FRASER. Mr. Chairman, I merely wish to reiterate that, as the committee bill now stands, there is going to be a dramatic shift in how much money the States get. The majority of the States will lose money in relation to the national standard. California will drop a net of 5 percent in meeting the needs of students; Colorado, 6 percent; Connecticut, 7 percent; Illinois, 3 percent; Maryland, 3 percent; Massachusetts, 6 percent; Nebraska, 5 percent—and the only reason I am not reading the rest of the States is that the pattern is the same.

My State goes down; my neighboring States go down also.

The three-factor formula being built into this bill is irrelevant. It has no relationship to the number of students who can qualify for EOG grants.

We are proposing to use one simple measure of need: How many students are there at the University of Minnesota, or in California or in New York, or Florida—how many students are there who have a need for an EOG grant? That is the factor we ought to take into account in apportioning money to the institutions. That is fair. It is honest. We would provide, with a reasonable degree of certainty, how much money each student will get based upon his family circumstances, so he does not go shopping around. It makes a fair and understandable program out of one which is now uncertain, one which has varied results, and one which will have more inequities if the committee three-factor formula stays in.

I would hope we would try to put equity in a program that is more important to the young people of America than almost anything else we are doing for them. This is their chance to get an education.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota (Mr. QUIE).

Mr. QUIE. Mr. Chairman, I would just like to speak to the straw men that have been raised here this afternoon. One of them is that this is an awfully expensive amendment that Mr. FRASER and I are offering here as compared to the committee bill. No truth to it at all. If you fully fund both, it will cost about the same amount of money. So you can put that one aside.

In fact, all the other points that were raised are just as fallacious. Take the last one of the gentlewoman from Hawaii saying that the Commissioner is going to have all this control over schedules, the determination of parent contribution, and that the special problems of the people of Alaska would not be able to be taken into consideration.

We do not know what will be finally worked out. Those groups such as CSS and ACT are trying to work that out now and undoubtedly would be trying to work out the effects of differences in the cost of living in determining parental contribution. In the bill, at the bottom of page 107, it reads:

> The Commissioner shall, subject to the other limitations in this part, prescribe basic criteria or schedules (or both) for the determination of the amount of educational opportunity grants, taking into account the objective of limiting grant aid under this part to students of exceptional financial need

The Commissioner is in here making those determinations in the bill. What we are trying to do is to get away from that inequitable, horrible State allotment formula that denies many of the States the opportunity to give students who are eligible the funds that are needed. The only equitable way to do it is to distribute the money to the schools where the needy kids actually are going to school. We cannot do it with that State allotment formula. Nobody today seems to be proposing a State allotment formula that is equitable if we keep that formula in there. Any doctoring of that formula cannot make it equitable.

The CHAIRMAN. The Chair recognizes the gentlewoman from Oregon (Mrs. GREEN) to close the debate.

Mrs. GREEN of Oregon. Mr. Chairman, a moment ago it was said there would be a dramatic shift in the distribution of the funds to the States if the formula was adopted. That is not true. In the committee bill formula there is a guarantee that no State would receive less than it received the previous year. The amendment offered by Mr. QUIE, contains what is called an entitlement. It promises each student $1,400 minus family contribution. The Members know and I know that it is not going to be funded at that amount. We can never deliver on that promise. It is a false promise and this Congress has made too many promises which it cannot deliver on.

A moment ago it was said, and we all know, that the EOG program has worked well. If either of the gentlemen from Minnesota know where this great demand for a change in the program is emanating from I would like their sharing that information with me. I do not recall a single letter from a single person in higher education who wants the EOG program changed the way they recommend.

The student financial aid officers like the program the way it is. They see it is working well in their institutions. To the best of my knowledge, every institution of higher education in the country opposes the substitute amendment and favors the committee amendment. I urge the defeat of the substitute and a vote of confidence for the EOG the way our institutions and their financial aid officers are administering it. I am sure they will do still better work in the years to come.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota (Mr. QUIE).

TELLER VOTE WITH CLERKS

Mr. QUIE. Mr. Chairman, I demand tellers.

Tellers were ordered.

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

Tellers with clerks were ordered; and the Chairman appointed as tellers Mr. DELLENBACK, Mrs. GREEN of Oregon, and Messrs. ERLENBORN and PERKINS.

The Committee divided, and the tellers reported that there were—ayes 117, noes 257, not voting 56, as follows:

[Roll No. 326]

[Recorded Teller Vote]

AYES—117

Anderson, Ill.	Harsha	Quie
Ashley	Hastings	Quillen
Aspin	Heckler, Mass.	Railsback
Belcher	Helstoski	Reid, N.Y.
Bell	Hosmer	Rhodes
Biester	Hutchinson	Robison, N.Y.
Broomfield	Jacobs	Rousselot
Brown, Ohio	Jones, Tenn.	St Germain
Burke, Fla.	Keating	Schneebeli
Byrnes, Wis.	Keith	Schwengel
Byron	Kuykendall	Sebelius
Camp	Kyl	Seiberling
Carter	Latta	Shriver
Chamberlain	Lloyd	Skubitz
Clancy	McClory	Smith, N.Y.
Clawson, Del	McCloskey	Springer
Cleveland	McClure	Steele
Conable	McCollister	Steiger, Ariz.
Cotter	McCulloch	Steiger, Wis.
Davis, Wis.	McDonald, Mich.	Taylor
Dellenback	McKevitt	Teague, Calif.
du Pont	McKinney	Thompson, N.J.
Erlenborn	Mailliard	Tiernan
Esch	Martin	Vander Jagt
Eshleman	Mayne	Veysey
Evans, Colo.	Michel	Waldie
Findley	Miller, Ohio	Wampler
Fish	Mills, Md.	Ware
Ford, Gerald R.	Minshall	Whalen
Forsythe	Morse	Whitehurst
Fraser	Mosher	Widnall
Frenzel	Nedzi	Wiggins
Frey	Nelsen	Winn
Fulton, Tenn.	O'Hara	Wolff
Grover	O'Konski	Wydler
Gubser	Pelly	Wyman
Gude	Pettis	Zion
Hamilton	Pirnie	Zwach
Hansen, Idaho	Poff	
Harrington		

NOES—257

Abbitt	Addabbo	Andrews, Ala.
Abernethy	Albert	Andrews, N. Dak.
Abourezk	Alexander	Annunzio
Abzug	Anderson, Calif.	Ashbrook
Adams		

Aspinall	Galifianakis	O'Neill
Badillo	Garmatz	Passman
Baker	Gaydos	Patman
Begich	Giaimo	Patten
Bennett	Gibbons	Pepper
Bergland	Gonzalez	Perkins
Betts	Goodling	Peyser
Bevill	Grasso	Pickle
Biaggi	Green, Oreg.	Pike
Bingham	Green, Pa.	Poage
Blackburn	Griffin	Podell
Boggs	Gross	Powell
Boland	Hagan	Preyer, N.C.
Bolling	Haley	Price, Ill.
Bow	Hall	Price, Tex.
Brademas	Hammer-schmidt	Pryor, Ark.
Brasco	Hanley	Pucinski
Bray	Hanna	Purcell
Brinkley	Hansen, Wash.	Randall
Brooks	Hathaway	Rangel
Brotzman	Hawkins	Rarick
Brown, Mich.	Hays	Rees
Broyhill, N.C.	Hechler, W. Va.	Reuss
Broyhill, Va.	Henderson	Riegle
Buchanan	Hicks, Wash.	Robinson, Va.
Burke, Mass.	Hillis	Rodino
Burleson, Tex.	Hogan	Roe
Burlison, Mo.	Hull	Rogers
Burton	Hungate	Roncalio
Byrne, Pa.	Hunt	Rooney, N.Y.
Cabell	Ichord	Rooney, Pa.
Carey, N.Y.	Johnson, Calif.	Rostenkowski
Carney	Johnson, Pa.	Roush
Casey, Tex.	Jonas	Roy
Celler	Jones, N.C.	Roybal
Chisholm	Karth	Runnels
Clausen, Don H.	Kastenmeier	Ruppe
Clay	Kazen	Ruth
Collier	Kemp	Ryan
Collins, Ill.	King	Sandman
Collins, Tex.	Kluczynski	Sarbanes
Colmer	Koch	Satterfield
Conyers	Kyros	Scherle
Corman	Landgrebe	Scheuer
Coughlin	Landrum	Schmitz
Crane	Leggett	Scott
Daniel, Va.	Lennon	Shoup
Daniels, N.J.	Lent	Sisk
Danielson	Link	Slack
Davis, Ga.	Long, Md.	Smith, Calif.
Davis, S.C.	McCormack	Snyder
de la Garza	McDade	Spence
Delaney	McEwen	Staggers
Dellums	McFall	Stanton, James V.
Denholm	McKay	Stephens
Dennis	McMillan	Stratton
Dent	Macdonald, Mass.	Stubblefield
Devine	Madden	Stuckey
Dickinson	Mahon	Symington
Dingell	Mann	Teague, Tex.
Donohue	Mathias, Calif.	Terry
Dorn	Mathis, Ga.	Thompson, Ga.
Dow	Matsunaga	Thomson, Wis.
Dowdy	Mazzoli	Thone
Downing	Meeds	Udall
Drinan	Mikva	Ullman
Dulski	Minish	Van Deerlin
Duncan	Mink	Vanik
Dwyer	Mitchell	Vigorito
Edmondson	Mizell	Waggonner
Edwards, Ala.	Mollohan	White
Edwards, Calif.	Moorhead	Whitten
Eilberg	Morgan	Williams
Fascell	Moss	Wright
Fisher	Murphy, Ill.	Wyatt
Flood	Murphy, N.Y.	Wylie
Flowers	Myers	Yates
Foley	Natcher	Yatron
Ford, William D.	Nichols	Young, Fla.
Frelinghuysen	Nix	Young, Tex.
Fuqua	Obey	Zablocki

NOT VOTING—56

Anderson, Tenn.	Derwinski	Hébert
Archer	Diggs	Hicks, Mass.
Arends	Eckhardt	Holifield
Baring	Edwards, La.	Horton
Barrett	Evins, Tenn.	Howard
Blanton	Flynt	Jarman
Blatnik	Fountain	Jones, Ala.
Caffery	Gallagher	Kee
Cederberg	Gettys	Long, La.
Chappell	Goldwater	Lujan
Clark	Gray	Melcher
Conte	Griffiths	Metcalfe
Culver	Halpern	Miller, Calif.
	Harvey	Mills, Ark.
Monagan	Smith, Iowa	Talcott
Montgomery	Stanton, J. William	Whalley
Roberts	Steed	Wilson, Bob
Saylor	Stokes	Wilson, Charles H.
Shipley	Sullivan	
Sikes		

So the amendment was rejected.

AMENDMENT OFFERED BY MR. SCHWENGEL

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

The Clerk read as follows:

Amendment offered by Mr. SCHWENGEL: Page 134, after line 3, insert the following:

WAIVER OF MAINTENANCE OF EFFORT REQUIREMENTS IN CERTAIN CASES

SEC. 443. (a) Section 464 of such Act is amended by inserting before the period at the end thereof the following: ", except that under special and unusual circumstances the Commissioner is authorized to waive the application of any provision of such an agreement which is required by this section".

(b) The amendment made by subsection (a) shall be deemed to be effective from the date of enactment of the Higher Education Act of 1965.

The CHAIRMAN. The Chair recognizes the gentleman from Iowa in support of his amendment.

Mr. SCHWENGEL. Mr. Chairman, I rise to offer the following amendment to H.R. 7248:

Page 134, after line 3, insert the following:

WAIVER OF MAINTENANCE OF EFFORT REQUIREMENTS IN CERTAIN CASES

SEC. 443. (a) Section 464 of such Act is amended by inserting before the period at the end thereof the following: ", except that under special and unusual circumstances the Commissioner is authorized to waive the application of any provision of such an agreement which is required by this section".

(b) The amendment made by subsection (a) shall be deemed to be effective from the date of enactment of the Higher Education Act of 1965.

The need for this amendment stems from an unusual situation which exists now at a private college in my district, and several other private colleges in my district and throughout the United States. Through a combination of circumstances the college in my district, Parsons College, and the other colleges have experienced a decline in enrollment during the past few years. This decline can be attributed to a number of factors over which these institutions have no control. A major factor would have to be the striking increase in enrollments at our newly created public community colleges.

The declining enrollments, as if not causing sufficient problems in and of themselves, have created a special problem due to a provision contained in the Higher Education Act of 1965. The provision to which I refer follows:

SEC. 1088(c) of title XX United States Code Annotated: Maintenance of effort.

An agreement between the Commissioner and an institution under part A of this subchapter or part C of subchapter I of chapter 34 of title 42 shall provide assurance that the institution will continue to spend in its own scholarship and student-aid program, from sources other than funds received under such parts, not less than the average expenditure per year made for that purpose during the most recent period of three fiscal years preceding the effective date of the agreement.

Translating the level of effort required by this section, we arrive at the following figures for Parsons College:

Year	Actual level of effort student aid	Required level of effort student aid
1966–67	$1,931,993	
1967–68	1,331,134	
1968–69	814,018	
1969–70	782,035	$1,359,048
1970–71	919,019	(1)

[1] Not available.

However, to fully understand the actual level of student aid at Parsons we must consider some additional figures, principally those relating to the number of students enrolled. These figures show very clearly that the level of student aid on a per student basis has not only been maintained, but has actually been increased. The figures follow:

Year	Fall enrollment	Tuition and fees	Level of effort student aid	Student aid percentage of tuition and fees	Student aid per student
1966–67	5,147	$9,219,881	$1,931,993	20.9	$375.36
1967–68	2,339	4,408,363	1,331,134	30.2	569.10
1968–69	1,773	3,006,036	814,018	27.1	469.71
1969–70	1,406	2,379,844	782,035	32.9	556.21
1970–71	1,669	2,800,527	919,019	32.8	550.64

Surely, these figures show that Parsons and no doubt other colleges and universities have complied with the congressional intent in the original provision contained in the Higher Education Act of 1965. My amendment would merely permit the Commissioner of Education to waive the provisions of this section when its effect was contrary to the original congressional intent as in the case at Parsons and other colleges. It could also be applied to a situation where an institution's income decreased, either through a reduction in support from the State government, or even conceivably by reason of a voluntary reduction in the amount of their tuition.

The Department of Health, Education, and Welfare advises me that the following institutions are experiencing declining enrollment difficulties similar to those being experienced at Parsons:

Institution	Amount of failure	Amount to be refunded
California Institute of the Arts, Valencia, Calif.	$4,668	$4,668
Dumbarton College of Holy Cross, Washington, D.C.	6,611	2,446
Shimer College, Mt. Carroll, Ill.	17,533	9,090
Parsons College, Fairfield, Iowa	577,013	56,724
Union College, Lincoln, Nebr.	51,079	50,898
Bennett College, Greensboro, N. C.	21,701	21,701
Siena College, Memphis, Tenn.	(1)	(1)
Total	678,605	145,537

[1] Siena College did not fail to maintain its average in fiscal year 1970. However, it was not granted any funds under the college work-study and educational opportunity grants programs during fiscal year 1972, because of the following circumstances

involving a decrease in enrollment: Siena College is scheduled to close as of December 1971. During the period June 1971 through its closing date, the institution's enrollment only consists of its senior class. The 3-year average was adjusted to reflect the projected half year of operation, but the institution stated that it could not maintain even that average due to the low number of enrolled students. Therefore, the institution could not be awarded grants under the college work-study and educational opportunity grants programs.

In some instances the amount of the failure and the amount actually to be refunded to the Federal Government are not the same. This is due to the fact that an institution whose failure exceeds the amount of Federal dollars expended under the college work-study and/or the educational opportunity grants programs is required only to refund an amount equal to its Federal expenditures under the programs.

It is also likely that there are institutions where declining enrollment caused a maintenance failure during fiscal year 1971. However, I was unable to determine at this time which schools may have been affected, because the fiscal year 1971 maintenance of level figures have not yet been reported by the institutions.

Mr. Chairman, we are all very much aware of the dire position in which many of our private colleges and universities find themselves. As I have indicated, this is true largely as a result of factors beyond their control. With this in mind, it seems especially senseless to punish them by trying to recoup the Federal funds spent on student aid. Further, they for the most part have complied with the intent of requirement in question.

I have discussed this amendment with the chairman of the committee, the gentleman from Kentucky, and the chairman of the subcommittee, the gentlewoman from Oregon, as well as the ranking minority member, the gentleman from Minnesota. They all advise me that they have no objection to the amendment. In addition, I have been advised that the Department of Health, Education, and Welfare has no objection to the amendment.

Mr. Chairman, I urge the adoption of the amendment.

Mrs. GREEN of Oregon. Mr. Chairman, will the gentleman yield?

Mr. SCHWENGEL. I yield to the gentlewoman from Oregon.

Mrs. GREEN of Oregon. Mr. Chairman, I thank the gentleman for yielding. I have discussed this amendment with the gentleman and I think it does present a problem in some institutions. From my standpoint, it is a good amendment, and I personally would favor it. As far as I am concerned we can accept the amendment over here on this side of the aisle.

Mr. SCHWENGEL. Mr. Chairman, unless there is some question which might arise in the minds of the Members, I would conclude my remarks. It merely deals with an inequitable situation in the case of a private college that will be unduly penalized. The administration under the present law does not have the authority to deal with the question. I am sure this situation was not intended by an act of Congress. And I would reserve the balance of my time.

Mr. BENNETT. Mr. Chairman, I ask unanimous consent that the pending amendment be reread.

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

There was no objection.

The Clerk reread the amendment.

Mrs. GREEN of Oregon. Mr. Chairman, would the gentleman yield?

Mr. SCHWENGEL. I yield to the gentlewoman from Oregon.

Mrs. GREEN of Oregon. Mr. Chairman, as I understand this amendment the purpose for it is that we do require a maintenance of effort on the part of an institution. They are not to spend less than they did the preceding year if they are to receive any Federal funds.

The gentleman's amendment is directed at those institutions that have lost students. It allows the Commissioner to waive this maintenance of effort requirement under certain unusual circumstances.

It seems to me that this is a fair request. In a private school if the enrollment has gone down by 200 I do not see how we expect it to supply the same money that they supplied when they had 200 additional students.

Mr. SCHWENGEL. This conceivably could affect several hundred private colleges whose enrollment is reduced because, as in the instance in Iowa, the junior colleges have tended to pull their own students out of private colleges. Also in colleges that have reduced their tuition rates that would be justified, but they would be penalized if they did this.

It would make it easier for more students to go to school, and I think it is a fair amendment.

Mr. STEIGER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. SCHWENGEL. I yield to the gentleman.

Mr. STEIGER of Wisconsin. I have listened to the explanation of the distinguished gentleman from Iowa and I recognize that the gentlewoman from Oregon has indicated her willingness to accept this.

I guess I would have two questions to ask, may I say to the gentleman from Iowa. First, are we to define special and unusual circumstances in the language of your amendment to mean loss of students; or are other factors contained in your definition? What do those words mean?

Mr. SCHWENGEL. Specifically, loss of students seems unavoidable in some institutions of higher learning because of junior college developments in many areas which I think is a good development but which tends to penalize these colleges.

Also a few colleges have reduced tuition rates and they would be unduly penalized, which was never intended by the Congress.

Mr. STEIGER of Wisconsin. The second point is—your subsection (b) of your amendment—the effective date of this new section is 1965?

Mr. SCHWENGEL. That is right. The reason for that is some colleges may pay that payment, one college as much as $1 million and would just break the college. I am sure it was never the intent of Congress to do that.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa (Mr. SCHWENGEL).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. BURTON

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

The Clerk read as follows:

Amendment offered by Mr. BURTON: Page 131, strike out lines 4 through 12, and insert the following:

"(3) one-third shall be allotted by him among the States so that the allotment to each State under this clause will be an amount which bears the same ratio to such one-third as the number of related children living in families with annual incomes of less than $3,000 in such State and the number of related children living in families receiving payments under the program of aid to families with dependent children under a State plan approved under title IV of the Social Security Act, bears to the number of such related children in all the States."

Mr. BURTON. Mr. Chairman, the current law has an allocation formula based on one-third of enrollment, one-third on high school graduates, and one-third using an income test. The income test is $3,000 per year.

Until the coming year we have been using the 1960 census income information. When we use the income information available in the 1970 census, the effect of retaining the existing law is to seriously skewer this one-third of the allocation formula against all of the high-income States.

The purpose of my amendment is to modify this skewering effect when we use the 1970 income data by also adding to the basic pool for purposes of seeing how this one-third is allocated, the children living in families receiving public assistance.

Mr. Chairman, I ask for an "aye" vote on this amendment.

Mrs. GREEN of Oregon. Mr. Chairman, will the gentleman yield?

Mr. BURTON. I yield to the gentlewoman from Oregon, my distinguished chairlady.

Mrs. GREEN of Oregon. If I understand the gentleman's amendment correctly, it is an amendment which I offered in the subcommittee for the third factor in considering need. Because in some States with the $3,000 figure, you would not have anybody because the AFDC payments are more than $3,000—so we include the $3,000 of the social security title.

Mr. BURTON. The gentlewoman is correct. The committee made a judgment, saying, in light of the Rules Committee deadline, "We had better process the bill as it is rather than spend the added time debating and reaching a favorable judgment on this matter." So this is the amendment offered by the gentlewoman in committee when we realized that the 1970 census-income data was going to have this unintended side effect on most of the States of the country.

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

Mr. BURTON. I yield to the distinguished chairman of the full committee.

Mr. PERKINS. Let me say to my distinguished colleague that I have definite reservations about the amendment at this time. I would not have any reservations about the amendment if H.R. 1 were about to be enacted.

I am deeply concerned that the effect of the amendment is to take money from all the other States of the Union and give their funds to States like New York and California. Perhaps that would be equitable, but we are here legislating in the dark, because we do not know

what the actual effect of the amendment will be. At this time, the amendment is a little premature. After enactment of H.R. 1, is the time when we should consider this type of amendment.

Mr. BURTON. If I may respond, this amendment really has nothing to do one way or the other with H.R. 1. This amendment corrects what will be a massive shift of money away from all the larger States that are currently getting it because the 1960 income data is used. When you use the 1970 census-income data for 1969 in the absence of this amendment, there will be a major shift away from the States getting their current entitlement, not just everybody having the status quo maintained. So the gentleman's fears are really not well taken. This merely modifies the otherwise negative impact once we use the 1970 income data.

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

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

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

Mr. BURTON. I yield to the gentleman from New York (Mr. CAREY).

Mr. CAREY of New York. I thank the gentleman for yielding. I certainly do not want to enter into a colloquy with my distinguished former chairman, the gentleman from Kentucky. I enjoyed my service on the Education and Labor Committee over the last 10 years. We worked assiduously on formulas together, and we always tried to hold equity in mind. We never did anything that would work a disservice to the poor people of Kentucky, the poor people of Californa, or the poor people of New York.

Now what we are seeking to do through the amendment offered by the gentlman from California, which is supported entirely by the New York delegation, the members of which I have spoken with, is to do equity to all poor people wherever they reside in the country, and regardless of whether H.R. 1 passes, and I hope we will, whether H.R. 1 is or is not passed and the present law continues, that we use the indicator which exists in every single State which says that if the State has made a judgment that a family is entitled to public assistance, then that is a poor family. There could be no better barometer, no better indicator, than the judgment of the public assistance people in the States that those persons are. We would simply grind that into the formula, and it would not dislodge the poor of Kentucky; it would not dislodge the poor of Louisiana, or anywhere else. It includes all the poor on an equitable basis, so they may be counted in determining where the Federal funds will flow which shall be used to educate the poor.

I think the amendment has great merit. It is on all fours and totally square with the Elementary and Secondary Education Act formula, which this House has supported from 1965 through 1971 without opposition, and to start tinkering with the formula by blocking out the clearly indicated barometers which determine the poor in apportioning funds would be a very, very bad mechanism if it were to be adopted.

The gentleman from California has an amendment which keeps this bill consistent with the ESEA and consistent with the recommendations of the State universities who are dealing with this problem. I would hope in logic and in equity and in terms of sound legislation we can all get behind the amendment of the gentleman from California and do equity to the poor in this bill. I thank the gentleman for yielding.

Mr. PUCINSKI. Mr. Chairman, I rise in support of the amendment and congratulate the gentleman from California for offering it. The point which our colleague from New York just made is very important. We are not asking for anything different here than what you have already established as national policy in title I of the Elementary and Secondary Education Act.

What we are doing if we vote down the gentleman's amendment—and I do not agree with my distinguished chairman that this is a New York-California bill—what we are doing is saying to any child anywhere in this country who happens to be on public aid, that he cannot qualify for these programs. There happens to be 1,800,000 of these children scattered all over America, some in every one of the districts in this country. All we are saying in the amendment offered by the gentleman from California is that we will treat children in poverty the same way, whether they are in poverty because their income is under $3,000, or whether they are in poverty because they are on public aid.

I cannot see how anyone can oppose this amendment, particularly since we have established the principle that we are going to count poor children, whether they are poor because they are children of the working poor or children of people on public aid.

It would be my hope we would accept this amendment in order to bring equity into this and bring the benefits of this program to all children.

Mr. BURTON. Mr. Chairman, I decline to yield further.

One of the points that has been made that one of the objectives is we are trying to eliminate the funny-money food stamp program and have the cash payments under welfare. The consequence of this $3,000 figure will mean literally that if the food stamp program is eliminated and becomes a cash payment, we will then disqualify for purposes of counting in this program every family whose public assistance payments are shifted from just below $3,000 to just above $3,000. This is not intended to be mischievous. In its absence, because of the new census information and the new income levels, there will be massive distortions away from the current allocations of these funds.

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

Mr. Chairman, this amendment brings another irrelevant factor into the State allotment formula. The gentleman from Kentucky is absolutely correct. What this is going to mean is that since we have a limited amount of money, and if we are to provide more money to some States, then we are going to have to take it away from others. I can understand why California and New York want this amendment—because it tries to offset some of the gouging to those States that resulted from the bill, because the bill takes money away from them. When we count the high school graduates in the State, then the State that has the lowest percentage of high school graduates going to college gets the biggest bonus from this part of the formula since it will not have to spend that money on poor kids going to college.

The State that has the lowest percentage of poor kids going to college gets the most amount of money. Because some States give a larger amount of welfare, they get a benefit in their allotment formula. Those States not paying a very high welfare amount will not get enough. What we are doing is going from bad to worse. I can understand from the point of view of California and New York that this does help them in the terrible situation they were in before, because the bill put other inequitable elements to their disadvantage, and then they try to offset it.

We should not lose sight of our goal, which should be that kids who need money to go to college should receive it. That is what we said in the education opportunity grant. But do we divide the money among all the kids who need it? No. We divide it among the States. Some people get the mistaken idea that we are taking power away from the States. The State governments do not do a thing about this money. They do not make a decision on the distribution. This is an allocation formula that lets the Commissioner decide for each State how to divide the pot. This approach has little relevance at all to the kids who need it and how we should divide it among them.

I just do not know why Members would vote for this, unless they are from California or New York. I could understand it then.

I do not see why the Members would vote for the amendment, otherwise. In fact, I do not see why they voted originally for the proposal of the gentlewoman from Oregon, but they did. That is what they decided to do. It is beyond me to understand how in the world they are led down such blind alleys as that, but they were.

Just do not go down another blind alley.

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

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

Mr. BURTON. I noted with interest the gentleman did not rebut the representation I made that although we use the 1970 census income figures for 1969, rather than the income of 12 years ago, they stayed with the same static $3,000 formula. The function of applying a new income standard brings about massive shifting in allocations among the States. Is that not correct?

Mr. QUIE. The gentleman is right. On

the one hand, in using the $3,000 figure they are using an obsolete and irrelevant factor, and when they use the welfare information they use an up-to-date irrelevant factor.

What have you gained, unless you are from New York or California?

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

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

Mr. MAZZOLI. The gentleman brought up a good point, and I should like to ask him a question. I have some trouble with this amendment myself.

Is it not true that the EOG formula which the House just a few moments ago approved does have three factors, only one of which deals with the income level or the AFDC factor? The other two are the number of high school students and the number of children?

Mr. QUIE. The students in college.

Mr. MAZZOLI. The students in college. With this idea the large States, those which have large numbers of these children, are in a preferred position.

Mr. QUIE. It gives them a preferred position, but has nothing to do with whether those children go to college.

Mr. MAZZOLI. We have heard that under ESEA, we have support for children of AFDC families and incomes under $3,000. Is it not true that the only way this money can be devoted by ESEA is under that provision, where here we have a Higher Education Act with two other provisions for devoting money to a particular State? Is it correct that ESEA has only one way to distribute money?

Mr. QUIE. ESEA has the income based on the obsolete information of $2,000, and if that is fully funded it goes to $3,000, and if that is fully funded it goes to $4,000, but we are not fully funding the $2,000, so that is the figure. And then they add the welfare payment. There are really two factors, but both based on income.

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

The gentleman from Minnesota is arguing against the whole concept of State allocation. He has lost that battle. That has been decided.

What this amendment here does is to try to establish some equity. All we are saying is that children from the working poor or with incomes under $3,000 as well as children who are on public aid but, because of the large size of the family, the public aid check exceeds $3,000, be treated the same.

Let me give an example. We have a lot of families who have migrated to Illinois and to the city of Chicago from many of our southern communities. They are large families, with 10 or 12 children. They are on public aid, but their public aid check exceeds $3,000 a year because there are 10 children in the family.

Now, under the present formula in this bill not one of those children can be counted under this program because the family gets a welfare check in excess of $3,000.

I submit that by refusing to accept the amendment of the gentleman from California, the Members really will be denying State assistance to children who need it most urgently.

You accepted this principle when you accepted title I. This is not a new idea.

This is in keeping with the principles of equity which you wrote into title I in the Elementary and Secondary Education Act.

I tell you, if you want to give meaning to this program and you really want to help poor kids, I would say you should accept the formula of the gentleman from California.

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

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

Mr. CAREY of New York. I thank the gentleman.

I would like to respond to the allegation made by distinguished and very, very formidable colleague from the State of Minnesota (Mr. QUIE). I want to say that he has lost none of his finesse, although he has just lost a battle.

This committee clearly indicated that it supports the concept advanced by the committee conducting the bill on the floor, led by the distinguished gentlewoman from Oregon (Mrs. GREEN). We are setting a formula that will apportion limited amounts of money as best we can to reach the goal. The gentleman brought in a factor which is not in any way related to the debate at all. He indicated somebody in California or somebody in New York was going to get fat on the basis of this bill. Well, I can tell him that we do not intend to.

Let me point out that the $3,000 is a better indicator because it really indicates that public assistance will be helping kids go to college is totally without foundation. The fact that there is a $3,000 family income involved does not determine who will go to college. So if you make this determination as to the $3,000——

Mr. PUCINSKI. Mr. Chairman, I decline to yield further to the gentleman. I do have a point to make in the time I have remaining.

Mr. CAREY of New York. Let me finish my one point, if you will.

Why do we not accept the formula and keep the bill consistent? That is what the California amendment would do.

The CHAIRMAN. The gentleman from Illinois has the floor and he still has a a little time remaining.

Mr. PUCINSKI. Mr. Chairman, the final point I wanted to make is you have in this country some 8 million children between the ages of 5 and 17 in families with incomes under $3,000 in the so-called poor. You have 1.8 million children who are also poor but who happen to be in families on public aid where a public aid check exceeds that amount. What we are saying here in rejecting the amendment offered by the gentleman from California is that these children cannot be counted in allocation of funds in the program.

Mr. Chairman, I tell you this is most inequitable. I tell you if you really want to have a fair program here, you ought to treat all of these youngsters the same way. That is the plea we are making here.

I think the gentleman from California made a good case. We are not asking for anything special or any special consideration, but are only asking for equitable treatment of all the poor kids in this country.

Mr. STEIGER of Wisconsin. Mr. Chairman, I rise in opposition to the amendment, and I am delighted to yield to my colleague from Minnesota.

Mr. QUIE. I thank the gentleman for yielding.

Mr. Chairman, I just wanted to correct the statement made by the gentleman from New York. I did not claim that New York was going to get fat on this allotment, but I say they were trying to correct the gouging they got by the formula under the bill as compared to the present formula. The present allotment formula is much better than that in the bill in order to correct the gouging you have in this one.

Mr. STEIGER of Wisconsin. Mr. Chairman, I must say that I have some reservations on the statement of the gentleman from Illinois. While I have real reservations about the three-pronged formula in the committee bill, I do not think the gentleman was accurate in saying homehow all of these people were left out. I would be happy to have the gentlewoman from Oregon clarify that point.

Mrs. GREEN of Oregon. I thank the gentleman for yielding.

I think I will have to take exception to that. He was thinking of another formula in the bill, if I may say so to the gentleman. Whether the formula contains the $3,000 family income criteria or the title IV social security criteria is really not relevant. It is simply a formula for dividing the funds among the States. Students can still apply for the educational opportunity grants.

I have one other point that I want to make, and then I hope that we could ask for some control of the time on this amendment.

The real question here, it seems to me, is the question of the cost of living and therefore ADC payments in various States. If a family lives in rural Oregon, they do not need as much money to live on as a family living in San Francisco or New York City or Chicago or Washington, D.C., or Seattle. It is one of the reasons ADC payments are higher in New York City than in Oregon or Kentucky or Mississippi.

ADC—or welfare payments under title IV of social security are related to this factor. Few Washington State or New York State families are receiving less than $3,000. Therefore they are not counted in the need part of the formula—even though they are needy. Also these figures are 10 years old. We should not use obsolete data. The gentleman from California seeks to correct an inequity and also require the use of current data.

It was for those reasons that I offered the amendment in the subcommittee. It seemed to me that it was a better provision worded this way. I was sorry it was defeated in the subcommittee. I find my-

self in the difficult position of defending the bill and yet recognizing that this is an amendment which does correct an inequity.

Mr. STEIGER of Wisconsin. Mr. Chairman, I do not support the amendment. I think two things ought to be clear to the members of the committee. One is that if we adopt this—and all of us recognize the fact that there is a degree of uncertainty in terms of distribution of funds—it would be my best judgment that States such as New York and California would get considerably more than States like Wisconsin and a host of other States that would not be able to share in the same way in the use of title IV social security factors within the formula of distribution.

Mr. Chairman, I hope the whole debate over the formula question gives the committee some concept and some idea as to whether or not they want to stay with this three-pronged formula. However, I think this debate has raised more questions about the formula than have been answered.

I would hope we might yet make a change of formula.

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

Mrs. GREEN of Oregon. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentlewoman from Oregon.

Mrs. GREEN of Oregon. Mr. Chairman, I wonder if we might get some time limitation on debate on this particular amendment. Can we close this debate within 10 minutes? The gentleman from Kentucky has 5 minutes and this would make provision for an additional 5 minutes.

Mr. Chairman, I ask unanimous consent that all debate on this particular amendment close in 10 minutes.

Mr. CHAIRMAN. Is there objection to the request of the gentlewoman from Oregon?

Mr. QUIE. Mr. Chairman, reserving the right to object, as I see more and more people over on the other side of the aisle standing up, I begin worrying about the fact that we should have more people standing up over here. If the gentlewoman would make the unanimous-consent request for 5 minutes more, a total of 15 minutes, I would be in favor of it.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Oregon?

Mr. CAREY of New York. Mr. Chairman, reserving the right to object, I reserve the right to object on the ground that the gentleman from Minnesota has just taken a look around the House and has found less support for his amendment than he would like to have.

Mr. QUIE. Mr. Chairman, if the gentleman will yield, it is not my amendment.

Mrs. GREEN of Oregon. Mr. Chairman, I ask unanimous consent that all debate on this amendment close in 15 minutes.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Oregon?

There was no objection.

The CHAIRMAN. The gentleman from Kentucky is recognized for 5 minutes.

Mr. PERKINS. Mr. Chairman, my foremost concern is that everyone be treated equitably. Special privileges should not be granted to any State.

Now, I know that New York, California and other industralized States are not receiving an adequate amount. No State is.

But until the 1970 income statistics are available and we can gauge the impact of these amendment, I think it is only fair and equitable that we vote it down. Only then will we be confident that we are proceeding in an equitable manner.

I do want to tell the committee that I have never objected to the gentleman from California (Mr. BURTON) or to the gentleman from New York (Mr. CAREY) or to the other Members from New York who have with great ability been most perservering in preserving the interests of their home States.

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

Mr. PERKINS. Yes, I yield to the gentleman from California.

Mr. BURTON. Mr. Chairman, there is no one, in the opinion of this Member's—and I am sure that of the whole House, or in fact anyone, who would challenge the ability of the gentleman in the well, the gentleman from Kentucky (Mr. PERKINS) in what he has done in order to take inordinately well, good, and loving care of his beloved constituency. In bill after bill and time after time we are all aware, and sometimes painfully aware, of the interests of the gentleman from Kentucky, and most all of us find it well advised to support the gentleman in his efforts to assist his constituency. All we want is to have just a little bit of it for some of us in some of the larger States.

Mr. PERKINS. May I say to my distinguished colleague that I want to work with the gentleman after enactment of H.R. 1, so that at the earliest possible time we will be able to rectify any inequities.

But we should not at this time revise an allocation that will affect all the States in the Union. And that is what this amendment does. It will have an impact on the entire allocation, and no one here knows just how much less or how much more their State will receive.

This is an amendment of such magnitude that it should be fully considered in committee. This is not the place to reallocate moneys. We might very well—in my judgment we will—take funds from the States where the need is the greatest.

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. CAREY).

Mr. CAREY of New York. Mr. Chairman, I appreciate the generous encomium given me by my former chairman, the gentleman from Kentucky (Mr. PERKINS) as to how hard we have worked together in trying to perfect legislation for the benefit of all children. And I do not stand in this well as a representative of the young people of New York, or as a representative of the young people of any part of our country, but rather as one who has always expended the greatest effort in terms of equity for all the children of the United States.

I would hope that the gentleman and I could continue to join hands in seeing that when we support as many children as possible, we do not do any disservice to any children in any section of the country.

Also to state that by being fair to New York we are being unfair to Kentucky is simply not true. This is not a New York-California-Illinois argument, it is a question as to whether we have one standard of acceptable parameter for measuring poverty in this country in order to allocate limited funds.

If you ignore the fact we have public assistance programs in the country while we are voting public assistance for the colleges and universities, is to defeat the whole purpose of this bill. We are talking about Federal money going where Federal money is. If you ignore the fact that we have public assistance programs, and only talk about a $3,000 family income, you are bringing in an irrelevancy. Let us follow the public effort, the public effort of public assistance, and forget State boundaries.

The CHAIRMAN. The Chair recognizes the gentleman from Wisconsin (Mr. STEIGER).

(By unanimous consent, Mr. STEIGER of Wisconsin yielded his time to Mr. QUIE.)

The CHAIRMAN. The Chair recognizes the gentleman from Kentucky (Mr. MAZZOLI).

Mr. MAZZOLI. Mr. Chairman, I rise in opposition to the amendment. I do so reluctantly because of my fondness for the distinguished gentlewoman from Oregon.

First of all, the bill came out of committee without the provision suggested by the gentleman from California (Mr. BURTON) and after extensive hearings and an extensive markup. I think we should leave it alone.

The second point, which is much more important than that, is the fact that as I understand the ESEA formula mentioned by the gentleman from California (Mr. BURTON) as reason for changing the EOG formula, the ESEA money is distributed on the basis of the number of children who come from families that meet the income requirments and guidelines for need.

In this higher education bill before us, the EOG grants are calculated on a three-pronged basis. One is the number of high school students in a State, one is the number of college students in schools in the State, and the third is the income requirement.

Large States like New York and California—and all the others—are still going to get substantial money under the EOG formula because they are large and, therefore, have more high school students and have more college students. So these States are not solely dependent on the income level requirement to get their eligibility and to get their money through the EOG formula. So nobody, myself included, who is opposed to this

amendment, is opposing the large States and opposing poor people. We are simply saying that there are other aspects of this formula, two parts of which are overweighted now in favor of large States. No further favor need be shown the large States than is already shown under the committee's version of the EOG formula.

Mr. Chairman, I urge the defeat of this amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Oregon (Mr. DELLENBACK).

Mr. DELLENBACK. Mr. Chairman, as we said earlier when we were striving to secure the basic formula, we do not feel the formula which is provided for in the committee bill is a good change from the present situation because what it strives to bring into the computation a combination of EOG money factors which are not relevant to the utilization of those moneys.

I do not know what the impact of this particular change would be on my State of Oregon, but that is not the way, in my opinion, that we should approach this type of change. We ought to look at it from the standpoint of its relevancy and soundness and not just what the impact on one particular State may be.

The proposal of the gentleman in that regard would compound the felony and add another irrelevancy.

The factor of assisting people on welfare in a proper law can be a very desirable factor, but it is not relevant to the question of distribution of this type of money. Therefore, it seems to me to make this amendment at this time, whatever its impact on the individual States, is basically and fundamentally unsound. It is attempting to change what is not a good formula, but it would not be an improvement. I hope this amendment is defeated.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois (Mr. PUCINSKI).

Mr. PUCINSKI. Mr. Chairman, the statement was made here that under the Burton formula somehow poor children would be double counted.

I believe that is not correct. What we do is we count all the children in the State who come from families with income under $3,000, whether on public aid or otherwise.

Then they add to that number the number of children who come from families with income over $3,000—even if it is a relief check.

I would be glad to yield at this point if that statement is not correct.

The main purpose of the bill is to provide funds to help needy children to go on to college. That is its main purpose. I do not see how any Member in good conscience could say that somehow or other a child who is on public aid, receiving public assistance, but because he comes from a family with many children where the public assistance check runs up in excess of $3,000 should be treated differently than a child who comes from a family whose family income is under $3,000. We are talking about children in poverty. But what we are trying to do is to make this program available on an equal basis to children from large families where the public assistance check from the taxpayers exceeds $3,000, and that is the only issue here.

The CHAIRMAN. The Chair recognizes the gentleman from Texas (Mr. KAZEN).

Mr. KAZEN. Mr. Chairman, I take this time merely to ask the gentleman from Kentucky a question. The gentleman from Illinois (Mr. PUCINSKI) has repeatedly said that this amendment would not affect the formula as the basis of the amount of money going into the States. He argues that after the money is in the States is when the provisions of this amendment would apply. Is that true?

Mr. PERKINS. That is not correct. The calculations must be made here in Washington on the basis of the formula before any funds are disbursed.

Mr. KAZEN. In other words, if this amendment is adopted, it will have a bearing on the amount of money that goes into every State?

Mr. PERKINS. Every State.

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

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

Mr. PUCINSKI. The fact of the matter is that the States in which there are families such as I have described have as much need for this money to send these kids on to college as anyone else. What the gentleman is drawing is a distinction between those children who come from the South and the city of Chicago; large families on public welfare will be counted out simply because we do not want to change the formula. That is what the issue is here.

Mr. KAZEN. I understand the gentleman from Illinois. But the statement the gentleman made originally was that this amendment would have absolutely no bearing on the amount of money that would go to the States, and according to what the gentleman from Kentucky has said, it most certainly would have.

The CHAIRMAN. The Chair recognizes the gentleman from California (Mr. BURTON).

Mr. BURTON. I think it is very important that we clear up one possible misconception, and that is that this is not merely a California-New York amendment. It is an amendment that would affect California, New York, Pennsylvania, Illinois, Michigan, Indiana, Massachusetts, Connecticut, Rhode Island, Maine, and what-have-you.

The dilemma posed by the $3,000 formula can perhaps be described this way: This is not a $3,000 requirement for a family of four. It is $3,000 for a family of six, nine, or 11. If a kid has a paper route, the earnings of the paper route are automatically in this $3,000, and the family could be disqualified.

The facts of the matter are that everyone agrees that the $3,000 formula is absurd. It has been and it is absurd. It is not a realistic test of need. But, more importantly, when we use the up-dated census data in the larger States, which comprise about 75 percent of the population, your welfare payments for families, husband and wife and three children, are larger than a total of $3,000, and so, therefore, that family is not even counted.

So do not fall for this nonsense that it is a "California-New York-only" amendment. We are not trying to get more money. We are trying to reduce the damage done to us by the new census-income information, which cuts away from our existing level of allocations.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota (Mr. QUIE).

Mr. QUIE. Mr. Chairman, it seemed to me, as I listened to this debate, that people again are getting mixed up and thinking, If we leave out the welfare families, then somehow or other those students would not be able to get educational opportunity grants from colleges. That is not the case at all. They are talking about trying to write a State allocation formula here.

Let me use these minutes to tell the Members what I think would be the only equitable State allotment formula, if we have to have one, and that would be to take the amount of approved requests for educational opportunity grants within a State as it relates to the requests in all the States. That is the only equitable way, because the colleges get the requests, they have to be approved by the regional panels, and then once approved by the regional panels, they would go into the total. That is the only reasonable way.

If somebody on that side of the aisle would be interested in offering an amendment that would be equitable, I guarantee I will support it as strongly as I can. I have a concern about offering anything that is equitable, because if I offer it, I think many of the people on that side of the aisle would feel honor-bound not to support it, because it is a Republican who would be offering it. The people on that side of the aisle seem to be able to win elections without any difficulty. I do not think I would drag them down, but apparently there is some problem. I am sorry there is, and I am sorry all education suffers from it.

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

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

Mr. PUCINSKI. Mr. Chairman, what would the gentleman think about dropping the $3,000 altogether and just distributing to the States on the basis of the number of students in college and the number of children in high schools?

Mr. QUIE. That narrows it down to just two factors, and it would be better than we have now, but why not go all the way and count the grants approved? Why not go all the way?

I have talked to some of the gentlemen and I know they realize that would be equitable but somehow they do not seem to go for it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. BURTON).

The amendment was rejected.

AMENDMENT OFFERED BY MR. MATSUNAGA

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

The Clerk read as follows:

Amendment offered by Mr. MATSUNAGA: Page 117, after line 13, insert the following:

PRIORITY FOR STUDENTS WHO HAVE RECEIVED LOANS FOR EARLIER YEARS

SEC. 412. (a) Section 427(a) of the Higher Eucation Act of 1965 is amended by striking out "and" at the end of paragraph (2), by striking out the period at the end thereof and inserting: "; and", and by adding at the end thereof the following:

"(3) the lender agrees, in making insured loans, to grant a priority (in accordance with such criteria as the Commissioner may prescribe) to students who have theretofore received such loans from it.

Redesignate the sections which follow accordingly.

Page 149, after line 18, insert the following:

PRIORITY FOR STUDENTS WHO HAVE RECEIVED LOANS FOR EARLIER YEARS

SEC. 467. Section 5 of the National Defense Eucation Act of 1958 is further amended by adding (after the subsection added by the preceding section) the following new subsection:

"(f) An agreement under this title for payment of a Federal capital contribution shall include such provisions as the Commissioner may require for granting a priority in the making of loans from such fund to students who have theretofore received such a loan."

Renumber sections 467 and 468 as sections 468 and 469, respectively.

Mr. MATSUNAGA. Mr. Chairman, the amendment I am offering is designed to deal with a minor but troublesome problem that has developed under the present student loan program.

I am sure that many of my colleagues have received requests for help from students who had applied for and received a loan under one of these programs which enabled him to begin a program of study. Then upon filing applications for loans for subsequent years, the student has found he was unable to obtain a loan for the reason that all available money had been lent out to others with equal or less need, who were commencing their educational program.

Mr. Chairman, I believe it can be agreed that it is certainly unfair to a student to lead him into a commitment of his own financial, mental, and emotional resources to enter into his first year of a study program and then to deny to him a loan which would be necessary for him to continue his study program, because available loans had been made to others with equal or less needs who had not even begun their programs.

It is this situation, Mr. Chairman, which my amendment intends to reach. It does not require any additional funds, nor does it affect the allocations made to individual States or schools. Furthermore, a student would still be required to demonstrate his continued need for loan assistance. But if he were in need of the loan and still wanted it he would be given preference over others with equal or less needs who had not yet started on their study programs.

Mr. Chairman, I wish to point out that the amendment I am offering would not in any way affect the new provisions in the bill for education opportunity grants. Only loan programs would be affected.

I believe we can all agree, Mr. Chairman, that when a student receives a federally aided loan to begin his education he also receives an implied commitment that if loan money is still available and he is still in need of assistance to finish his schooling he can continue to receive this assistance.

My amendment is designed to help to deliver on this commitment.

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

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

Mrs. GREEN of Oregon. Mr. Chairman, will the gentleman yield?

Mr. MATSUNAGA. I yield to the gentlewoman from Oregon.

Mrs. GREEN of Oregon. When the gentleman came to me about this amendment it was my understanding that it was just to cover the guaranteed student loans. Is the gentleman including the NDEA loans here, too?

Mr. MATSUNAGA. Yes; I am including all the loan programs, but if the gentlewoman has any objection to including the NDEA I would be willing to strike it out.

Mrs. GREEN of Oregon. I believe we would run into some major problems. As I told the gentleman when I talked with him, in terms even of the guaranteed student loan program, if a person received a loan for 2 years, as a hypothetical case, and became a junior in college, if there were a freshman who was entering who applied, if that freshman had greater need then I do not believe we ought to give priority to the junior in college just because he has had a loan.

As I understood the gentleman, he was going to make it abundantly clear that if the student had a previous loan and a new applicant had identical needs—identical needs—and the lending institution made that judgment, he would be given a preference, but only on the guaranteed loan.

Furthermore, I believe the gentleman did say, "If the money is still available and if he still needs the funds."

I believe this must be a very important part of the legislative history if this amendment is adopted, because we certainly could not say to a lending institution or a bank—they have done a remarkably good job in making loans, and I believe they ought to be commended for it, because it is a public service and they are not making money on it—if the bank does not have the funds for this and has used them for other needier students, they should do it. It seems to me it would be very unwise for the Congress to say they had to give it to this student because he had a previous loan.

But if this means those conditions which I have outlined: That it only applies to the guaranteed student loans, and if the money is still available, and if the student still needs it—and under the bill he must have the certification of that need by the student financial aid officer—and if the need is the same as that of another person, it would be then and then only that the preference would be given.

Mr. MATSUNAGA. For the purpose of establishing legislative history in this matter, I concur with what the gentlewoman from Oregon has just stated.

Mrs. GREEN of Oregon. Then, the gentleman would ask unanimous consent or move to strike out that part of the amendment that has to do with NDEA?

Mr. MATSUNAGA. Mr. Chairman, I ask unanimous consent at this time to strike from my offered amendment all of that part after "accordingly;" beginning with the words "page 149, after line 18, insert the following:"

The CHAIRMAN. The Clerk will read the unanimous-consent request.

The Clerk read the unanimous-consent request.

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

There was no objection.

Mr. MATSUNAGA. Mr. Chairman, I ask approval of my amendment.

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

Mr. Chairman, may I commend the chairman of the subcommittee for having pointed out very clearly a number of great dangers to this amendment as it is proposed.

Let me make an additional point that many of us really do not think about very often, that is, exactly what it is we are doing in making legislative history. You cannot by any discussion on the floor of this body take language that says "black" and by talking into the RECORD or supposedly making legislative history make that language come out "white."

Legislative history is valuable in resolving ambiguities. Any time that language of a proposed amendment or a bill which is before us has a genuine ambiguity in it a court called upon to interpret that language may very well go back to the legislative history to determine what it was those who enacted the law meant.

Mr. MATSUNAGA. Will the gentleman yield?

Mr. DELLENBACK. Yes. I will be glad to yield to the gentleman.

Mr. MATSUNAGA. If the gentleman will look at the offered amendment, in the second paragraph thereof the language reads as follows:

the lender agrees, in making insured loans, to grant a priority (in accordance with such criteria as the Commissioner may prescribe) to students who have theretofore received such loans from it.

The Commissioner, of course, would set these criteria in accordance with the legislative history which we have here established.

Mr. DELLENBACK. I appreciate what the gentleman is reaching for, and I have an extremely high regard for him, but I point out that we cannot make legislative history alone by what we do on the floor of the House. We have another body which is also involved in this.

If you take a look at the four corners of the language before us, I am afraid we will run into great difficulty in running into a situation which will not assure that every lending institution will be in practical fact adhere to the various points which were raised by my colleague from Oregon and which the esteemed gentleman from Hawaii sought to incorporate in the form of legislative history.

If he is really striving to write in here in effect such language as was involved in

the colloquy between the gentlewoman from Oregon (Mrs. GREEN) and the gentleman from Hawaii (Mr. MATSUNAGA), I would urge that the language of the amendment be amended so that it makes absolutely clear within its own language what it is the gentleman is striving to do.

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

Mr. DELLENBACK. Let me finish and then I shall yield to the gentleman from Hawaii.

It is my concern, and I say this to the gentleman and to the Committee of the Whole House on the State of the Union, that if the discussions of the last few minutes have stated the goal for which we are reaching, I am concerned that this language will not reach it. The language as it stands will not guarantee the writing into the criteria that which we should have. As the amendment is proposed, even with the discussion which has taken place beforehand, I would urge the members of the committee, if they really want to be sure to accomplish the goals which our colleague is striving to accomplish, we must defeat this amendment. I urge that we take this action.

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

Mr. DELLENBACK. Yes, I yield to my friend from Hawaii.

Mr. MATSUNAGA. The gentleman perhaps misunderstood the gentlewoman from Oregon (Mrs. GREEN). It is my understanding that the gentlewoman from Oregon has accepted my amendment.

Mr. DELLENBACK. Well, I understand, I will say to the gentleman from Hawaii, that the gentlewoman from Oregon said if the amendment is to be interpreted with the provisos that she very soundly pointed out, she would agree that that would be fine. But it is still not a part of the amendment to this bill until this body acts on it. Therefore, I am urging this body, in view of the language which is really here and not which we would like to have here, to defeat the amendment.

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

I wonder if the gentleman from Hawaii who proposed the amendment would care to answer a question or two? I read the language of this amendment that says the lender agrees in making insured loans to grant a priority to students who have theretofore received such loans from it—and I have left out the words "criteria as the Commissioner may prescribe"—would this, if the Commissioner so decided, mean that a lender would be forced to make a loan to a student whose credit rating has come into question or who has gone through bankruptcy proceedings or some other action has occurred from the time the first loan was made to the time he is applying for another loan? Could it require, unless it happens that the Commissioner gives him such leeway in the criteria that he give priority to a student whose credit rating is not good and, therefore, a lender under ordinary commercial conditions would not grant the loan?

Mr. MATSUNAGA. Mr. Chairman, if the gentleman will yield and if the gentleman will read the language, it says the priority is to be granted "in accordance with such criteria as the Commissioner may prescribe."

I am certain, under the circumstances which the gentleman described, that the Commissioner would not require a priority to such a student.

Mr. ERLENBORN. I would take it that the gentleman would not want such a result to occur?

Mr. MATSUNAGA. The gentleman is correct.

Mr. ERLENBORN. Certainly, a lender participating in this program will only continue to participate if the loans he makes are the kind of loans that would be good commercial loans generally meeting the conditions of the guarantee and so forth.

I would join with the gentleman from Oregon (Mr. DELLENBACK) in urging that we not adopt an amendment that has these ambiguities. If there are things that we think ought to be stated, I think they should be written out as to just what is provided in the amendment. We should not leave it up to chance that the Commissioner will adopt criteria to conform with what we think he ought to do.

I think the gentleman from Oregon (Mr. DELLENBACK) is correct. If there is no ambiguity, the Court will not look at the record. If we know what we want to do in the way of priorities, let us spell it out and let us not pass an amendment which is as vague as this.

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

Mr. ERLENBORN. Yes, I yield further to the gentleman from Hawaii.

Mr. MATSUNAGA. The gentleman from Illinois expresses a thought which went through my mind also, but rather than spelling out in detail in the statute what criteria the Commissioner should follow he is granted the authority to set such criteria. This is in compliance with normal legislative procedure.

And in this case the counsel who drafted the amendment for me was of the view that, because we are giving the authority to the Commissioner to set up the criteria, the language was sufficient if supported by language in the CONGRESSIONAL RECORD to establish a legislative history. It is for this reason that the amendment was offered in the language that it is in.

Mr. ERLENBORN. I am certain that it is, because I believe I understand the problem the gentleman is trying to address through his amendment. However, I worry about what other criteria might be used. There are those who suggest that no conditions should be made on the loan that the family of a student have an account with a bank. We did not do that even though it was urged on us by the other body when we were dealing with the guaranteed student loan program. There are others who feel that the loan should go to those who are the neediest first, and by the time we get the Commissioner to write the criteria we will find the participating banks will not have discretion in making the loans, and when that occurs they will no longer participate in the program. It has been a good program, and it has helped a lot of low-income and a lot of middle-income students. I would hate to see it jeopardized by something that is not specific, and that could cause havoc to the program.

I hope the amendment will be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Hawaii (Mr. MATSUNAGA) as modified.

The amendment as modified, was rejected.

AMENDMENT OFFERED BY MR. FRASER

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

The Clerk read as follows:

Amendment offered by Mr. FRASER: On page 111 strike out lines 3 through 5 and insert in lieu thereof the following:

"SEC. 405. From the sums appropriated pursuant to section 401, the Commissioner shall allot to each State an amount which bears the same ratio to the total of such sums as the amount of approved requests for educational opportunity grants within such State bears to the total amount of approved requests for educational opportunity grants in all the States.

On page 111, line 12, strike out "section 465(a)" and insert in lieu thereof "section 405".

On page 129 strike out lines 25 and 26 and on page 130 strike out line 1 and insert in lieu thereof the following: year (1) under section 441(b) of this Act (after making the reservation provided for in section 442), or (2) under section 201 of

On page 131 strike out line 15 and insert in lieu thereof the following: "scribed in clause (1) or (2) of subsection (a) plus any".

Mr. FRASER. Mr. Chairman, we have had two discussions on the formula under which money is allocated to the States and the institutions for education opportunity grants. The second amendment, which was turned down, was an effort to improve on the committee's three-factor formula after the Quie-Fraser amendment was defeated.

What this amendment does is to take the Quie-Fraser amendment, divide it in half, and use that part of the original amendment that deals with the question of allotment to the States.

Under this amendment, we abandon the three-factor formula, and say that money will go to the States in proportion to the number of students eligible for educational opportunity grants in each State in relationship to the nationwide total of eligible students.

In other words, we are not going around the barn to find out what we need.

Instead we count the actual number of students who are eligible for educational opportunity grants. I think this solves the problem that was raised earlier. It solves the problem of dealing with irrelevant factors and goes right to the fundamental question of how many students are eligible. Let us count them up, divide the money and apportion it out so the States can meet these students' needs.

I think this amendment avoids some of the controversy that developed over the more extended amendment where we got into the question of setting national standards. We do not deal with the issue of national standards here. We merely

establish a simple formula for determining how much money each State gets under the EOG program. I think we bring to EOG the highest measure of equity in apportionment that we can secure. I think this is a reasonable compromise. The amendment moves us ahead in the effort to provide equity that I know we are all seeking.

Mr. STEIGER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. FRASER. I yield to the gentleman.

Mr. STEIGER of Wisconsin. Mr. Chairman, I commend the gentleman. I would hope that the committee accepts this amendment.

It seems to me that this would bring in a degree of equity that is now missing in the three-prong formula. I believe the amendment makes sense.

Really is not the effect, may I ask the gentleman from Minnesota, that under your amendment if adopted, each State would receive the same in terms of the percentage of its finally approved request? Is that in effect what your amendment would do?

Mr. FRASER. That is right.

Mr. STEIGER of Wisconsin. So you would not have this variation between States which leads to inequity in terms of serving students who are eligible to receive EOG grants?

Mr. FRASER. That is right.

Mr. STEIGER of Wisconsin. I thank the gentleman.

Mr. FRASER. May I add that I have had a chance to talk to some of my colleagues who were opposed to the first amendment and they do believe that this amendment is considerably more acceptable.

Mr. Chairman, I think that since this is a limited amendment, it should have more support. I certainly hope it will gain the approval of the committee.

Mrs. GREEN of Oregon. Mr. Chairman, I rise in opposition to the amendment.

This is a better amendment than the preceding one. It does not impose national standards. It does not give the Commissioner of Education the tremendous authority which the preceding amendment attempted. Otherwise, however, this is really much the same debate that we had on the Quie amendment an hour ago.

I was not given any copy of this amendment until just now. I have no idea of what it is going to do in terms of various States and institutions.

Again I would repeat what I said in the beginning, I cannot remember a single letter I have received asking for a change in the EOG program. All of the institutions of higher education are in support of the language that is in the committee bill. We had 54 days of testimony on the entire legislation. All of the State financial aid officer are supporting the formula in the bill to the very best of my knowledge. The EOG program has worked well. The youngsters who are in exceptional need have received money, and I see no reason now to have a sudden change in this.

If the amendment had been offered a week ago, some of us would have had the chance to study it and maybe some of the reservations that I have, would have been resolved, but at the present time, not having seen the amendment and knowing that the present system works, and having debated this for 1½ hours—I would hope the amendment would be defeated.

Mr. EVANS of Colorado. Mr. Chairman, will the gentlewoman yield?

Mrs. GREEN of Oregon. I yield to the gentleman.

Mr. EVANS of Colorado. It seems to me that the language of the amendment is fairly simple. I must confess, not serving on the committee, that it makes it more technical than I realized. But it seems to go to the heart of measuring the poor people who will be qualified to go on to a higher education. It is the ultimate thing I think we want to measure whether it be New York, Colorado, Washington, or Oregon.

That being the case, since the bill does change the rule, as I understand it, from what the law used to be in distributing this money to the States, would it not seem that this simple approach would be by far the fairest in assisting institutions in terms of protecting these standards where they need help.

Mrs. GREEN of Oregon. If I may respond, the formula which would go into effect in the EOG, work study and NDEA loan program is the formula that has been used all through the years for the work-study program. So it is not a new formula if we accept it for the EOG. The reason I make that statement is that we went through this whole argument for an hour and a half, and in this amendment there are four separate references to language in legislation that would have to be changed. Frankly, I have not had time to even read the full amendment. I do not know what it would strike out. It seems to me that we have a formula which is working well, and a formula that is working well should be continued.

Mr. Chairman, I urge defeat of the amendment.

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

The CHAIRMAN. The gentleman from Minnesota is recognized.

Mr. QUIE. I think the gentleman from Colorado made an important point that all Members ought to bear in mind. The committee bill changes the present formula. It changes it to add two irrelevant factors. As we have pointed out a number of times before, the amendment offered by the gentleman from Minnesota takes into consideration the only factor that is relevant. If you want to provide aid to kids wherever they are going to college or to other postsecondary institutions, this is the way you should do it. You do not get into the question, as stated, of national standards with respect to contribution. We do not get away from State allocations. What we do here is to get away from irrelevant factors. As pointed out by the gentlewoman from Oregon, the work-study program uses these three irrelevant factors. If that program works so well, why should we not add the formula to the EOG?

But if you look at the distribution of aid under the work-study program, you see that the greatest disparity between what each State requires and what it receives is in the work-study program. It goes all the way from 30 percent up to 140 percent. Anything above 100 percent they have to reallocate. Why use a formula like that? I just ask you at this time, since we have debated this question for so long and you now have an understanding of what the real meaning is, to support the amendment of the gentleman from Minnesota. It is the fairest thing you could possibly devise.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota (Mr. FRASER).

The question was taken; and the chairman announced that the ayes appeared to have it.

TELLER VOTE WITH CLERKS

Mrs. GREEN of Oregon. Mr. Chairman, I demand tellers.

Tellers were ordered.

Mrs. GREEN of Oregon. Mr. Chairman, I demand tellers with Clerks.

Tellers with Clerks were ordered; and the Chairman appointed as tellers Mr. FRASER, Mrs. GREEN of Oregon, and Messrs. QUIE and MAZZOLI.

The Committee divided, and the tellers reported that there were—ayes 108, noes 220, not voting 102, as follows:

[Roll No. 327]

[Recorded Teller Vote]

AYES—108

Addabbo	Forsythe	Pelly
Anderson, Ill.	Frelinghuysen	Pettis
Ashley	Frenzel	Pirnie
Aspin	Frey	Poff
Belcher	Fulton, Tenn.	Quie
Bergland	Goodling	Railsback
Betts	Gude	Rees
Biester	Hansen, Idaho	Reid, N.Y.
Bingham	Harsha	Reuss
Blatnik	Hastings	Riegle
Brotzman	Heckler, Mass.	Robison, N.Y.
Byrnes, Wis.	Helstoski	Ruth
Camp	Hosmer	Ryan
Cederberg	Hutchinson	Sandman
Celler	Kastenmeier	Schneebeli
Chamberlain	Keating	Schwengel
Clausen, Don H.	Keith	Sebelius
	Koch	Smith, N.Y.
Clawson, Del	Kyl	Springer
Cleveland	Landgrebe	Steele
Conable	Lent	Steiger, Wis.
Coughlin	Lloyd	Taylor
Davis, Wis.	McClory	Teague, Calif.
Dellenback	McCloskey	Veysey
Denholm	McCulloch	Wampler
Dow	McDonald, Mich.	Ware
Drinan	McKinney	Whalen
Dulski	Michel	Whalley
Duncan	Mikva	Whitehurst
du Pont	Miller, Ohio	Wiggins
Edwards, Calif.	Mills, Md.	Winn
Erlenborn	Morse	Wolff
Esch	Mosher	Wydler
Evans, Colo.	Nelsen	Wyman
Findley	Obey	Zion
Fish	O'Konski	Zwach
Ford, Gerald R.		

NOES—220

Abernethy	Boggs	Carey, N.Y.
Abourezk	Boland	Carter
Abzug	Bolling	Casey, Tex.
Adams	Brademas	Chisholm
Albert	Brasco	Clancy
Anderson, Calif.	Brinkley	Collier
	Brooks	Collins, Ill.
Andrews, Ala.	Brown, Mich.	Collins, Tex.
Andrews, N. Dak.	Broyhill, N.C.	Colmer
	Broyhill, Va.	Corman
Annunzio	Buchanan	Cotter
Aspinall	Burke, Fla.	Daniel, Va.
Badillo	Burke, Mass.	Daniels, N.J.
Baker	Burleson, Tex.	Danielson
Begich	Burlison, Mo.	Davis, Ga.
Bennett	Burton	Davis, S.C.
Biaggi	Byron	de la Garza
Blackburn	Cabell	Delaney

Dellums	Lennon	Roe
Dennis	Link	Rogers
Devine	Long, Md.	Roncalio
Dickinson	McCormack	Rooney, N.Y.
Dingell	McDade	Rooney, Pa.
Dorn	McFall	Rosenthal
Dowdy	McKay	Rostenkowski
Edmondson	McKevitt	Roush
Fascell	McMillan	Roy
Fisher	Macdonald, Mass.	Roybal
Flood	Madden	Runnels
Flowers	Mahon	Ruppe
Foley	Mann	St Germain
Ford, William D.	Martin	Sarbanes
Fountain	Mathias, Calif.	Satterfield
Galifianakis	Mathis, Ga.	Scherle
Gallagher	Matsunaga	Schmitz
Garmatz	Mayne	Scott
Gaydos	Mazzoli	Seiberling
Giaimo	Meeds	Shoup
Gibbons	Metcalfe	Shriver
Gonzalez	Miller, Calif.	Sisk
Grasso	Minish	Slack
Green, Oreg.	Mink	Snyder
Green, Pa.	Mitchell	Spence
Griffin	Mollohan	Staggers
Gross	Monagan	Stanton, James V.
Hagan	Moorhead	Steed
Haley	Morgan	Stephens
Hall	Moss	Stratton
Hamilton	Murphy, Ill.	Stubblefield
Hammer-schmidt	Murphy, N.Y.	Stuckey
Hanley	Myers	Symington
Hansen, Wash.	Natcher	Teague, Tex.
Harrington	Nedzi	Terry
Hathaway	Nichols	Thompson, Ga.
Hechler, W. Va.	O'Hara	Thompson, N.J.
Henderson	O'Neill	Thomson, Wis.
Hicks, Wash.	Passman	Thone
Hillis	Patman	Ullman
Hogan	Patten	Van Deerlin
Holifield	Pepper	Vanik
Hull	Perkins	Vigorito
Hungate	Peyser	Waggonner
Hunt	Pike	White
Ichord	Poage	Whitten
Jacobs	Podell	Williams
Johnson, Calif.	Preyer, N.C.	Wright
Johnson, Pa.	Price, Ill.	Wyatt
Jonas	Price, Tex.	Wylie
Kazen	Pucinski	Yates
Kemp	Purcell	Yatron
King	Randall	Young, Fla.
Kyros	Rangel	Young, Tex.
Latta	Rarick	Zablocki
Leggett	Robinson, Va.	
	Rodino	

NOT VOTING—102

Abbitt	Eilberg	Mailliard
Alexander	Eshleman	Melcher
Anderson, Tenn.	Evins, Tenn.	Mills, Ark.
	Flynt	Minshall
Archer	Fraser	Mizell
Arends	Fuqua	Montgomery
Ashbrook	Gettys	Nix
Baring	Goldwater	Pickle
Barrett	Gray	Powell
Bell	Griffiths	Pryor, Ark.
Bevill	Grover	Quillen
Blanton	Gubser	Rhodes
Bow	Halpern	Roberts
Bray	Hanna	Rousselot
Broomfield	Harvey	Saylor
Brown, Ohio	Hawkins	Scheuer
Byrne, Pa.	Hays	Shipley
Caffery	Hébert	Sikes
Carney	Hicks, Mass.	Skubitz
Chappell	Horton	Smith, Calif.
Clark	Howard	Smith, Iowa
Clay	Jarman	Stanton, J. William
Conte	Jones, Ala.	
Conyers	Jones, N.C.	Steiger, Ariz.
Crane	Jones, Tenn.	Stokes
Culver	Karth	Sullivan
Dent	Kee	Talcott
Derwinski	Kluczynski	Tiernan
Diggs	Kuykendall	Udall
Donohue	Landrum	Vander Jagt
Downing	Long, La.	Waldie
Dwyer	Lujan	Widnall
Eckhardt	McClure	Wilson, Bob
Edwards, Ala.	McCollister	Wilson, Charles H.
Edwards, La.	McEwen	

So the amendment was rejected.

The CHAIRMAN. Are there any further amendments to title IV?

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

Mr. Chairman, I just want to tell my colleagues that I am going to ask unanimous consent to include extraneous matter and put in the RECORD a table showing what the effects of this amendment will be on the various States, because the Members who voted against their best interests I think would like to know.

A lot of people were asking what this would do and wanted to know if they would be able to look at the tables. Those who voted in their best interests can see if they did or not.

Mrs. GREEN of Oregon. Mr. Chairman, will the gentleman yield to me?

Mr. QUIE. Yes. I yield to the gentlewoman.

Mrs. GREEN of Oregon. May I ask the gentleman, if this will be on next year's request, how can you present tables that would be accurate on the requests that would be made for the EOG last year and approved in the colleges? How could you give out such tables?

What tables are you talking about? You just said you were going to put tables in the RECORD about which States and so on were going to lose.

Mr. QUIE. I will put a table in the RECORD as it would affect this present year's allocation. The table will show the percentages each State would receive if the committee amendment was adopted compared to current law. The amendment would have meant that each State would have received the same percentage of its request as every other State—22.16 percent.

Mrs. GREEN of Oregon. If I might say to my friend this, this last year is gone. No one is going to lose it because they have already gotten it. For next year we do not know because we do not know how many applications there will be.

I will also say to my very good friend and colleague whom I respect very much, I wish that I could have seen the amendment 5 minutes before it was offered. You attempted to strike out language at four different places. I am sure you will agree with me that the Office of Education has in four instances said that the figures do not present an accurate state of affairs.

Mr. QUIE. They made a mistake in their tallies on the institutional grants. However, they have an accurate table on this.

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

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

Mr. WAGGONNER. I hope the gentleman will leave his remarks unedited wherein he has asked for permission after a vote to make available information to the Members that was not available at the time of the vote, because this is the reason we have to vote against some of these amendments like this. You ask us to vote on something that we know nothing about and then you ask permission to provide information which we should have had before the vote. This is the reason we have to defeat amendments like this.

Mr. QUIE. The table to which I have reference was in the RECORD yesterday on page 37779. Just so the Members might know, I will put the State percentages of funding in again at this point.

Mr. WAGGONNER. Mr. Chairman, if the gentleman will yield further, what is the need to put it in the RECORD if it was in the RECORD yesterday? Why was it not brought to the attention of the Members if it was in yesterday's RECORD and why put it in today?

Mr. QUIE. I just wanted you to see the figures in reference to the vote you just made, and I remind you that I did call attention to them during the debate.

The table follows:

PERCENTAGE OF APPROVED REQUESTS GOING TO STATES FOR EDUCATIONAL OPPORTUNITY GRANTS UNDER PRESENT LAW AND UNDER H.R. 7248, USING FISCAL YEAR 1972 REQUESTS AND APPROPRIATIONS FOR INITIAL YEAR GRANTS

	State allocation divided by panel approved request	
	Current law	H.R. 7248[1]
50 States and the District of Columbia	24.88	22.16
Alabama	17.54	25.48
Alaska	21.30	35.91
Arizona	24.16	18.72
Arkansas	27.03	40.03
California	24.85	17.08
Colorado	27.88	19.19
Connecticut	31.55	22.90
Delaware	21.34	18.15
Florida	30.62	28.80
Georgia	25.35	35.69
Hawaii	55.43	42.10
Idaho	36.98	29.54
Illinois	21.52	16.96
Indiana	28.37	22.15
Iowa	26.27	22.03
Kansas	27.24	20.36
Kentucky	25.98	32.63
Louisiana	27.82	35.72
Maine	27.62	29.46
Maryland	33.33	28.80
Massachusetts	29.34	17.74
Michigan	23.85	18.61
Minnesota	21.81	17.80
Mississippi	18.45	29.68
Missouri	31.80	27.95
Montana	21.94	18.01
Nebraska	32.32	25.97
Nevada	35.64	29.22
New Hampshire	24.62	16.67
New Jersey	18.78	20.67
New Mexico	24.59	26.28
New York	18.71	14.45
North Carolina	19.33	25.23
North Dakota	22.59	19.53
Ohio	28.24	23.47
Oklahoma	27.29	23.21
Oregon	22.57	14.90
Pennsylvania	30.15	27.64
Rhode Island	29.78	21.42
South Carolina	21.75	40.17
South Dakota	22.32	21.68
Tennessee	22.15	26.87
Texas	32.35	32.30
Utah	36.83	20.56
Vermont	21.46	15.85
Virginia	28.75	36.45
Washington	27.98	19.01
West Virginia	27.18	32.08
Wisconsin	23.40	16.05
Wyoming	16.65	12.99
District of Columbia	21.31	11.83

[1] H.R. 7248 gives the commissioner authority to distribute 10 percent of the amount available, in this case an additional $7,109,197.

PARLIAMENTARY INQUIRY

Mr. PUCINSKI. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman from Illinois will state his parliamentary inquiry.

Mr. PUCINSKI. What is the disposition of the gentleman's request for putting a table in the RECORD at this point?

The CHAIRMAN. The Chair will advise the gentleman from Illinois that the gentleman from Minnesota did not make a unanimous-consent request at this time to include extraneous matter, since that request will have to be made

in the House rather than in the Committee of the Whole House on the State of the Union.

It was the understanding of the Chair that the gentleman from Minnesota simply detailed his intention to seek that unanimous consent when the Committee rises and we are back in the House.

MOTION OFFERED BY MR. PELLY

Mr. PELLY. Mr. Chairman, I move that the Committee do now rise.

The CHAIRMAN. The gentleman is seeking to propound a parliamentary inquiry?

Mr. PELLY. I am not, Mr. Chairman. I have a privileged motion. I move that the Committee do now rise.

The CHAIRMAN. Does the gentleman from Washington insist upon his motion?

Mr. PELLY. Well, if the chairman of the committee or the ranking member has any justification as to why we should continue this slaughter, I would be glad to withdraw it.

PARLIAMENTARY INQUIRY

Mr. GROSS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GROSS. Speaking of tables, could the distinguished gentleman in the chair tell us when we might have a look at the supper table this evening?

The CHAIRMAN. The Chair will state informally in response to the parliamentary inquiry of the gentleman from Iowa that it is the Chair's understanding that a general agreement has been reached between the gentlewoman from Oregon (Mrs. GREEN), the manager of the bill, and the gentleman from Minnesota (Mr. QUIE), the ranking minority member, that the Committee would attempt to proceed hopefully to title VIII, if possible, by 6 o'clock, and at that time it would be the purpose of the majority and the minority that the Committee should rise.

Mr. PELLY. By 6 o'clock we will not have the figures such as were mentioned by the gentleman from Minnesota (Mr. QUIE) and the gentlewoman from Oregon (Mrs. GREEN) a little while ago containing information on some of the amendments which we are called upon to vote. I think we ought to have a chance to cool off before proceeding further.

The CHAIRMAN. Does the gentleman from Washington insist upon his motion?

Mr. PELLY. Mr. Chairman, I withdraw my motion.

The CHAIRMAN. Without objection, the motion is withdrawn.

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TITLE V—EXTENSION AND AMENDMENT OF EDUCATION PROFESSIONS DEVELOPMENT ACT

PART A—AMENDMENTS TO PART A OF TITLE V

EXTENSION OF NATIONAL ADVISORY COUNCIL ON EDUCATION PROFESSIONS DEVELOPMENT AND PROGRAM FOR ATTRACTING QUALIFIED PERSONNEL TO THE FIELD OF EDUCATION

SEC. 501. (a) Section 502(f) of the Higher Education Act of 1965 (the Education Professions Development Act) is amended by striking out "and" after "1968," and inserting before the period at the end thereof the following: ", and such sums as may be necessary for each succeeding fiscal year ending prior to July 1, 1976".

(b) Section 504(b) of such Act is amended by striking out "and" after "1969," and by inserting before the period at the end thereof the following: ", and such sums as may be necessary for each succeeding fiscal year ending prior to July 1, 1978".

PART B—AMENDMENTS TO SUBPART 1 OF PART B

EXTENSION OF TEACHER CORPS PROGRAM

SEC. 511. Section 511(b) of the Higher Education Act of 1965 is amended (1) by striking out "and" after "1970." and by inserting after "June 30, 1971," the following: "and such sums as may be necessary for each succeeding fiscal year ending prior to July 1, 1976," and (2) by striking out "1972" and inserting "1977".

PART C—AMENDMENTS TO SUBPART 2 OF PART B

ATTRACTING AND QUALIFYING TEACHERS TO ALLEVIATE TEACHER SHORTAGES

SEC. 521. Section 518(b) of the Higher Education Act of 1965 is amended by striking out "and" after "1969," and by inserting before the period at the end thereof the following: ", and such sums as may be necessary for each succeeding fiscal year ending prior to July 1, 1976".

VOLUNTEER SERVICE PROGRAMS

SEC. 522. Section 518(a) of the Higher Education Act of 1965 is amended by striking out "the succeeding", and inserting in lieu thereof "each succeeding", and by striking out "and" before "(2)" and by inserting before the period at the end thereof the following: ", (3) encourage volunteers (including high school and college students) for service as part-time tutors or full-time instructional assistants for educationally disadvantaged children, (4) compensate such tutors and instructional assistants at such rates as the Commissioner may determine to be consistent with prevailing practices under comparable federally supported work-study programs, and (5) provide necessary training to teachers to enable them to teach other grades or other subjects in which such agencies have a teacher shortage".

INCREASE IN AMOUNT AVAILABLE FOR ADMINISTRATION

SEC. 523. Section 520(a)(2) of such Act is amended (1) by striking out "and (C)" and inserting in lieu thereof the following: "(C) programs of such agencies to provide necessary training to teachers to enable them to teach other grades or other subjects in which such agencies have a teacher shortage, and (D)", (2) by striking out "3 per centum" and inserting in lieu thereof "5 per centum", and (3) by inserting before the semicolon: ", or $20,000, whichever is greater".

ELIMINATING CEILING ON AMOUNT FOR AIDES

SEC. 524. Section 520(a) of such Act is further amended by striking out paragraph (5) and redesignating paragraphs (6), (7), (8) and (9) as paragraphs (5), (6), (7), (8); and (5) thereof (as so redesignated) is amended by inserting after "because he" the following: "is teaching or".

PART D—AMENDMENT TO PART C

EXTENSION OF FELLOWSHIP PROGRAM

SEC. 531. Section 528 of the Higher Education Act of 1965 is amended by striking out "1971" each time it appears and inserting "1976".

PART E—AMENDMENTS TO PART D (IMPROVING TRAINING OPPORTUNITIES FOR NON-HIGHER EDUCATION PERSONNEL)

SEC. 541. Section 532 of the Higher Education Act of 1965 is amended by striking out "and" after "1969," and inserting before the period at the end thereof the following: ", and such sums as may be necessary for each succeeding fiscal year ending prior to July 1, 1976".

SUPPORT OF VOLUNTEER SERVICE PROGRAM

SEC. 542. Section 531(b) of such Act is amended by striking out the period at the end of paragraph (10) and inserting a semicolon, and by adding the following new paragraph at the end thereof:

"(11) programs or projects to encourage volunteers (including high school and college students) for service as part time tutors or full time instructional assistants in preschool, elementary, and secondary school classes, especially for educationally disadvantaged children;".

COMPENSATION OF TUTORS AND INSTRUCTIONAL ASSISTANTS

SEC. 543. Section 531(c) of such Act is amended by striking out "or" at the end of paragraph (1), by striking out the period at the end of paragarph (2) and inserting a semicolon, and by adding the following new paragraph after paragraph (2):

"(3) compensating tutors and instructional assistants at such rates as the Commissioner may determine to be consistent with the prevailing practices under comparable federally supported work-study programs; or ".

DEVELOPING AND STRENGTHENING PROGRAMS FOR THE EDUCATION OF TEACHERS AND RELATED EDUCATIONAL PERSONNEL

SEC. 544. (a) Section 531(b) of such Act is further amended by adding the following new paragraph at the end thereof:

"(12) programs or projects (including cooperative arrangements or consortia between institutions of higher education and junior and community colleges, or between such institutions and State or local education agencies and nonprofit education associations) for the development, expansion, or improvement of undergraduate programs for preparing educational personnel, including design, development, and evaluation of exemplary undergraduate training programs, introduction of high quality and more effective curriculums and curricular materials, and the provision of increased opportunities for practical teaching experience for prospective teachers in elementary and secondary schools."

(b) Section 531(c) of such Act is further amended by adding the following new paragraph at the end thereof:

"(4) projects or programs to develop, expand, or improve undergraduate and other programs for training educational personnel."

APPLICATION OF PART D TO INDIAN SCHOOLS

SEC. 545. Section 532 of the Higher Education Act of 1965 is amended by inserting "(a)" after "SEC. 532." and by inserting at the end thereof the following new subsection:

"(b) From the sums appropriated pursuant to subsection (a), the Commissioner may also make payments to the Secretary of the Interior to carry out the policy of this part with respect to persons preparing to serve as teachers of individuals on reservations serviced by elementary and secondary schools for Indian children operated or supported by the Department of the Interior. The terms upon which payments for that purpose may be made to the Secretary of the Interior shall be determined pursuant to such criteria as the Commissioner determines will best carry out the policy of this part".

PART F—AMENDMENTS TO PART E (PROGRAMS OF TRAINING FOR HIGHER EDUCATION PERSONNEL)

SEC. 551. Section 543 of the Higher Education Act of 1965 is amended by striking out "and" after "1969," and by inserting before the period at the end thereof the following: ", and such sums as may be necessary for each succeeding fiscal year ending prior to July 1, 1976".

PART G—TRAINING AND DEVELOPMENT OF VOCATIONAL EDUCATION PERSONNEL

SEC. 561. Section 555 of the Higher Education Act of 1965 is amended by striking out "and" after "1971," and by inserting before the period at the end thereof the following: ", and such sums as may be necessary for each succeeding fiscal year ending prior to July 1, 1976".

Mrs. GREEN of Oregon (during the reading). Mr. Chairman, I ask unanimous consent that title V 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 gentlewoman from Oregon?

There was no objection.

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

Mr. Chairman, I will not take the full 5 minutes. Supposedly, a unanimous-consent request will be made later to include a table at this point in the RECORD. I merely want to point out that, while any Member has that privilege, so far as I know there is no certainty that the table to be presented, which may or may not reflect on the votes of a Member, necessarily reflects the situation as it truly existed. So I am not too sure as to what is the value of that table at this point in the RECORD.

AMENDMENT OFFERED BY MR. MEEDS

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

The Clerk read as follows:

Amendment offered by Mr. MEEDS: Page 156, after line 24, insert the following:

FELLOWSHIPS IN SCHOOL NURSING

SEC. 532. Section 521 of the Higher Education Act of 1965 is amended by inserting "school nursing," after "such as library science,".

The CHAIRMAN. The gentleman from Washington is recognized for 5 minutes in support of his amendment.

Mrs. GREEN of Oregon. Mr. Chairman, would the gentleman yield?

Mr. MEEDS. I yield to the gentlewoman from Oregon.

Mrs. GREEN of Oregon. Mr. Chairman, this is an amendment which has been discussed. The minority member, the gentleman from Minnesota (Mr. QUIE) has also looked at this amendment, and it is my understanding that it meets with the gentleman's approval. It certainly meets with my approval, and it is needed because of an oversight. I think it is a good amendment, and should be adopted.

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

Mr. MEEDS. I yield to the gentleman from Minnesota.

Mr. QUIE. Mr. Chairman, I certainly do strongly support the amendment offered by the gentleman from Washington (Mr. MEEDS). It would enable nurses to go into the schools and be eligible for the training, and they are not able to take the training before the nurses' training, so I support the amendment.

Mr. MEEDS. Mr. Chairman, I hope the amendment will be adopted.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington (Mr. MEEDS).

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TITLE VI—EXTENSION OR AMENDMENTS OF CERTAIN OTHER PROVISIONS OF LAW

EXTENSION OF PART A OF TITLE III OF NATIONAL DEFENSE EDUCATION ACT OF 1958

SEC. 601. Section 301 of the National Defense Education Act of 1958 is amended by inserting after "1971," the following: "and for each succeeding fiscal year ending prior to July 1, 1976,", and by striking out "July 1, 1971" and inserting "July 1, 1976".

EXTENSION AND AMENDMENT OF TITLE IV OF THE NATIONAL DEFENSE EDUCATION ACT OF 1958

SEC. 602. (a) The first sentence of section 402(a) of the National Defense Education Act of 1958 is amended by striking out "seven succeeding fiscal years" and inserting in lieu thereof "ten succeeding fiscal years".

(b) Section 403 of such Act is amended to read as follows:

"AWARD OF FELLOWSHIPS AND APPROVAL OF INSTITUTIONS

"SEC. 403. (a) Of the total number of fellowships authorized by section 402(a) to be awarded during a fiscal year (1) not less than one-third shall be awarded to individuals accepted for study in graduate programs approved by the Commissioner under this section, and (2) the remainder shall be awarded on such bases as he may determine, subject to the provisions of subsection (c). The Commissioner shall approve a graduate program of an institution of higher education only upon application by the institution and only upon his finding that the application contains satisfactory assurance that the institution will provide special orientation and practical experiences designed to prepare its fellowship recipients for academic careers at some level of education beyond the high school.

"(b) In determining priorities and procedures for the award of fellowships under this section, the Commissioner shall—

"(1) take into account present and projected needs for highly trained teachers in all areas of education beyond the high school,

"(2) give special attention to those institutions which have developed new doctoral-level programs especially tailored to prepare classroom teachers,

"(3) consider the need to prepare a larger number of teachers and other academic leaders from minority groups, but nothing contained in this clause shall be interpreted to require any educational institution to grant preference or disparate treatment to the members of one minority group on account of an imbalance which may exist with respect to the total number or percentage of persons of that group participating in or receiving the benefits of this program, in comparison with the total number or percentage of persons of that group in any community, State, section, or other area,

"(4) assure that at least one-half of all new fellowship recipients have demonstrated their competence outside of a higher education setting for at least two years subsequent to the completion of their undergraduate studies,

"(5) allow a fellowship recipient to interrupt his studies for up to one year for the purpose of work, travel, or independent study away from the campus, except that no stipend or travel expenses may be paid for such period, and

"(6) seek to achieve a reasonably equitable geographical distribution of graduate programs approved under this section, based upon such factors as student enrollments in institutions of higher education and population.

"(c) Recipients of fellowships under this title shall be persons who are interested in an academic career in educational programs beyond the high school and are pursuing, or intend to pursue, a course of study leading to a degree of doctor of philosophy, doctor of arts, or an equivalent degree.

"(d) No fellowship shall be awarded under this title for study at a school or department of divinity. For the purposes of this subsection, the term 'school or department of divinity means an institution or department or branch of an institution, whose program is specifically for the education of students to prepare them to become ministers of religion or to enter upon some other religious vocation or to prepare them to teach theological subjects."

(c) Section 404(b) of such Act is amended to read as follows:

"(b) The Commissioner shall (in addition to the stipends paid to persons under subsection (a)) pay to the institution of higher education at which such person is pursuing his course of study, in lieu of tuition charged such person, such amounts as the Commissioner may determine to be consistent with prevailing practices under comparable federally supported programs, except that such amount shall not exceed $4,000 per academic year for any such person."

EXTENSION AND EXPANSION OF TITLE VI OF THE NATIONAL DEFENSE EDUCATION ACT

SEC. 603. (a) Section 601(a) of the National Defense Education Act of 1958 is amended to read as follows:

"(a) The Secretary is authorized to make grants to or contracts with institutions of higher education for the purposes of establishing, equipping, and operating graduate and undergraduate centers and programs for the teaching of any modern foreign language, for instruction in other fields needed to provide a full understanding of the areas, regions, or countries in which such language is commonly used, or for research and training in international studies and the international aspects of professional and other fields of study. Any such grant or contract may cover all or part of the cost of the establishment or operation of a center or program, including the costs of faculty, staff, and student travel in foreign areas, regions, or countries, and the costs of travel of foreign scholars to teach or conduct research, and shall be made on such conditions as the Secretary finds necessary to carry out the purposes of this section."

(b) Section 601(b) of such Act is amended to read as follows:

"(b) The Secretary is also authorized to pay stipends to individuals undergoing advanced training in any center or under any program receiving Federal financial assistance under this title, including allowances for dependents and for travel for research and study here and abroad, but only upon reasonable assurance that the recipients of such stipends will, on completion of their training, be available for teaching service in an institution of higher education or elementary or secondary school, or such other service of a public nature as may be permitted in the regulations of the Secretary."

(c) Section 601 of such Act is further amended by adding a new subsection (c), to read as follows:

"(c) No funds may be expended under this title for undergraduate travel except in accordance with rules prescribed by the Secretary setting forth policies and procedures to assure that Federal funds made available for such travel are expended as part of a formal program of supervised study."

(d) Section 603 of such Act is amended by striking out "and" after "1970," and by inserting after "1971," the following: "and such sums as may be necessary for each succeeding fiscal year ending prior to July 1, 1976,".

EXTENSION OF THE INTERNATIONAL EDUCATION ACT OF 1966

SEC. 604. Section 105(a) of the International Education Act of 1966 is amended by striking out "and" after "1968," and by in-

serting after "1971" the following: "and such sums as may be necessary for each succeeding fiscal year ending prior to July 1, 1976,".

EXTENSION OF PROGRAM TO ASSIST INSTITUTIONS IN THE ACQUISITION OF EQUIPMENT

SEC. 605. (a) Section 601(b) of the Higher Education Act of 1965 is amended by striking out "two" and inserting in lieu thereof "seven".

(b) Section 601(c) of such Act is amended by striking out "two succeeding fiscal years" and inserting "seven succeeding fiscal years".

EXTENSION OF NETWORKS FOR KNOWLEDGE PROGRAM

SEC. 606. Section 802 of the Higher Education Act of 1965 is amended by striking out "and" after "1970," and by inserting after "June 30, 1971" the following: ", and such sums as may be necessary for each succeeding fiscal year ending prior to July 1, 1976".

EXTENSION OF PUBLIC SERVICE EDUCATION PROGRAMS

SEC. 607. Section 925 of the Higher Education Act of 1965 is amended by striking out "and" after "1970," and by inserting after "June 30, 1971," the following: "and such sums as may be necessary for each succeeding fiscal year ending prior to July 1, 1976,".

EXTENSION OF PROGRAMS FOR IMPROVEMENT OF GRADUATE EDUCATION

SEC. 609. Section 1002(a) of the Higher Education Act of 1965 is amended by striking out "and" after "1970," and by inserting after "June 30, 1971," the following: "and such sums as may be necessary for each succeeding fiscal year ending prior to July 1, 1976,".

EXTENSION OF LAW SCHOOL CLINICAL EXPERIENCE PROGRAM

SEC. 610. Section 1103 of the Higher Education Act of 1965 is amended by striking out "and" after "1969," and by inserting after "of the fiscal years ending June 30, 1970, and June 30, 1971," the following: "and such sums as may be necessary for each succeeding fiscal year ending prior to July 1, 1976,".

Mrs. GREEN of Oregon (during the reading). Mr. Chairman, I ask unanimous consent that title VI 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 gentlewoman from Oregon?

There was no objection.

AMENDMENT OFFERED BY MR. M'CLORY

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

The Clerk read as follows:

Amendment offered by Mr. McCLORY: Strike lines 3 through line 9 on page 166.

Mr. McCLORY. Mr. Chairman, all that this amendment does is to strike out the provision for the extension of the International Education Act of 1966.

In my opinion, this act should not be extended. It should be reworked and reenacted if we are to have an international education act.

The act has never been funded.

I question seriously that it would be funded and it serves no purpose to extend this.

Actually, the bill provides for unlimited funding because it says the Congress should be authorized to appropriate such funds "as may be necessary" in order to carry out the provisions of this title. I think it would be most unfortunate to include that provision.

While it is estimated on page 88 of the committee report that this program should be funded to the extent of $90 million per year, let me say that this is the kind of extravagance which would bring justifiable criticism to this Congress.

The act itself which I undertook to defeat at the time it was put into law in 1966 was a most unfortunate enactment. It provides for all kinds of travel benefits for those in the higher echelons of education including their families. The act can be used to benefit private agencies, individuals, foreign nationals who may wish to travel, study or do research in this country, and in the most general language would permit benefits to professionals among the academic elite—and would do little or nothing to promote international understanding or any true international education.

Let me say further that this enactment was unfortunate in the first place in that it was promoted essentially by an organization that was itself interested in benefiting from this legislation. Accordingly, it is designed to enhance the interests of the members who lobbied for—and in a sense—drafted this legislation.

I recall meeting the individual who worked on this legislation and who was loaned to the special committee. He came from some organizaion in New York which counts among its membership the very individuals and groups that would benefit from this $90 million per year if we ever would appropriate it—which we will not.

It seems to me folly on our part to engage in this kind of extravagance and in this kind of rhetoric which is really meaningless and which gives an entirely erroneous impression of the Congress and what the Congress intends to do. I hope that this body will undertake to eliminate this from the higher education act.

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

Mr. Chairman, the International Education Act was signed into law in October 1966. The purpose of the act—and I speak as a sponsor, along with my distinguished colleague—the gentleman from Minnesota (Mr. QUIE) on the other side, is perhaps not well represented by its title. For in point of fact, the principal purpose of the International Education Act is not to support education in other countries but to provide funds for the support of international studies and research, at both the undergraduate level and graduate level, at colleges and universities here in the United States.

Now, Mr. Chairman, if we have learned anything in the last several years as we consider the role of the United States in the world, it ought to be that we do not know as much as we ought to know about those other peoples of the world with whom, it is clear, we are going to be dealing for a long time to come.

I think it is significant, for example, that President Nixon has embarked upon an initiative which will take him a few months from now to mainland China. The President's trip is significant for the International Education Act which my friend, the gentleman from Illinois, now proposes to kill. For it ought to be very clear to any commonsense observer that, in the years ahead, we are going to need to know for more than we now know about the 700 to 800 million people of that particular country. Indeed, it was only a few years ago that the most distinguished American expert on China, Mr. John King Fairbank of Harvard, could address an international association of oriental experts and say that we did not then have a half dozen senior scholars in this country who were experts on Vietnam.

All one has to do is to look at the expansion of American business activities overseas to appreciate that the United States is going to be, during the remaining part of this century, much more deeply involved with other countries of the world, not less.

We have expanding responsibilities in terms of our scholarly and academic relationships with other countries and it is clear as well that there will be increasing cooperation across national boundaries to meet some of our most pressing domestic problems, such as pollution, transportation and urban development.

So we need more and better education and other peoples and cultures, not less, and the purpose of the International Education Act is to help our colleges and universities provide that expanded and improved education to America's students.

Mr. Chairman, the International Education Act was put together with strong bipartisan support. The bill enjoyed very strong support in this body, although it even in 1966 had the opposition of my friend, the gentleman from Illinois, as I remember very well.

May I add that there was overwhelming support for the legislation in the other body as well.

Mr. Chairman, this committee should resoundingly reject the amendments of the gentleman from Illinois.

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

The CHAIRMAN. The gentleman from Indiana is recognized.

Mr. LANDGREBE. Mr. Chairman, I yield to the distinguished gentleman from Illinois (Mr. McCLORY).

Mr. McCLORY. I thank the gentleman for yielding.

Mr. Chairman, I want to say in response to the statement made by the gentleman from Indiana (Mr. BRADEMAS) that I am, indeed, very interested in international education. As a matter of fact, I testified before the subcommittee of which he was the chairman in support of an international education program.

The reason that I object to an extension of this act is that I think the act, as it was enacted, is a very bad one. It does a lot more than provide income for American colleges and universities, because it does authorize outlandish expenditures for foreign travel, particularly for the higher echelons, or what I think are called the academic elite. The program as devised by the gentleman from Indiana and his assistant from New York and the organization that assisted him would provide a kind of international organization in which the academic elite would be able to talk to each other. However, very little of the international education would permeate

to our society or our students and citizens.

The program that I recommended to the committee, and to which I think they should have given consideration, would be one that was more at the undergraduate level, and at the secondary school level. I believe firmly that young people through foreign travel and through an expanded education exchange program, can really get to understand the languages, the customs, the habits, and the history of foreign peoples. Through such a carefully planned program we could improve our understanding of the world at large. I am the first to say that we have such a dearth of such knowledge at the present time.

So the program I would recommend, and the one to which I think Congress should give earnest consideration, is a greatly expanded and meaningful one which could develop international understanding and not this type of limited opportunity which only reaches a very few, and which, as I said, provides extravagances of foreign travel, subsistence allowances for not only those who travel abroad but for their families. The bill would deprive the very people who are best able to benefit from a foreign living experience of any real opportunity to gain an understanding of foreign people or foreign nations.

So, in the first place, to expand something which is as poor as this program seems to me to be most unfortunate. We debated this question 5 or 6 years ago, and without the knowledge that we now have. To consider appropriating $90 million for this purpose I think is most unfortunate and most regrettable at a time when we should be providing funds for more useful purposes.

I should add in closing that the International Education Act was passed on the Suspension Calendar—without full debate. It passed by a margin of two or three votes. It is so much in need of general overhauling that I do not believe the sponsor dares to bring the measure to the floor—except in the way it appears in this bill.

I thank the gentleman for yielding.

Mr. THOMPSON of New Jersey. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman and members of the Committee, I hope, as expressed by my colleague from Indiana (Mr. BRADEMAS) that this amendment will be rather decisively defeated. It seems to me the argument of the gentleman from Illinois is, to put it charitably, not well constructed when he says in one sentence that we have nothing and then he wants to repeal that nothing.

Well, we do indeed and in fact have nothing, and I am not persuaded by the argument that this program should be reconsidered and perhaps reduced to the secondary school and undergraduate level, when anybody who is familiar with the degree of sophistication required in international education, I think, should recognize the needs for the study at the graduate level.

Actually the tragedy in this instance is that we have not yet succeeded in funding the International Education Act, although a great many of us have high hopes that it will be funded. It should, therefore, in my judgment be left in the bill and the amendment should be defeated.

Mrs. GREEN of Oregon. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to the gentlewoman from Oregon.

Mrs. GREEN of Oregon. Mr. Chairman, I asked the gentleman to yield to see if we can arrive at a time to close debate on this. If I may say so, I hope we will be able to finish debate this afternoon and then get to title VIII and then allow the Members to keep their many commitments.

Could we close debate on this amendment in 10 minutes or in 5 minutes?

Mr. Chairman, I ask unanimous consent that all debate on this amendment close in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Oregon?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota (Mr. QUIE).

Mr. QUIE. Mr. Chairman, I oppose the amendment offered by the gentleman from Illinois. I strongly favor the International Education Act and have for a long time. It grieves me that we have not put any money into it. If there is anything wrong with it, we ought to have amendments to change it rather than a motion to strike it out. I think it is extremely shortsighted if we do not do everything we can to build international understanding among the peoples of the world, because the world is going to get smaller, and we, as Americans, just do not have enough understanding of other peoples of the world. I think it ought to be a program not just for diplomats, but for everybody who goes to an institution of higher learning and then goes into his chosen profession. He ought to have an understanding of peoples of other cultures. They are studying some things we never even get to. I think it would be to our advantage to have Americans understand better the peoples of the rest of the world.

The CHAIRMAN. The Chair recognizes the gentleman from Washington (Mr. MCCORMACK).

Mr. MCCORMACK. Mr. Chairman, I certainly agree with the comments of the previous speaker. To say this study should be only at the secondary or undergraduate level is not suitable for this type of education. I think it would be unfortunate indeed to sacrifice this program now, simply because we are not satisfied with the past performance.

Mr. Chairman, I hope this amendment will be defeated.

The CHAIRMAN. The Chair recognizes the gentleman from California (Mr. CORMAN).

Mr. CORMAN. Mr. Chairman, I urge defeat of the amendment.

Mr. Chairman, I rise in opposition to Mr. MCCLORY's motion to strike funds for the International Education Act.

On September 16, 1965, President Johnson in a speech commemorating the bicentennial celebration of the Smithsonian Institution promised to place before Congress in the following year a comprehensive program of international education, designed to improve the competence of U.S. educational institutions in the field of international studies and to aid the education efforts of developing nations. In setting forth his concept of the new program, the President stated that:

> The growth and the spread of learning must be the first work of a nation that seeks to be free.

In presenting his program to the Congress 4 months later, the President declared that international education cannot be the work of one country. It is the responsibility and promise of all nations. It calls for free exchange and full collaboration.

The aim of this program is today as it was 5 years ago to strengthen our capacity for international educational cooperation; to stimulate exchange with students and teachers of other lands; to assist the progress of education in developing nations; to build new bridges of international understanding.

Though the aim of this legislation has remained the same over the past 5 years, the need for its enactment is greater than it has ever been. Through the marvels of satellites and mass communication, people in all parts of the world are instantly informed of news events that are occurring on the other side of the globe. The development of the jet age allows us to board a giant 747 and touch down on foreign soil thousands of miles away in a matter of hours. As the world continues to become smaller and contact between people of all nationalities increases daily, the need for international understanding becomes undeniable.

Schooled in the grief of war, we know certain truths are self-evident in every nation on this earth:

Ideas, not armaments, will shape our lasting prospects for peace.

The conduct of foreign policy will advance no faster than the curriculum of our classrooms.

The knowledge of our citizens is one treasure which grows only when it is shared.

It is for these reasons that I urge my colleagues to vote in favor of funding the International Education Act.

Thank you.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois (Mr. MCCLORY).

Mr. MCCLORY. Mr. Chairman, I want to say I am very much interested in international education. However, I believe if it were not for the title of this particular act it would not have much support here at all. Frankly, it does not provide much in the way of international education. It has never been funded. I question whether it ever will be funded.

I believe the intelligent thing for us to do would be to discard this pretense at international education, which has never been funded nor implemented, and go back to work on a real international education act which could fulfill all of the hopes which the gentleman from Minnesota (Mr. QUIE) and others have expressed. I would be glad to work with them and help them to get the funds necessary for such a vital program, but I

am against the funding of this particular program.

The CHAIRMAN. The Chair recognizes the gentleman from Indiana (Mr. BRADEMAS).

Mr. BRADEMAS. Mr. Chairman, as I listen to the words of the gentleman from Illinois, I think it is clear that he has a misconception of the purpose of the International Education Act.

Its purpose is to provide funds for colleges and universities here in the United States, in every State in the Union, to strengthen international studies and research at the undergraduate and graduate levels.

The gentleman from Illinois, if I recall correctly his statements of 1966, was interested in promoting an international literacy program. There may be something to be said for such an effort, but that is not the purpose of the International Education Act. I hope the gentleman's amendment will be rejected.

The CHAIRMAN. The Chair recognizes, to close debate on this amendment, the gentlewoman from Oregon (Mrs. GREEN).

Mrs. GREEN of Oregon. Mr. Chairman, we would be glad to work with the gentleman from Illinois in improving the International Education Act. It may seem very trite, but it seems to me nevertheless accurate that the dollars we would spend to build bridges of understanding will be dollars we will save in not having to spend them on military armaments.

I hope the amendment will be defeated.

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

The question was taken; and on a division (demanded by Mr. MCCLORY) there were—ayes 18, noes 77.

So the amendment was rejected.

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

Mr. Chairman, I take this time to ask the distinguished gentlewoman from Oregon or some other Member of the committee what this item is about: "Extension of Networks for Knowledge Program"? What is a "For Knowledge" program? What is supposed to be accomplished under that title?

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

Mr. GROSS. I am glad to yield to the gentleman from Indiana.

Mr. BRADEMAS. The networks for knowledge program is nothing more than an authority that would make it possible for colleges and universities to cooperate with one another in the use of television networks, computer programs, in order to more efficiently use scarce economic and other resources.

The program has, to my distress, although perhaps not to the distress of my friend from Iowa, never been funded, but it is a program that has enjoyed bipartisan support on the Committee on Education and Labor.

Mr. GROSS. It is a nice, euphonious title, is it not?

Mr. BRADEMAS. It is not the title inflicted upon it by the gentleman from Indiana, he must say to the gentleman from Iowa. However, the gentleman from Indiana thinks it is a good program and hopes some day it will be funded.

Mr. GROSS. The gentlewoman from Oregon just said the international education program would build bridges to understanding. It is my understanding we have spent more than $200 billion trying to build "international bridges" through foreign aid, and I do not think that has provided even one solid plank in the bridge of international understanding. What makes the gentlewoman think that the international education program is going to do any better than has been done with all the other costly programs in the past?

Mrs. GREEN of Oregon. Well, if my friend and colleague will yield, I probably would prefer to answer that question by asking another question, which is, how we have really done much toward building peace by spending $100 billion in Southeast Asia. The programs do not always come out the way we want them to come out.

Mr. GROSS. But still we keep them on the books even though they are unfunded and nobody pays any attention to them. We still clutter up legislation with titles of that kind. Is that not right? And is it not also true that the United Nations just burned a bridge, and a big one to international understanding when it expelled Nationalist China from the Tower of Babel?

Mrs. GREEN of Oregon. I appreciate the gentleman's rhetorical question, but I am sure he does not expect an answer.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TITLE VII—HIGHER EDUCATION FACILITIES

PART A—EXTENSION AND AMENDMENT OF HIGHER EDUCATION FACILITIES ACT OF 1963

EXTENSION OF UNDERGRADUATE FACILITIES CONSTRUCTION GRANT PROGRAM

SEC. 701. (a) Section 101(b) of the Higher Education Facilities Act of 1963 is amended (1) by striking out "and" after "1968," and inserting after "1971," the following: "and such sums as may be necessary for each succeeding fiscal year ending prior to July 1, 1976,", and (2) by striking out the second sentence thereof.

(b) Section 105(b) of such Act is amended by striking out "and" after "1966," and by inserting after "succeeding fiscal years" the following: ", and such sums as may be necessary for each succeeding fiscal year ending before July 1, 1976,".

EDUCATIONAL TELEVISION FACILITIES

SEC. 702. Section 106 of the Higher Education Facilities Act of 1963 is amended by inserting after the words "construction of an academic facility" the following: ", including educational television facilities on and off campus," and striking out "on the campus of such institution" wherever it appears.

EXTENSION OF GRADUATE FACILITIES CONSTRUCTION GRANT PROGRAM

SEC. 703. Section 201 of the Higher Education Facilities Act of 1963 is amended (1) by striking out "and" after "1967," and inserting after "1971" the following: ", and such sums as may be necessary for each succeeding fiscal year ending prior to July 1, 1976," and (2) by striking out the third sentence thereof.

EXTENSION OF CONSTRUCTION LOANS AND ANNUAL INTEREST GRANT PROGRAMS

SEC. 704. Section 303(c) of the Higher Education Facilities Act of 1963 is amended (1) by striking out "and" after "1967," and inserting after "1971" the following: ", and such sums as may be necessary for each succeeding fiscal year ending prior to July 1, 1976," and (2) by striking out the third sentence therof.

ARCHITECTURAL AND DESIGN STANDARDS

SEC. 705. The last sentence of section 401(a)(1) of the Higher Education Facilities Act of 1963 is amended by inserting after "Act" the following: "(1) have due consideration for excellence of architecture and design consistent with economical construction, and (2)".

AUTHORIZING THE SECRETARY FOR GOOD CAUSE TO RELEASE AN INSTITUTION FROM ITS OBLIGATION TO USE A FACILITY FOR TWENTY YEARS FOR THE PURPOSES FOR WHICH CONSTRUCTED

SEC. 706. Section 404(b) of the Higher Education Facilities Act of 1963 is amended by inserting "unless the Secretary determines that there is good cause for releasing the institution from its obligation" immediately after "section 401(a)(2),".

PROHIBITION ON USE OF FACILITIES FOR RELIGIOUS PURPOSES

SEC. 707. Section 404 of the Higher Education Facilities Act of 1963 is amended by adding at the end thereof the following new subsection:

"(c) Notwithstanding the provisions of subsections (a) and (b), no facility constructed with assistance under titles I and II of this Act shall ever be used for religious worship or sectarian instruction or for a school or department of divinity."

PART B—NEW PROGRAM OF INSURED LOANS FOR CONSTRUCTION OF NONPROFIT PRIVATE ACADEMIC FACILITIES

SEC. 711. Title III of the Higher Education Facilities Act of 1963 is amended by inserting immediately after section 306 the following:

"ACADEMIC FACILITIES LOAN INSURANCE

"SEC. 307. (a) In order to assist nonprofit private institutions of higher education and nonprofit private higher education building agencies to procure loans for the construction of academic facilities, the Commissioner may insure the payments of interest and principal on such loans if such institutions and agencies meet, with respect to such loans, criteria prescribed by or under section 306 for the making of annual interest grants under such section.

"(b) No loan insurance under subsection (a) may apply to so much of the principal amount of any loan as exceeds 90 per centum of the development cost of the academic facility with respect to which such loan was made.

"RIGHT OF RECOVERY AND INCONTESTABLE NATURE OF INSURANCE

"SEC. 308. (a) The United States shall be entitled to recover from any institution or agency to which loan insurance has been issued under section 307 the amount of any payment made pursuant to that insurance, unless the Commissioner for good cause waives its right of recovery. Upon making any such payment, the United States shall be subrogated to all of the rights of the recipient of the payment with respect to which the payment was made.

"(b) Any insurance issued by the Commissioner pursuant to section 307 shall be incontestable in the hands of the institution or agency on whose behalf such insurance is issued, and as to any agency, organization, or individual who makes or contracts to make a loan to such institution or agency in reliance thereon, except for fraud or misrepresentation on the part of such institution or agency or on the part of the agency, organization, or individual who makes or contracts to make such loan.

"CONDITIONS

SEC. 309. Insurance may be issued by the Commissioner under section 307 only if he

determines that the terms, conditions, maturity, security (if any), and schedule and amounts of repayments with respect to the loan are sufficient to protect the financial interests of the United States and are otherwise reasonable and in accord with regulations, including a determination that the rate of interest does not exceed such per centum per annum on the principal obligation outstanding as the Commissioner determines to be reasonable, taking into account the range of interest rates prevailing in the private market for similar loans and the risks assumed by the United States. The Commissioner may charge a premium for such insurance in an amount reasonably determined by him to be necessary to cover administrative expenses and probable losses under section 307 and 308. Such insurance shall be subject to such further terms and conditions as the Commissioner determines to be necessary."

MAKING REVOLVING LOAN FUND AVAILABLE FOR LOAN INSURANCE

SEC. 712. (a) Section 305 of such Act is amended—

(1) by striking out the heading therefor and inserting "Revolving Loan and Insurance Fund" in lieu thereof;

(2) by inserting "and loan insurance" immediately after "academic facilities loans" in the first sentence thereof; and

(3) by inserting "or loan insurance" immediately following "any loans" in the second sentence thereof. (b) Section 303(c) of such Act is amended—

(1) by inserting "and may insure loans" immediately after "academic facilities" in the first sentence thereof; and

(2) by inserting "and for insurance" immediately after "for loans" in the last sentence thereof.

EFFECTIVE DATE

SEC. 713. The amendments made by section 711 shall be effective July 1, 1972, and the amendments made by section 712 shall be effective as if enacted on the date of enactment of section 305 of such Higher Education Facilities Act of 1963.

PART C—GUARANTEE OF LOANS FOR EDUCATIONAL DELIVERY SYSTEMS

SEC. 721. Title III of the Higher Education Facilities Act of 1963 is amended by adding at the end thereof the following new section:

"GUARANTEE OF LOANS FOR EDUCATIONAL DELIVERY SYSTEMS

"SEC. 310. (a) To encourage institutions of higher education to develop and use educational delivery systems which, through technological means, permit carrying on educational programs of the institution in locations away from the campus and out of the presence of the institution's instructional personnel, the Secretary may guarantee, in accordance with the provisions of this section, the payment of the principal and accrued interest on loans made to eligible borrowers (as defined in subsection (k)) to acquire, install, and operate such systems.

"(b) A loan may be guaranteed under this section only if—

"(1) the loan is evidenced by a written agreement which provides (A) for repayment of the principal amount of the loan, together with interest thereon, over a period of not more than ten years beginning two years after the date the loan is made, (B) that repayment of the principal amount of the loan, and of interest thereon, will be required to be made only from the proceeds of those charges (in excess of regular tuition and fees) made for the use of the educational delivery system, (C) that the lender has a security interest (of such character as may be prescribed by the Secretary) in the facilities acquired with the proceeds of the loan or with charges made for the use of such system, (D) the borrower may accelerate without penalty the repayment of all or any part of the loan, and (E) such other terms and conditions as the Secretary may deem necessary to protect the financial interests of the United States,

"(2) the principal amount of the loan (together with the principal amount of any prior loans to the same eligible borrower guaranteed under this section) does not exceed $1,000,000 for such institution which is a participant in the system,

"(3) the Secretary has received assurances satisfactory to him (A) that, where the system requires the use of the frequency spectrum under the jurisdiction of the Federal Communications Commission, that Commission has issued, or will issue, the required licenses, and (B) that charges to users of the system (in excess of any charges for tuition and fees) will be sufficient to assure repayment of the loan,

"(4) the written agreement evidencing such loan contains such additional terms and conditions as the Secretary may prescribe, and

"(5) the Secretary has received assurances satisfactory to him that the use of the educational delivery system will be made available on reasonable terms and conditions to all institutions of higher education desiring to participate in its use.

"(c) The total unpaid principal amount of outstanding loans which may be guaranteed by the Secretary under this section shall not exceed $100,000,000.

"(d) Upon default by the borrower on any loan guaranteed under this section, and prior to the commencement by the lender of suit or other enforcement proceedings upon security for that loan, the lender shall promptly notify the Secretary, and the Secretary shall, if requested (at that time or after further collection efforts) by the lender, or may on his own motion, pay to the lender the amount of the loss he sustained upon that loan as soon as that amount has been determined: *Provided*, That the Secretary may decline to pay all or part of the amount of the loss if he determines the lender has failed to exercise reasonable care and diligence in the collection of the loan. The 'amount of the loss' on any loan shall, for purposes of this subsection and subsection (e), be deemed to be an amount equal to the unpaid balance of the principal amount of the loan, plus interest accrued thereon and unpaid at the time of the default.

"(e) Upon payment by the Secretary of the amount of the loss pursuant to subsection (d), the United States shall be subrogated to all of the rights of the lender under the guaranteed loan and shall be entitled to an assignment by the lender of the note or other written evidence of such loan. If the net recovery made by the Secretary on a loan after deduction of the cost of that recovery (including reasonable administrative costs) exceeds the amount of the loss, the excess shall be paid to the lender. In addition the Secretary shall, subject to the provisions of the Communications Act of 1934, be entitled to an assignment of all rights of the lender and the borrower under any licenses and construction permits issued for the use of the educational delivery system.

"(f) Nothing in this section shall be construed to preclude any forbearance for the benefit of the borrower which may be agreed upon by the parties to the guaranteed loan and approved by the Secretary, or to preclude forbearance by the Secretary in the enforcement of the obligation under the loan after payment on account of that guarantee.

"(g) Nothing in this section shall be construed to excuse the holder of a loan guaranteed under this section from exercising reasonable care and diligence in the making and collection of such loans.

"(h) For purposes of this section, the term 'default' means a failure of a borrower under a loan guaranteed under this section to carry out any of his obligations under the terms of the loan.

"(i) There is hereby established a loan guarantee fund (hereinafter in this section referred to as the 'fund') which shall be available without fiscal year limitation to the Secretary to enable him to discharge his responsibilities on account of guarantees made under this section. There are authorized to be appropriated to the fund such amounts as may be necessary to carry out this section. Any amounts received by the Secretary in carrying out his responsibilities under this section shall be deposited in the fund.

"(j) If at any time the moneys in the fund are insufficient to enable the Secretary to discharge his responsibilities under this section, he is authorized to issue to the Secretary of the Treasury notes or other obligations in such forms and denominations, bearing such maturities and subject to such terms and conditions, as may be prescribed by the Secretary with the approval of the Secretary of the Treasury. Such notes or obligations shall bear interest at a rate determined by the Secretary of the Treasury, taking into consideration the current average market yield on outstanding marketable obligations of the United States of comparable maturities during the month preceding the issuance of the notes or other obligations. The Secretary of the Treasury is authorized and directed to purchase any notes or other obligations issued hereunder, and for that purpose he is authorized to use as a public debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, and the purposes for which securities may be issued under that Act are extended to include any purchase of such notes or obligations. The Secretary of the Treasury may at any time sell any of the notes or other obligations acquired by him under this subsection. All redemptions, purchases, and sales by the Secretary of the Treasury of such notes or other obligations shall be treated as public debt transactions of the United States. Sums borrowed under this subsection shall be deposited in the fund and redemption of such notes or other obligations shall be made by the Secretary from the fund.

"(k) For purposes of this section—

"(1) The term 'eligible borrower' means an institution of higher education or a nonprofit organization established and operated with the active participation of one or more institutions of higher education for the sole purpose of acquiring, installing, or operating an educational delivery system.

"(2) The terms 'acquiring' and 'installing' mean the procurement and placement in position for service (including planning therefor) of the technological facilities and equipment needed for the operation of the educational delivery system, including any new or remodeled facilities and equipment required by the system for the production, processing, and transmission of electronic signals. Such terms include the construction or repair of facilities needed to house equipment, and space, facilities, and equipment at receiving installations, except where such receiving installations are equipped and operated by an eligible borrower as a part of a 'remote' campus, distributing, or displaying educational materials (whether in an electronic manner, or otherwise).

"(3) The term 'operating' means the use of services of staff and technical personnel, the acquisition of necessary supplies, the maintenance of a debt service reserve, and other activities necessary to operate the educational delivery system, but does not include the provision of educational services.

"(4) The term 'educational delivery system' includes any system which by technological means, enables a teaching classroom to be extended to reach students in remote locations, and, specifically, includes a telecommunication system which provides a network of communications via electronic

means over distance, including radio and television in broadcast, closed-circuit, or point-to-point service, data transmission, computers, and other electronic devices involving the use of the electromagnetic spectrum and including apparatus necessary for the production and processing of such electronic transmissions such as audio or video recording equipment, cameras, microphones, control consoles, microwave equipment, transmitters, towers, translators and repeaters, but does not include the apparatus required for reception, distribution at the receiving installation, or display of signals so transmitted."

Mrs. GREEN of Oregon (during the reading). Mr. Chairman, I ask unanimous consent that title VII 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 gentlewoman from Oregon?

There was no objection.

POINT OF ORDER

Mr. BOW. Mr. Chairman, I make a point of order against lines 5 through 19 on page 173 on the ground that it constitutes an appropriation of the revenue of the support of the Government which falls within the jurisdiction of the Committee on Appropriations under the provisions of rule 11, clause 2.

Now, under the rule, if adopted, there is a waiver of appropriations under clause 4 of rule 21 and clause 7 of rule 16. However, under the rule to which I refer, which gives the Committee on Appropriations the jurisdiction to appropriate revenue for the support of the Government, it is not waived and the rule under which we are now working provides that "all titles, parts, or sections of the said substitute, the subject matter of which is properly within the jurisdiction of any other standing committee of the House of Representatives, shall be subject to a point of order for such reason if such point of order is properly raised during the consideration of H.R. 7248."

This is not a transfer of funds. This is the incorporation of a revolving fund into an insurance fund. This is properly within the jurisdiction of the Appropriations Committee.

Under the rule under which we are operating, although they have waived some of the rules on appropriations, there was no waiver of rule XI, clause 2.

Therefore, Mr. Chairman, I insist upon my point of order providing for the jurisdiction of the Appropriations Committee.

The CHAIRMAN (Mr. WRIGHT). Does any other Member desire to be heard on the point of order?

If not, the Chair is prepared to rule.

It is quite true as the gentleman from Ohio points out that the rule under which this bill is being considered expressly makes in order any point of order against any title, part, or section of the committee substitute which falls properly within the jurisdiction of any other standing committee of the House of Representatives.

The Chair has referred to rule XI(2)(a) to which the gentleman from Ohio makes reference and in which jurisdiction over certain matters is given to the Committee on Appropriations.

Subparagraph (a) the Chair observes that the Committee on Appropriations is to be given jurisdiction over the appropriation of the revenues for the support of the Government. It appears to the Chair that the language in the section under dispute, section 712, refers not to an appropriation of revenues, but to a use of revenues which already have been appropriated and that the reappropriation of these revenues would not fall within the exclusive jurisdiction of the Committee on Appropriations. For those reasons, the Chair is constrained to overrule the point of order.

The point of order is overruled.

POINT OF ORDER

Mr. STAGGERS. Mr. Chairman, I make a point of order against section 702 beginning with line 19 on page 168 down through line 2 on page 169 and against part C of title VII beginning with line 3 on page 174 down through line 13 on page 181 of H.R. 7248, as reported.

Mrs. GREEN of Oregon. Would the gentleman be willing to make those points of order separately?

Mr. STAGGERS. I certainly would; surely.

Mrs. GREEN of Oregon. Mr. Chairman, I concede the first point of order.

The CHAIRMAN (Mr. WRIGHT). The gentlewoman from Oregon concedes the point of order offered by the gentleman from West Virginia against the language in section 702 of the committee substitute? Is that the understanding of the Chair? Section 702, the language beginning on line 20 on page 168 and concluding on line 2 on page 169?

Mr. STAGGERS. That would be my understanding.

The CHAIRMAN. Is that the understanding of the gentlewoman from Oregon?

Mrs. GREEN of Oregon. That is, Mr. Chairman.

Mr. GROSS. Mr. Chairman, the gentleman from West Virginia specified line 19 on page 168.

The CHAIRMAN. The Chair stands corrected. The gentleman from Iowa is eminently correct.

Does the gentleman from West Virginia desire to be heard?

Mr. STAGGERS. I do on the second part.

The CHAIRMAN (Mr. WRIGHT). On the first point of order, if no other Member desires to be heard, the point of order is conceded by the gentlewoman from Oregon and the Chair sustains the point of order.

The point of order, therefore, against section 702, beginning with line 19 on page 168 and concluding with line 2 on page 169 is sustained and the language referred to therein is stricken from the committee substitute.

POINT OF ORDER

Mr. STAGGERS. Mr. Chairman, part C of title VII would provide for loan guarantees for educational delivery systems. To show the nature of those systems, I would refer the Members to section 310(b)(3)—page 175, beginning at line 19—which refers to instances where these delivery systems may require licenses issued by the Federal Communications Commission and to the definition of "educational delivery system" in section 310(k)(4)—appearing at page 180, beginning line 23—where these systems are defined to include telecommunications systems, and radio and television broadcast systems.

Mr. Chairman, I would also point out to the Members that the jurisdiction of the Interstate and Foreign Commerce Committee, insofar as educational broadcasting facilities are concerned, has not laid fallow. In support of this statement I would point to the provisions of subpart A of part IV of title III of the Communications Act of 1934 which provides for grants for educational radio and television broadcasting facilities.

These provisions were originally enacted in 1962 and have been amended at least twice since that time. Since enactment of the Educational Radio and Television Broadcasting Facilities Act of 1962, over $100 million has been authorized to be appropriated for the construction of such facilities.

For these reasons, Mr. Chairman, I think that the point of order lies on this portion.

The CHAIRMAN. Does the gentleman from Oregon desire to be heard?

Mr. DELLENBACK. Mr. Chairman, I would like to be heard.

Mr. Chairman, with the severance of the two points of order that our esteemed colleague, the gentleman from West Virginia (Mr. STAGGERS) was originally making, I rise to oppose only the second point of order since the Chair has already ruled on the first.

Like the chairman of our subcommittee, I feel section 702 was thoroughly subject to this particular point of order. But when we deal with part C it seems to me we are dealing with a very different thing. First of all, there is no attempt in part C to amend any statute which is within the jurisdiction of the Committee on Interstate and Foreign Commerce. There is reference on the bottom of page 175, as my good friend has made clear, to the Federal Communications Commission. But if you look at the language of that reference there is no attempt there to change the powers of the Commission, and there is no attempt here to amend any law whatsoever; there is merely a reference to a situation which might possibly exist. It makes clear that where the system requires the use of the frequency spectrum under jurisdiction of the FCC, that Commission will issue the required license, and so on.

So far as that is concerned, of course, any laws that affect the powers of the FCC and any laws that affect the licenses are not within the jurisdiction of the Committee on Education and Labor, but there is no attempt to deal with such laws.

The basic sweep of this particular part C does not go, as you see, to the amendment of any such statutes, and it does not deal with just such a subject as television, but where they are talking about the possible use of tape recorders or talking about the possible use of computer hookups, or talking about a television license, but not dealing with the control of those licenses, but merely dealing with the utilization of telephone lines. And we have hosts of bills which deal with

the utilization of equipment that is affected by other statutes than the statute before this body, that provide them, or before another committee.

So, Mr. Chairman, I would say that we are not here dealing with the amendment of any statute within the control of the Committee on Interstate and Foreign Commerce, that we are merely striving to make available to educational institutions throughout the country the broad sweep of potential equipment and assistance which will aid in the educational processes with which the institutions applying for loans are properly concerned, and with which this committee is properly concerned. And that is all that part C deals with.

The CHAIRMAN (Mr. WRIGHT). The Chair is prepared to rule.

The gentleman from West Virginia (Mr. STAGGERS) has raised a point of order against section 721 of title VII beginning on page 174, line 3, through page 181, line 13, on the ground that the subject matter of this section is within the jurisdiction of the Committee on Interstate and Foreign Commerce and not that of the Committee on Education and Labor.

Section 721 in the present bill would add a new section to title III of the Higher Education Facilities Act of 1963 to authorize the Secretary of Health, Education, and Welfare to guarantee loans to institutions of higher education and related nonprofit corporations for development and use of educational delivery systems to transmit what takes place in a classroom and on the campus to remote locations on or off the campus.

The Chair observes that on pages 180 and 181 the educational delivery system is so designed as to include a telecommunication system which provides a network of communications via electronic means over distances, and includes radio and television and other electronic devices.

The Chair notes that while the Higher Education Facilities Act of 1963, and amendments thereto, have been reported by the Committee on Education and Labor, that committee in section 721 of the present bill is attempting to add a completely new section to that act to incorporate therein a subject which has heretofore been within the jurisdiction of the Committee on Interstate and Foreign Commerce—that subject being the approval, installation, and operation of broadcasting facilities.

Clause 12(g) of rule XI confers upon the Committee on Interstate and Foreign Commerce jurisdiction over the regulation of interstate and foreign communications. Under that clause, the Committee on Interstate and Foreign Commerce has considered legislation authorizing grants for noncommercial educational broadcasting facilities to public institutions of higher education.

As the gentleman from West Virginia has stated, the original legislation enacted in 1962, and subsequent amendments thereto, were reported by the Committee on Interstate and Foreign Commerce.

Therefore, the Chair holds that the subject of Federal loans for television facilities on and off campus for institutions of higher education is within the jurisdiction of the Committee on Interstate and Foreign Commerce.

The Chair therefore sustains the point of order and the language identified in the point of order is stricken from the committee amendment.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TITLE VIII—HIGHER EDUCATION GENERAL ASSISTANCE

SEC. 801. The Higher Education Act of 1965 is amended by inserting after title XI the following new title:

"TITLE XII—GENERAL ASSISTANCE FOR HIGHER EDUCATION

"PART A—INSTITUTIONAL ASSISTANCE

"FINDINGS AND DECLARATION OF PURPOSE

"SEC. 1201. The Congress hereby finds and declares that an emergency condition has arisen which threatens the continued ability of many institutions of higher education to provide the education necessary to enable our citizens to make their full contribution to the Nation's economic and cultural development. It is therefore the purpose of this part to meet this critical need through general assistance from the Federal Government as provided in this part.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 1202. There is hereby authorized to be appropriated for the fiscal year 1972 and each succeeding fiscal year ending prior to July 1, 1976, to carry out the program of assistance to institutions of higher education under this part, an amount equal to the aggregate amount determined for all institutions of higher education for that year under paragraphs (2) and (3) of section 1203 (a). Of the amount so appropriated for a fiscal year, two-thirds shall be available only for general education assistance grants under section 1203(a) and one-third shall be available only for cost of education grants under section 1203(b).

"ASSISTANCE

"SEC. 1203. (a)(1). From two-thirds of the sums appropriated under section 1202 for a fiscal year, the Commissioner shall make a general assistance grant for such fiscal year to each institution of higher education in an amount not exceeding that applied for by such institution or in an amount determined under paragraphs (2) and (3), whichever is the lesser. Such a grant may be made only if any application therefor has been approved in accordance with section 1204.

"(2) Subject to paragraph (4), the amount of the grant to which an institution is entitled under this subsection for a fiscal year shall be the aggregate of—

"(A) the product obtained by multiplying $100 times the full-time enrollment (including the full-time equivalent of the part-time enrollment for credit) of students in the lower division of the institution defined as the first two academic years of instruction at the baccalaureate level,

"(B) the product obtained by multiplying $150 times the full-time enrollment (including the full-time equivalent of the part-time enrollment for credit) of students in the upper division of the institution defined as the last two academic years of instruction at the baccalaureate level in an institution awarding such degrees, and

"(C) the product obtained by multiplying $200 times the full-time enrollment (including the full-time equivalent of the part-time enrollment for credit) of students who are pursuing a program of postbaccalaureate study.

"(3) Subject to paragraph (4), in addition to the amounts to be paid under paragraph (2), an institution shall be entitled to an additional $300 for each of 200 students and an additional $200 for each 100 additional students of the total full-time enrollment of such institution.

"(4) If two-thirds of the sums appropriated for any fiscal year for making grants under this part are not sufficient to pay in full the total amounts that all institutions of higher education are entitled to receive under this subsection, the grant to each such institution shall be an amount which bears the same ratio to the amount to which it is entitled under this subsection as two-thirds of the sums so appropriated bears to the total amount all institutions are entitled to receive under this subsection.

"(5) Determination of enrollment under this subsection shall be made on the basis of credits earned by students at the institutions during the academic year ending during the second fiscal year preceding the fiscal year for which the determination is made. The Commissioner shall by regulation prescribe (1) the number of earned credits which constitute enrollment on a full-time basis, and (2) a definition of 'credit' to be used for such determinations which shall be substantially uniform for all institutions.

"(b)(1) From one-third of the sums appropriated under section 1202 for any fiscal year, the Commissioner shall, subject to paragraph (2), make a grant to each institution of higher education in an amount equal to 38 per centum of the aggregate of educational opportunity grants and work-study payments under title IV of this Act and loans under title II of the National Defense Education Act of 1958 made for such year to students who are enrolled in such institution, except that—

"(A) such grant shall be equal to 50 per centum of such aggregate if the number of full-time students, and the full-time equivalent of the number of part-time students, enrolled in such institution during the most recent academic year ending prior to such fiscal year did not exceed one thousand,

"(B) such grant shall be equal to 46 per centum of such aggregate if the number of full-time students, and the full-time equivalent of the number of part-time students, enrolled in such institution during the most recent academic year ending prior to such fiscal year exceeded one thousand, but did not exceed three thousand, and

"(C) such grant shall be equal to 42 per centum of such aggregate if the number of full-time students, and the full-time equivalent of the number of part-time students, enrolled in such institution during the most recent academic year ending prior to such fiscal year exceeded three thousand, but did not exceed ten thousand.

"(2) If one-third of the sums appropriated for any fiscal year for making grants under this part are more than or less than the amount necessary to pay in full the total amounts that all institutions of higher education are entitled to receive under this subsection, the grant to each such institution shall be an amount which bears the same ratio to the amount to which it is entitled under this subsection as one-third of the sums so appropriated bears to the total amounts all institutions are entitled to receive under this subsection.

"APPLICATIONS

"SEC. 1204. An institution of higher education may receive a grant under this part only if it submits an application therefor at such time and in such manner as the Commissioner shall prescribe by regulations. The application may be approved if the Commissioner determines that the application—

"(1) describes general educational goals and specific objectives of the institution and the amount of institutional income needed to meet such goals and objectives,

"(2) provides satisfactory assurance that—

"(A) the proceeds of the grant will be used for programs of the applicant institution consistent with such goals and objectives,

"(B) the applicant will expend during the fiscal year for which the grant is requested (from funds other than funds received under this part) for all educationally related programs of such institution an amount not less than the average annual amount it expended for such programs the two fiscal years preceding the fiscal year for which the grant is requested, and

"(C) the applicant will make such reports as the Commissioner may require, including a summary report describing how the grant was expended and an evaluation of its effectiveness; and

"(3) contains such provisions as the Commissioner may require by regulation in order to protect the financial interest of the United States.

The Commissioner may waive the requirements of paragraph (2)(B) for any institution for any fiscal year if he determines such waiver would promote the purposes of this part.

"REPORT BY COMMISSIONER TO CONGRESS

"SEC. 1205. The Commissioner shall report to Congress within 120 days after the close of each fiscal year regarding the effectiveness of assistance under this part in meeting the goals and objectives of institutions of higher education and in encouraging diversity and autonomy among such institutions. The Commissioner shall also make such recommendations as seem appropriate regarding continuation, modification or extension of assistance under this part.

"LIMITATIONS

"SEC. 1206. No grant under this part may be made to, or used to support, a school or department of divinity or for religious worship or sectarian instruction. For purposes of this section, the term 'school or department of divinity' means an institution or department or branch of an institution whose program is specifically for the education of students to prepare them to be ministers of religion or to enter upon some other religious vocation or to prepare them to teach theological subjects.

"DEFINITIONS

"SEC. 1207. For purposes of this part—

"(1) The term 'institution of higher education' means an institution described in the first sentence of section 1601(a) of this title. A branch of an institution of higher education which is located in a community different from that of its parent institution shall be treated as a separate institution.

"(2) The term 'baccalaureate degree' means an undergraduate degree which normally requires at least four but not more than five years of full-time enrollment in an academic program for credit.

"PART B—NATIONAL COMMISSION ON FINANCING OF POSTSECONDARY EDUCATION

"PURPOSE

"SEC. 1211. (a) It is the purpose of this part to authorize a study of the impact of past and present support and the appropriate level of future support for postsecondary education from private sources and from Federal, State, and local governments.

"(b) In order to give the States and the Nation the information needed to assess the dimensions of, and extent of, the financial crisis confronting the Nation's postsecondary institutions the study shall determine the need, the desirability, the form and the level of additional governmental and private assistance. Such study shall include but not be limited to (1) an analysis of the existing programs of aid to institutions of higher education, various alternative proposals presented to the Congress to provide assistance to institutions of higher education, as well as other viable alternatives which, in the judgment of the Commission merit inclusion in such a study; (2) the costs, advantages and disadvantages, and the extent to which each proposal would preserve the diversity and independence of such institutions; and (3) the extent to which each would advance the national goal of making postsecondary education accessible to all individuals, including returning veterans, having the desire and ability to continue their education.

"ESTABLISHMENT OF COMMISSION

"SEC. 1212. (a) There is hereby established, as an independent agency within the executive branch, a National Commission on the Financing of Postsecondary Education (hereinafter referred to as the 'Commission').

"(b) The Department of Health, Education, and Welfare shall provide the Commission with necessary administrative services (including those related to budgeting, accounting, financial reporting, personnel and procurement) for which payment shall be made in advance, or by reimbursement, from funds of the Commission and such amounts as may be agreed upon by the Commission and the Secretary of Health, Education, and Welfare.

"CONTRIBUTIONS

"SEC. 1213. (a) The Commission shall have authority to accept in the name of the United States, grants, gifts or bequests of money for immediate disbursement in furtherance of the functions of the Commission. Such grants, gifts, or bequests, after acceptance by the Commission, shall be paid by the donor or his representative to the Treasurer of the United States whose receipts shall be their acquittance. The Treasurer of the United States shall enter them in a special account to the credit of the Commission for the purposes in each case specified.

"FUNCTIONS

"SEC. 1214. In conducting such a study, the Commission shall consider:

"(1) the nature and causes of serious financial distress facing institutions of postsecondary education; and

"(2) alternative models for the long range solutions to the problems of financing postsecondary education with special attention to the potential Federal, State, local, and private participation in such programs, including, but not limited to—

"(A) the assessment of previous related private and governmental studies and their recommendations;

"(B) the determination of the annual per student cost of providing postsecondary education for students in attendance at various types and classes of postsecondary institutions;

"(C) existing State and local programs of aid to postsecondary institutions;

"(D) the level of endowment, private, sector support and other incomes of postsecondary institutions;

"(E) the level of Federal support of postsecondary institutions through such programs as research grants, and other general and categorical programs; and

"(F) alternative forms of student assistance, including but not limited to loan programs based on income contingent lending, loan programs which utilize fixed, graduated repayment schedules, loan programs which provide for cancellation or deferment of all or part of repayment in any given year based on a certain level of a borrower's income; and existing student assistance programs including but not limited to those administered by the U.S. Office of Education, the Social Security Administration, and the Veterans' Administration.

"REPORT TO CONGRESS

"SEC. 1215. Not later than June 30, 1973, the Commission shall make a final report to the President and Congress on the results of the investigation and study authorized by this part, together with such findings and recommendations, including recommendations for legislation, as they deem appropriate. An interim report shall be due no later than December 31, 1972. The Commission may release such other reports and studies at any time that it may desire.

"CONTRACT AUTHORITY

"SEC. 1216. In order to carry out the provisions of this part, the Commission is authorized to:

"(1) enter into contracts with institutions of postsecondary education and other appropriate individuals, public agencies and private organizations;

"(2) appoint and fix the compensation of such personnel as may be necessary;

"(3) employ experts and consultants in accordance with section 3109 of title 5, United States Code;

"(4) utilize, with their consent, the services, personnel, information and facilities of other Federal, State, local, and private agencies with or without reimbursement; and

"(5) consult with the heads of such Federal agencies as they deem appropriate.

"HEARINGS

"SEC. 1217. (a) The Commission is further authorized to conduct such hearings at such times and places as it deems appropriate for carrying out the purposes of this part.

"(b) The heads of all Federal agencies are, to the extent not prohibited by law, directed to cooperate with the Commission in carrying out this part.

"MEMBERSHIP

"SEC. 1218. (a) The Commission shall be composed of—

"(1) two Members of the Senate who shall be members of different political parties and who shall be appointed by the President of the Senate;

"(2) two Members of the House of Representatives who shall be members of different political parties and who shall be appointed by the Speaker of the House of Representatives; and

"(3) not to exceed thirteen members appointed by the President not later than ninety days after the date of enactment of this Act. Such members shall be appointed from:

"(i) members of State and local educational agencies;

"(ii) State and local government officials;

"(iii) education administrators from private and public higher education institutions and community colleges;

"(iv) teaching faculty;

"(v) financial experts from the private sector;

"(vi) students;

"(vii) the Office of Education; and

"(viii) other appropriate fields.

"(b) The President shall designate one of the members to serve as Chairman and one to serve as Vice Chairman of the Commission.

"(c) The majority of the members of the Commission shall constitute a quorum, but a lesser number may conduct hearings.

"(d) The terms of office of the appointive members of the Commission shall expire after submission of the final report.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 1219. There are hereby authorized to be appropriated $500,000 for the fiscal year 1972, and $1,000,000 for the fiscal year ending 1973, for the purpose of carrying out the provisions of this part."

Mrs. GREEN of Oregon (during the reading). Mr. Chairman, I ask unanimous consent that title VIII 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 gentlewoman from Oregon?

There was no objection.

Mrs. GREEN of Oregon. Mr. Chairman, I move that the committee do now rise.

PARLIAMENTARY INQUIRY

Mr. HALL. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HALL. Mr. Chairman, will points of order lie against the title if we now rise, when we resume consideration next week?

The CHAIRMAN. Points of order will be in order against matter contained in title VIII if they are timely offered and made prior to any further action of the committee on the pending title.

Mr. HALL. I thank the Chair.

PARLIAMENTARY INQUIRIES

Mr. PUCINSKI. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. PUCINSKI. It was my impression that earlier today the Chair stated the agreement we had was that we were going to go through title VIII or until 6 o'clock, whichever came later. I was under the impression that that was the agreement, so a number of members of the Veterans' Affairs Committee have remained since we have an amendment to title VIII. I just wonder what happened to that agreement.

The CHAIRMAN. The Chair will state to the gentleman that the gentlewoman from Oregon has made a motion that the Committee do now rise. That is a privileged motion, that the Chair must put the motion.

Mr. PUCINSKI. Mr. Chairman, a further parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. PUCINSKI. It is correct, then, to assume that the motion does somewhat contravene and contradict the agreement that was made?

The CHAIRMAN. The Chair cannot entertain that as a parliamentary inquiry.

The question is on the motion that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. WRIGHT, 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. 7248), to amend and extend the Higher Education Act of 1965 and other acts dealing with higher education, had come to no resolution thereon.

LEGISLATIVE PROGRAM FOR THE WEEK OF NOVEMBER 1, 1971

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

Mr. ANDERSON of Illinois. Mr. Speaker, I take this time to inquire of the distinguished majority leader if he can inform the House of the program for next week.

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

Mr. ANDERSON of Illinois. I yield to the gentleman from Louisiana.

Mr. BOGGS. In response to the inquiry of the gentleman from Illinois, it is my intention to ask to go over to Monday in a few minutes, completing the legislative business for this week.

Monday is Consent Calendar day.

We have scheduled 10 suspensions:

H.R. 2266—Emergency School Aid Act.

H.R. 9961—Federal credit unions temporary insurance.

H.R. 8389—Narcotic treatment in correctional institutions.

H.R. 9180—Temporary assignment of U.S. magistrates.

H.R. 9323—Narcotic Addict Rehabilitation Act Amendments.

H.R. 2299—North Side Pumping Division extension, Minidoka, Idaho, project.

H.R. 7854—Small Reclamation Projects Act Amendments.

H.R. 11232—Farm Credit Act.

House Concurrent Resolution 387—Moratorium on whale killings.

H.R. 3817—National Guard in the Virgin Islands.

Those are to be followed by the International Coffee Agreement, H.R. 8293, which has been heretofore scheduled under an open rule with 2 hours of debate.

Then, House Resolution 597, an investigative resolution of the Committee on Ways and Means.

Tuesday the Private Calendar is scheduled, to be followed by H.R. 2, Uniformed Services Health Professions Revitalization, under an open rule with 1 hour of debate.

Wednesday and the balance of the week the program is as follows:

H.R. 7248—Continuation of consideration of the Higher Education Act.

That is to be followed by H.R. 10729, Environmental Pesticide Act, under an open rule, with 2 hours of debate.

Then H.R. 9212, black lung benefits, under an open rule with 1 hour of debate.

Conference reports may be brought up at any time.

REQUEST THAT ROLLCALLS DEMANDED ON TUESDAY, NOVEMBER 2, BE PUT OVER TO WEDNESDAY, NOVEMBER 3

Mr. BOGGS. Mr. Speaker, I should like to ask unanimous consent that any rollcalls which may be demanded on Tuesday, November 2, other than those on procedural questions, be put over to Wednesday, November 3.

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

Mr. HALL. Mr. Speaker, reserving the right to object, may we ask the reason for the request?

Mr. BOGGS. Yes; that is a reasonable request. On Tuesday there will be general elections—not primary elections but general elections—in upward of 20 States. Many Members feel that they have to be in their States on Tuesday. Normally we would hope to let the Members have additional time but, as you may note, we have a very heavy schedule for Monday. We have scheduled legislation for Tuesday. We would hope that the only record vote, if any, would be on a rule making H.R. 2 in order.

Mr. HALL. Mr. Speaker, I find it unusually strange that we should at this season of the year again defer a vote. After all of the unwonted delays that the House has had in its legislative program, after all the inept scheduling, after adjourning at 12:35 on Tuesday last, I am constrained to object to putting off any further votes this late in the session, approaching the first of November. I do object.

The SPEAKER. Objection is heard.

Mr. PUCINSKI. Mr. Speaker, will the gentleman from Illinois yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from Illinois (Mr. PUCINSKI).

Mr. PUCINSKI. Mr. Speaker, I think it is important to point out that H.R. 2266, which was the first item on the Suspension Calendar Monday, is known also as the desegregation bill, formally called the Emergency School Aid Act. There has been a great deal of interest for and against this legislation. I would like to have Members fully appraised of the fact that this will be, as far as I know, the first order of business under the suspensions.

Mr. BOGGS. Mr. Speaker, if the gentleman will yield, I just made the announcement a moment ago.

Mr. PUCINSKI. I know, but I also point out that it is known by another name than the Emergency School Aid Act.

ADJOURNMENT OVER TO MONDAY, NOVEMBER 1, 1971

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet on Monday next.

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

There was no objection.

AUTHORIZING CLERK TO RECEIVE MESSAGES FROM THE SENATE AND SPEAKER TO SIGN ENROLLED MEASURES DULY PASSED AND TRULY ENROLLED NOTWITHSTANDING ADJOURNMENT

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that notwithstanding the adjournment of the House until Monday next, the Clerk be authorized to receive messages from the Senate and that the Speaker be authorized to sign any enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

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

There was no objection.

DISPENSING WITH BUSINESS IN ORDER UNDER THE CALENDAR WEDNESDAY RULE ON WEDNESDAY NEXT

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

A WINNING ORATION BEGINS GREAT CAREER

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

Mr. EDMONDSON. Mr. Speaker, in 1928, a young Oklahoman, a student at the University of Oklahoma, went forth and won the fourth annual National Intercollegiate Oratorical Contest. It was an outstanding oration, well written and well delivered. Oklahoma was proud of this young native son and the people of his State predicted a bright future.

Their predictions have come true. The orator went on to win a Phi Beta Kappa key and a Rhodes scholarship. He became a lawyer and served with distinction during World War II. After the war, he returned to Oklahoma where his election to Congress in 1946 marked the beginning of a distinguished career in public service.

I am referring, of course, to our distinguished Speaker, the Honorable CARL ALBERT, Oklahoma's No. 1 citizen and the man who holds the highest office ever held by an Oklahoman.

I have a copy of Speaker ALBERT's winning oration, delivered in May 1928, which I would like to have appear in the RECORD. I believe many Members of this body will find, as I have, that the Speaker's basic philosophy about this Nation and its Constitution were well formed while he was a student, and have remained constant through the years:

WINNING ORATION: FOURTH ANNUAL NATIONAL INTERCOLLEGIATE ORATORICAL CONTEST

(By CARL ALBERT)

There is a great deal of controversy among the various nations today as to what type of government will best fit the institutions of the people. There have been more political experiments in the last twenty-five years than in any other period of the world's history. Bolshevism has erected its laboratory on the shattered ruins of an empire. Mussolini feels that the salvation of his country rests in a restoration of the dictatorial idea. His several economic achievements have caused him to assert that Fascismo is superior to democratic government. Five hundred thousand Black Shirts stand in arms today ready at any moment to carry the orders of their chieftain into execution. Beneath the muzzles of their muskets stoop the people of a nation. In America, however, the spirit of liberty still lives. The sword of Washington, symbolic of our democratic institutions, always lifted in defense of American freedom, has never fallen. Whatever force may rest in Mussolini's assertion, 6000 years of history plainly disclose that the government of the United States is the only government where absolute equality of freedom is guaranteed to all the people, regardless as to their class or creed.

RELIGIOUS TOLERANCE

My friends, today, in any American community on any Sunday morning, we may behold the American citizen as he steps from his cabin or his mansion toward the church of his choice, where he worships the God of his choice. He may be high; he may be humble. He may be young and strong; he may be old and feeble. He may be draped in silk; he may be clad in tatters. But whoever he may be, if he walks beneath the protection of the American Constitution, neither the scepter of king nor even the vote of the majority can close to the American citizen the doors of his church. Ladies and gentlemen, this right to religious freedom and those other sacred rights guaranteed to you by your Constitution differentiate you from the subject races of the world. They make of America what has been called a "land where all are kings, but no man wears a crown."

This government, which provides such blessings, vests all the power in neither the local communities nor Federal hands. It is the golden means between the two extremes of the past. America's first united government was a confederation of States. But with the Articles of Confederation came chaos and black despair. On the other hand, strong central government has always been synonymous with injustice and oppression. The traveler in Egypt realizes that the Pharaohs had an efficient government. But the grandeur of the Sphinx and the Pyramids is dimmed by the shadow of a million slaves whose only reward was the lash of the whip. The temporal power of ancient Rome was tremendous. But the legend of Rome's greatness must be told with the story of the crucified Christian! Centralization in England had meant taxation without representation in the American colonies.

ALTAR OF FREEDOM

Realizing the dangers of both confederated and centralized government, the constitutional convention formed our Federal republic, truly termed "the only real republic that ever existed." They formed at one mighty stroke a government at one time rigid enough to preserve its basic principles; flexible enough to be applied to any new conditions brought in by the tide of time; conservative enough to protect the individual from the changing winds of impulse; keen to preserve and secure individual liberty and to protect from all oppression; it is yet ever responsive to the will of the majority, for by empowering the people with the right to elect their representatives it gives them the right to make and enforce the law and to control and operate the whole machine of government.

Like a magic wand, this Constitution converted what King George had called "the scaffold of freedom" into the altar of freedom. It changed the scepter into the ballot box. It substituted jury trial for the guillotine. For the first time, the idea of individual freedom became a fact—the living reality of the American citizen. My fellow-Americans this same right to individual liberty is yours today by virtue of the Constitution of the United States!

As long as your Constitution remains intact your press will be free in its publication and distribution of information. The doors of your church cannot be closed against you. No man may sell your private property on the public auction block without due process of law. No Federal official may cross the threshold of your home without a search warrant. No Federal power may cast you in prison without a trial by a jury of your peers. Let me repeat, my friends, as long as your Constitution remains intact, your liberty is secure.

SURVIVES STRUGGLE

The government of Cromwell went down with him to his grave. The government of Napoleon changed with his defeat. The government of Kaiser Wilhelm died in the Hall of Mirrors. The government of Mussolini will fall with the failing of the strong hand that raised it. The government of Washington still stands tall and rugged. It emerged from the war of 1812 strong and secure. It emerged from the Civil War unimpaired. It emerged from the Spanish-American War grand and glorious. It emerged from the World War mighty and colossal. That government stands today, a palace of liberty, a castle of happiness, a tower of strength. It is your heritage—a heritage worthy of princes. Live for it! If need be, die for it! And then will the sword of Washington be lifted in eternal victory, the victory of constitutional government!

AMERICA CAN SOLVE ITS HOUSING SHORTAGE

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

Mr. HALL. Mr. Speaker, I am today introducing two bills designed to help solve this Nation's critical housing shortage.

The first bill, called the Housing Rights Act of 1971 states that when Federal tax dollars are used to back the building of houses, no barriers to efficient construction methods will be raised by local building codes or by restrictive contract provisions.

Essentially, the bill extends the Department of Housing and Urban Development's concept of "operation breakthrough" to a national level. This concept and effort has already succeeded in accelerating industrial housing technology and securing private and public construction in removing the contraints on modern management and production of housing. The use of modular prefab units, presents us with the opportunity to reach our housing goals for this decade of the 1970's. However, the way must be cleared so that we can apply the latest technology and build the millions of new dwelling units needed to house our growing population.

By using the rule of thumb that housing should cost 2½ times annual income, the individual who earns $8,000 a year or less, finds that today's residential prices are out of reach. The answer to that problem, I think is to provide housing that is within his income bracket. This can be done, for example, by techniques demonstrated in the development of modular housing that are not yet acceptable to many construction unions and municipal building codes.

Mr. Speaker, if we are to meet our national housing goals, we must have fair and equitable building regulations across the Nation. If the American taxpayers are going to foot the bill, as they do in federally backed housing, they should rightfully expect the benefits for new housing technology to be made available in all sections and to all people of the country.

Now the second bill I am introducing is a tax incentive measure for homeowners that would permit a Federal income tax deduction of up to $1,000 per year, for the cost of repairing or improving the principle residence of a homeowner. This proposed legislation, if enacted, should contribute greatly to the rehabilitation of substandard housing across the Nation and consequently help rejuvenate blighted areas.

The Census Bureau has discontinued classifying houses as deteriorated or dilapidated, but figures available for 1960, reveal that almost one-fifth of our American homes were considered substandard at that time. Ten years ago, 800,000 homes were classified as dilapidated. It is extremely doubtful that the figures have improved since that time. It is my view that the tax incentive measure will help alleviate that situation.

A not to be overlooked feature of this bill is the effect that it would have on

the economy. Individuals who improve their homes purchase many diverse items and services including lumber, paint, concrete, plumbing supplies, heating, and air-conditioning equipment. Even further benefits would come from the large number of workers who would be employed to make the installations and furnish the labor to make the repairs.

Finally, Mr. Speaker, it may be that the most important asset of the legislation is the relief that it will grant to the individual homeowner who is constantly faced with increased real estate taxes, school taxes, sales taxes, and other financial burdens which leave him little to invest for maintaining his own home in proper condition.

ESPRIT DE CORPS OF THE ARMED FORCES DEMANDS DISENGAGEMENT FROM VIETNAM

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

Mr. McCLOSKEY. Mr. Speaker, I place in the RECORD today a summary of evidence which indicates that the morale, combat performance and deterrent capabilities of our forces in Vietnam have deteriorated to a point where the national security is endangered.

The situation is clear. Many GI's in Vietnam are no longer willing to obey orders. To order an offensive operation today is to invite a wholesale mutiny. There is a growing danger of confrontation between American troops and their officers which could prove ugly and disastrous. There is likewise a growing danger of confrontation, if not combat, between the diminishing number of American troops and various groups of disaffected South Vietnamese.

This being the case, I suggest that the President has an obligation, as Commander in Chief, to preserve the remaining esprit de corps and professional competence of our Army by disengaging from Vietnam at the earliest practicable date.

If he fails to do so, the Congress must assume that responsibility. It behooves us to withdraw from Vietnam before the professional reputation of the Army as well as its deterrent capability in the future is damaged beyond repair.

Let me cite specific evidence of the dangerous situation which is developing.

First. On October 9, just over 2 weeks ago, six men in an American combat rifle platoon told their company commander that they would not go on a scheduled night ambush patrol on the Cambodian border at Firebase PACE. When threatened with the possibility of court-martial, 66 other men, over half the company, and including 9 NCO's, signed a letter confirming the refusal to go on patrol by the six soldiers, and stating:

> "We are faced daily with the decision of whether to take a court martial or participate in an offensive role." (Exhibit A below.)

The American rifleman in Vietnam today is fully informed of the statements of administration political leaders that American troops are supposedly now withdrawn to defensive roles only.

Second. The unit involved in this affair was no ragtag, bobtail outfit; Bravo Company, 1st Battalion, 12th Infantry is part of the 1st Cavalry Division which has earned a reputation as one of the best combat divisions in the Army.

Third. The taped transcript of the young men's reasons for signing the letter in question reflects that they are unwilling to fight because of the political posture the United States has adopted, and because of their realization that the Thieu regime is a police state.

Fourth. A similar incident was reported in the 1st Brigade of the 5th Mechanized Division during the period March 20 through 23 when direct combat orders were refused by an entire platoon.

Fifth. The mutinous attitude toward the Vietnam war is not confined to the Army. A recent petition signed by over 1,000 members of the crew of the attack carrier, U.S.S. *Coral Sea*, led to a press release on behalf of those crewmembers, saying:

> We are going to stop our ships. And we, the military men, are going to stop this war. (Exhibit B.)

Sixth. The President has had ample warning of the deterioration in morale occasioned by his policies of delaying withdrawal over a period of over 2½ years. Over a year ago he received a letter from 40 young combat officers under orders to Vietnam. Their letter—see exhibits C and D—read in part:

> We, too, find the continuation of the war difficult to justify, and we are being asked to lead others who are unconvinced into a war in which few of us really believe. This leaves us with nothing but survival—killing or being killed—as a motivation to perform our missions, but if this is the only thing we have to keep us going, then those who force us into this possibility—the military, the leadership of the country are perceived by many soldiers to be almost as much our enemies as the V.C. and the N.V.A. There is a great amount of bitterness toward the military and toward America building up within the military forces.
>
> As the war drags on, the troops will become increasingly opposed to the war and increasingly bitter about going—it seems very possible that if the war is allowed to continue much longer, young Americans in the military will simply refuse in mass to cooperate. This day is coming quickly—you must have us out of Viet Nam by then.

A personal letter I wrote to the President on August 12, 1970, enclosing the letter from the 40 combat officers involved was never acknowledged by the President—exhibit D.

There is an ancient understanding among military men that the performance of a combat unit—whether it be a rifle platoon, a regiment or an army—reflects the leadership ability of its commander. If the unit performs well, its commander deserves praise; if it performs poorly, the commander is properly blamed.

Throughout our armed services, the commander is the key to success or failure. In the Marine Corps, we are sometimes praised and sometimes condemned for cultivating "the cult of the commander"—to look after one's troops—to eat the same food they do, and then only after they have eaten—to undergo the same rigors of training they do—to lead rather than to direct. The term "follow me" has a great deal of meaning to 19-year-old enlisted men when asked to assault a heavily defended position.

You may remember Justice Oliver Wendell Holmes, Jr.'s famous call to leadership in times of crisis—either in battle or in civil strife:

> Sooner or later we shall fail, but it remains for us to fix our eyes upon the point to be stormed, and to get there if we can.

Storming a redoubt, or carrying out the even more difficult duties of a static firebase defense perimeter depend on leadership—the inspiration of a commander.

In Vietnam this challenge rests with the Commander in Chief. It is to him that the troops look for inspiration and guidance—it is upon him where the burden falls to achieve excellence in military performance. This Nation badly needs a highly disciplined, skilled armed force in the decades ahead—an army with pride in itself, esprit de corps, combat-ready, willing to undertake any challenge which may occur, either as part of a U.N. peace-keeping force on the Israeli-Syrian border, as part of NATO forces, the German line of demarcation, or in the ancient battlegrounds of India and Pakistan should U.N. intervention be deemed necessary. We seek world peace under world law, confronted on the one hand with a growing nuclear confrontation with two other great world powers in Europe and Asia, and on the other with restive and militaristic regimes in many of the 120-plus smaller nations in Asia, Africa, America. The search for peace requires combat-ready military forces, ready to do battle upon 24-hour notice, not with hatred against any people or nation, but as professional police and peace-keeping forces, hopefully part of a united effort by the world community of nations.

The need then for first-class fighting men and a well-trained competent army is perhaps as great as it has ever been at any time in our history—from Valley Forge and Yorktown to Guadalcanal and the Naktong Perimeter.

If our Armed Forces do not meet this exacting criteria, should we not look to and question the performance of its commanders, and particularly that of its Commander in Chief. This is no ordinary war we are engaged in. The purposes, tactics, and performance of our soldiers in Vietnam today are not directed from the field; they are conceived, ordered, and supervised in minute detail from the White House itself. Not since the Civil War and President Lincoln has an American President dealt so closely with the rules of conduct of American troops in the field.

This is the President's privilege. From the time of our own Declaration of Independence and the expressed grievance against King George that "he has affected to make military superior to the civil authority," we have recognized the President's right to control the military.

But hopefully this was intended to be knowledgeable civilian control—by a George Washington who was familiar with combat—who shared the privations and hardships of his troops at Valley Forge—by a Lincoln or a Wilson or a

Roosevelt who had a sensitive understanding of the limitations of human beings asked to undergo the fears and pressures of mankind's most terrible experience—the killing and being killed of armed combat.

The performance, morale, and discipline of our Armed Forces present a true test of their Commander in Chief's policies and abilities. What has been the result of President Nixon's first 33 months in office?

How combat ready are our Armed Forces in Vietnam? How well disciplined are they? How is their morale?

The answer is devastating. I doubt that any professional infantry officer in Vietnam can point with pride to the morale and combat readiness of his unit. The President's policies have nearly destroyed our armed services—their pride—their discipline—their morale—and now their combat performance. As one unnamed U.S. officer said recently: "No one wants to take risks in a cause the country has given up on."

For 2½ years now, we have admitted that we sought no military victory—that our people did not want to pay the cost of winning in Vietnam—that our young men understandably do not want to fight and die there—to kill people against whom we harbor no ill will, in a cause in which we do not believe.

With the publication of the Pentagon papers and a growing public realization of the enormity of the deceit practiced upon the American people—and even the Congress—in order to get us involved in Vietnam—keep us there—and justify our remaining there—it is no wonder that our servicemen rebel at being asked to stay behind to preserve the police state of the Thieu-Ky regime and to preserve the pride and prestige of a President who does not want to be the first American President to lose a war.

Is it not understandable that no one wants to be killed in the last days of a war the country no longer supports? This is not the first instance of deliberate refusal to obey orders. Newsweek reported last week that such refusals have become a common occurrence in Vietnam.

Fraggings today are commonplace in Vietnam.

Disaffection extends not only to the Army in Vietnam. A recent series of articles on our NATO forces in Europe has shown widespread discontent, drug use, breakdown of discipline, racial conflict—and most important, a breakdown in combat readiness.

I regret to suggest that this breakdown can be traced directly to the Commander in Chief's apparent failure to recognize that morale and a will to fight are as necessary ingredients of military power as missiles, guns, and tanks.

If the military establishment has fallen to the low ebb it has, then I think we must ask the Commander to change the policies which have caused the decay of a once proud service.

A policy of continued gradual withdrawal which can only further increase the rate of destruction of our discipline, morale, and professional abilities of the services in which so many of us were once proud to serve. Gradual withdrawal is no more effective than gradual escalation.

In the Congress, I believe we owe the Nation a thorough and immediate investigation of the incident at Fire Base Pace as well as to the broader question of the present willingness to fight of our remaining forces in Vietnam.

A Commander in Chief who asks people to kill, be maimed, or die to preserve only our own pride and prestige and that of a police state, not human liberty or national independence—must be advised that this endangers, rather than assists, his praiseworthy search for a generation of peace.

EXHIBIT A

OCTOBER 10, 1971.

DEAR SENATOR KENNEDY: We the undersigned of Bravo Company, 1st. Bn., 12th Con. 1st Cav. Division, feel compelled to write you because of your influence on public opinion and on decisions made in the Senate.

We are in the peculiar position of being the last remaining ground troops that the U.S. has in a combat role and we suffer from problems that are peculiar only to us. We are ground troops who are supposedly in a defensive role (according to the Nixon Administration) but who constantly find ourselves faced with the same combat role we were in 10 months ago. At this writing we are under siege on firebase Pace near the city of Tay Ninh. We are surrounded on 3 sides by Cambodia and on all sides by NVA. We are faced daily with the decision of whether to take a court-martial or participate in an offensive role. We have already had 6 persons refuse to go on a night ambush (which is suicidal as well as offensive) and may be court-martialed. With morale as low as it is there probably will be more before this siege of Pace is over.

Our concern in writing you is not only to bring your full weight of influence in the Senate, but also to enlighten public opinion on the fact that we ground troops still exist. In the event of mass prosecution of our unit our only hope would be public opinion and your voice.

Sp. 4 Albert Grana, Sp. 4 David L. Pawpa, Sp. 4 Derek Paul, Sp. 4 Reuben Topinka, Sp. 4 Michael McNamara, Sp. 4 Danny K. Cooke, Sp. 4 Thomas J. Bohning, Sp. 4 Edwin T. Karpstein, Pvt. Steve Ariganello.

Sgt. Phillip D. Thompson, Sgt. Morris Bloomer, Sgt. Steve Britton, Pfc. Mike Moore, Sgt. Phillip A. Grandmason, Sp. 4 Dennis L. Tvon (sp.), Pfc. Royden O. Thomas, Pfc. Ronald James Patrick, Sgt. George J. Corey, Jr.

Pfc. Thomas L. Kendall, Sp. 4 Jerry L. Frame, Sp. 4 Dale L. Nichols, Pvt. Robert C. Tyon, Sp. 4 David L. Gibson, Sp. 4 Chuck Panoutulep (sp.), Sgt. Nick Demas, Sgt. Janus Shaffer, Sp. 4 James P. Stevens.

Sp. 4 Ernest French, Sp. 4 Laurence L. Savage, Pfc. Bennie McKenzie, Pfc. Stuart Wilson, Sgt. Jerry Yancey, Pfc. Alfred F. Thompson, Pfc. David Mepthbans, Sp. 4 Richard A. Neighbors, Sp. 4 Raymond D. Hoffman, Pfc. Charles D. Coulson.

Sp. 4 Rocky D. Gill, Sp. 8 David L. Sherman, Sp. 4 Ceasar Hastings, Sgt. Walter L. "Tex" Werull, Sp. 4 Steve Fugate, Pfc. Walter M. Payne, Pfc. Asqueth B. Willis, Sgt. Robert L. Jones, Pfc. Teddy J. McGhee, Sgt. Gary J. Duderhoeffer.

Sp. 4 Donnie H. Clements, Pfc. Randy L. Abernathy, Sp. 4 Joseph D. Parovich, Pfc. Nick Chandler, Pfc. David W. Jack, S. Sgt. David A. Swallow, Pfc. David A. Lewis, Sp. 4 Carlton Powell, Pfc. David W. Jack, Jr.

Sp. 4 James H. Essick, Pfc. Charles J. Connell, Sp. 4 Carl C. Strieken, Jr., E–1 Kenneth K. Turner, Sgt. David A. Parr. Sp. 4 Joe DeMann, Pfc. Lacy S. Ward, Pfc. Samuel Johnson, Pfc. Richard E. Peacock.

EXHIBIT B

STOP OUR SHIP, SAN FRANCISCO, CALIF.

(A statement to the news media from crewmembers of the U.S.S. *Coral Sea*—Oct. 11, 1971)

It has become apparent that the majority of the Americans oppose the war in Vietnam. But the government has refused to be guided by public opinion. It has also become clear to many that the responsibility for ending the war will fall on those more directly involved: the military. The military man is given the task of carrying out the policy of the government without an effective means of influencing that policy.

Members of the U.S.S. *Coral Sea* have begun taking a part in ending the war by starting the Stop Our Ship movement (SOS). We began with a petition to Congress with the goal of stopping our ship from deploying to Vietnam.

On the original petition we gathered over 300 signatures in three days when it was ripped off by two chiefs who turned it over to the Executive Officer. This action alarmed many people. After requests to return the petition were ignored, another petition was distributed along with leaflets explaining the goals of the petition. This petition now has been signed by over 1,000 members of the crew.

Three sailors are now in the brig for their involvement with the SOS movement. Protests against the treatment of these three and similar harassment by the command have been ignored. A ship's regulation now prohibits the distribution of any literature not first censored by the Captain. The command is now attempting to rid itself of the ship's most active spokesmen by transfers, discharges, and brig time.

But the command can't muffle the noise of the discontent that this war has caused. At this time another attack carrier, the *Hancock*, has started a similar movement in protest of our involvement in Southeast Asia.

We are going to stop our ships. And we, the military men, are going to stop this war.

EXHIBIT C

PALO ALTO, CALIF.,
August 2, 1970.

DEAR SIR: Enclosed is a copy of a letter sent to President Nixon from a number of officers in the United States Army. These officers were members of Jungle Operations classes CONUS 70–1 and –2, which began August 19 and graduated August 31, 1970. Of a total of approximately 200 students in these classes, about 120 were active duty officers on their way to Vietnam, the remainder of the students being enlisted and National Guard personnel. Of the 125 officers, 40 signed the letter, and a similar number said that they agreed with the points made in the letter but were afraid of possible repercussions from signing.

The signers of the letter urge you to make whatever efforts you can to bring this letter to the attention of President Nixon, as it may have trouble reaching him through his own staff. Permission to publish this letter in the Congressional Record is granted, but use of the signers' names must be okayed individulaly by each officer. APO addresses should be available through the respective branches of the Army.

EXHIBIT C

FORT SHERMAN, CANAL ZONE,
July 26, 1970.

RICHARD M. NIXON,
President, United States of America.

DEAR PRESIDENT NIXON: We the undersigned are all officers in combat branches of the United States Army, and are all on orders to Vietnam. Currently we are at Ft. Sherman undergoing training at the Army's Jungle Warfare School in preparation for our duties as junior officers in Vietnam. First of all, we

want to make it clear that we have accepted our orders, and that we are going to Vietnam; most of us will be there by the middle of August. Nevertheless, we have some serious reservations about the war and about the roles that we are being asked to play in it. We think that you as our commander-in-chief should be made fully aware of these reservations, because they are shared by a very large number of young men—officers and non-commissioned personnel—throughout the military services.

At this point in the Vietnam War, it is obvious that America is not willing to go all out to win the war. The country is reluctant to send over the large numbers of troops that the generals still say will be necessary to win. At the urging of your military advisors you ordered the attack on the Cambodian sanctuaries, but public opinion forced you to declare limits on the duration and the penetration of the invasion. The country has been shocked and outraged by the My Lai and Colonel Rheault incidents—incidents of mass killing and assassination which are and have always been characteristic of warfare. The American people do not want to pay the terrible prices of war—they don't want to see their own young men killed, and they don't want to face the brutal acts which these young men must perform on people of another country. In short, America has not been sufficiently convinced that the things we have been told that we are fighting for—i.e., democracy for the people of South Viet Nam, and protecting America from spreading communism—justify the methods necessary to obtain those ends.

We, too, find the continuation of the war difficult to justify, and we are being asked to lead others who are unconvinced into a war in which few of us really believe. This leaves us with nothing but survival—"kill or be killed"—as a motivation to perform our missions. But if this is the only thing we have to keep us going, then those who force us into this position—the military, the leadership of the country—are perceived by many soldiers to be almost as much our enemies as the Viet Cong and the NVA. There is a great amount of bitterness both towards the military and towards American building up within the military forces.

We find it hard to believe that you could not be aware of the extent of disaffection among the American troops; it is equally hard to believe that knowing about this disaffection you could hope to continue much longer to force young Americans to go to this war against their wills. As the war drags on, the troops will become increasingly opposed to the war and increasingly bitter about going. It seems very possible that if the war is allowed to continue much longer, young Americans in the military will simply refuse en masse to cooperate, thus causing a crisis similar to the current difficulties of the draft bureau. This day is coming quickly—you must have us out of Vietnam by then.

In your speeches and news conferences you often contrast the disaffection of the American student protesters with the devotion and patriotism of our soldiers in Vietnam. We want you to know that in many cases those "protesters and troublemakers" are our younger brothers and friends and girlfriends and wives. We share many common causes with them. Please get this country out of Vietnam before we, too, become completely disaffected.

The purpose of this letter is not to publicly embarrass you or the military—we are not sending copies to the press. We only want you as commander-in-chief to know that a large number of officers and soldiers in Vietnam and on their way to the war have serious misgivings about the war and their participation in it. To this date, officers have remained silent about their feelings, but we think it important that you be informed of the widespread dissatisfaction amongst us.

We sign this letter knowing that it will be seen by your military staff before you ever see it—if it gets to you at all. We also know of punitive action taken by the Army to officers who have written similar letters to you. Nevertheless, we must take chances to inform you of these feelings within the Army. Since you and the country seem to have decided that Vietnam is not worth the awful price of victory, we plead with you to get the country out of this half-hearted war at the extreme earliest moment.

Sincerely,

——— ———.

EXHIBIT D

HOUSE OF REPRESENTATIVES,
Washington, D.C., August 12, 1970.

Hon. RICHARD M. NIXON,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: I hope you will read the enclosed letter from 40 young combat officers about to go to Viet Nam. It bears strongly on what you said to me at the White House three weeks ago on our policy of moving to a peace-time economy.

The letter sets forth something I have long felt, but have been unable to adequately express to you and many of my colleagues; nobody wants to be killed on the last day of a war, or during a withdrawal from a cause conceded to be lost.

Once a retreat starts, it can only accelerate. It is too much to ask of any combat trooper or second lieutenant that he die to support a "transition to a peace-time economy." The 40 young Army officers who signed the enclosed letter are the necessary cutting edge of national policy. To my way of thinking, both their letter and their willingness to go into combat represent the highest idealism an American can offer to his country.

I might add the thought that that aspect of "Vetnamization" which you presently espouse, the substitution of aerial firepower for infantry support, is not consistent with American idealism. If we are unwilling to ourselves die in a cause, we should not seek to substitute our impersonal bombs, napalm, and massive rapid-fire aerial gunfire for combat troops. This not only appears unworthy of us as leaders in the search for world peace; it also defeats the purpose of a counter-insurgency effort where we are competing with indigenous communists for the loyalties of a peasant people. Our firepower and defoliation provide ample visible proof for the communist argument that Amercans are indiscriminate in destroying people and property by the use of our advanced technology.

If I were a Vietnamese, Mr. President, and your firepower killed my mother, sister or child, you would have my undying enmity and desire for vengeance, no matter how sincerely you professed the need to save me from the evils of communism.

I believe that our past and present massive bombing in Cambodia, Laos, and Viet Nam is insuring the ultimate success of nationalist forces in those countries which will share a lifelong perhaps unspoken but very real, hatred and contempt for America and Americans.

I hope that you will consider these suggestions as constructive rather than critical. I believe my colleagues in the Congress are unanimous in admiring your dedicated undertaking of the immense burdens of national leadership and in our hopes for your success in reaching wise judgments.

Respectfully,

PAUL N. MCCLOSKEY, Jr.

PRESIDENT SHOULD VISIT THE HEADS OF STATE OF OUR NEIGHBORS AND FRIENDS

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

Mr. HANNA. Mr. Speaker, word has it that Robert Finch will leave soon as a special envoy to Latin America for reasons not now made clear.

With the President of the United States carrying on personal diplomacy in visits to Peking and Moscow, it seems to me he should have Robert Finch setting up meetings in Mexico, Brazil, Argentina, Venezuela, Chile, and Peru in South America. If it is important for us to meet at high level with our adversaries afar, it should be equally important that the President visit personally the heads of state of our neighbors and friends.

One would hope that the Latin countries are not once again being given a second-hand treatment. It would be easy for them to conclude that President Nixon does not feel they are of sufficient importance to justify more than a courtesy call by a low-ranking representative from the President's personal staff.

I join with that group of concerned Congressmen and lay citizens who are appalled at the policy of neglect and drift now evident in Latin American affairs. Why could we not have at least a high level meeting with Canadian, Mexican, and American leaders, including heads of state, to discuss a joint plan for the Americas.

Events in the world demonstrate that we are in a period of multinational efforts for regional development. Nowhere is there a greater need for regional development than in the Americas. The past efforts by us to foster U.S. programs for development have proven unproductive. Third world countries are not receptive to domination by one outside national interest. It is attractive to point politics in the direction of sovereign protection and read in the assistance a hidden program for modern-day colonialism. A multinational program avoids this stigma.

It would be helpful for the American input to be North American in flavor rather than United States alone. Whether one likes it or not, Mexico and Canada are in their economies and conditions closer to the underdeveloped sections of South America than is the United States. The need for mending strained and torn relations is great. The benefits to be derived are far reaching. We urge the administration to respond to our request and make some significant, high-level initiative in this direction.

HEARINGS ON PROPOSED DEPARTMENT OF COMMUNITY DEVELOPMENT

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

Mr. HOLIFIELD. Mr. Speaker, I wish to announce that a subcommittee of the Committee on Government Operations will hold hearings on H.R. 6962, a bill to establish a Department of Community Development. This is an administration bill which I introduced by request. As you know, President Nixon has proposed to disestablish seven existing Cabinet departments and replace them with four

new ones. The bill for a Department of Community Development is one of the four. It will draw functional components from four existing departments and several independent agencies and commissions.

In June and July of this year, the Subcommittee on Legislation and Military Operations, of which I am chairman, held overview hearings on all four of the department proposals. Those hearings are printed, and we plan to present a summary analysis of the issues developed in those hearings. In subsequent hearings, we will examine the specific proposals, department by department.

The hearings on H.R. 6962, the bill to establish a Department of Community Development, will commence on November 3, 1971, in the main committee hearing room, 2154 Rayburn House Office Building. Secretary George W. Romney of the Department of Housing and Urban Development will be the lead-off witness for the administration. The hearings will start at 9 a.m. on Wednesday, November 3, and at 10 a.m. on subsequent days.

Our hearing schedule for administration witnesses is as follows:

November 3: Hon. George W. Romney, Secretary of Housing and Urban Development.

November 4: Hon. J. Phil Campbell, Under Secretary of Agriculture.

November 9: Hon. John A. Volpe, Secretary of Transportation.

November 10: Hon. Frank Carlucci, Associate Director of the Office of Management and Budget.

November 11: Hon. Maurice H. Stans, Sercetary of Commerce, and Hon. Philip V. Sanchez, Director of the Office of Economic Opportunity.

Additional administration witnesses, representing agencies or functions to be transferred to the proposed new department, will be heard. We will also hear representatives of public and private organizations, and individuals with special experience or information about the subject matter. These are controversial proposals and we want to hear all points of view, for and against the reorganizations. Members of Congress are invited to testify. We are setting aside November 16 and following days for congressional testimony on H.R. 6962. Those who wish to be heard should notify our subcommittee office on extension 52738.

The proposed Department of Community Development would be built around the existing Department of Housing and Urban Development. The proposed new department also would include major components from the Departments of Agriculture, Transportation, and Commerce. For example, the Rural Electrification Administration would be transferred from the Department of Agriculture, along with the functions and staff of the Farmers Home Administration relating to rural housing and water and waste disposal grants and loans. The Federal Highway Administration—except motor carrier safety—and the Urban Mass Transportation Administration would be transferred from the Department of Transportation. The Economic Development Administration—planning and public works only—and the Regional Action Planning Commissions—except business development and technical assistance—would be transferred from the Department of Commerce.

Other agencies or functions proposed for transfer to the Department of Community Development are the Appalachian Regional Commission, the Community Action, and special impact programs of the Office of Economic Opportunity, the disaster loan program of the Small Business Administration, the disaster relief operating functions of the Office of Emergency Preparedness, and grants for the construction of public libraries from the Department of Health, Education, and Welfare.

I want to make it clear, Mr. Speaker, that the proposals for executive reorganization come to us in the form of administration bills, which I have introduced by request. Draft bills were submitted by President Nixon with his message on reorganization of March 25, 1971. The bills call for a massive reorganization unparalleled in American history. They are bound to be controversial in nature. Our committee is approaching these matters wih an open mind. I promised President Nixon that his reorganization proposals would be accorded a full and fair hearing, and our committee is discharging that commitment.

DISCHARGE PETITION NO. 10 TO RESCIND AND REVOKE U.S. MEMBERSHIP IN THE U.N.

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

Mr. RARICK. Mr. Speaker, I want to inform our colleagues that I have now filed discharge petition No. 10 at the Clerk's desk to discharge H.R. 2632, a bill introduced by the gentleman from California (Mr. SCHMITZ) to rescind and revoke membership of the United States in the United Nations and the specialized agencies thereof and for other purposes.

Passage of H.R. 2632 would remove the United States from the U.N. and the U.N. from the United States, thus freeing our people from the ever tightening yoke of international controls and the erosion of national sovereignty and constitutional government.

The recent debacle of the expulsion of Nationalist China should bring home to every Member of the failure of the U.N. to even abide by its own charter and the degeneration of its present composition into a circus to be exploited by the various Communist parties around the world as a command post for international subversion of free peoples and democratic institutions.

I urge all of our colleagues who recognize the threat of the UNO to our country and our people, as do Mr. SCHMITZ and I, to sign discharge petition No. 10 so that we may have an opportunity to remove this cancer from our shores and our leaders from its contagious infection before it becomes fatal.

The American dream is freedom—not peace at any cost.

Discharge petition No. 10 represents a bipartisan effort on behalf of Mr. SCHMITZ, a Republican; and myself, a Democrat.

The signing of discharge petition No. 10 offers a chance to weed out the internationalists from the Americans.

I ask that a copy of Mr. SCHMITZ' bill H.R. 2632 follow:

H.R. 2632

A bill to rescind and revoke membership of the United States in the United Nations and the specialized agencies thereof, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the effective date of this Act the ratification by the Senate of the United States on July 28, 1945, of the United Nations Charter, making the United States a member of the United Nations, be, and said ratification hereby is, rescinded, revoked, and held for naught; and all Acts and parts of Acts designed and intended to perfect and carry out such membership of the United States in the United Nations are hereby repealed.

SEC. 2. That from and after the effective date of this Act all Acts and parts of Acts designed and intended to make the United States a member of the specialized agencies of the United Nations, or any of them, are hereby repealed; and all executive agreements, international undertakings and understandings, however characterized and named, designed, and intended to make the United States a member of the specialized agencies of the United Nations are hereby rescinded, revoked, and held for naught.

SEC. 3. That from and after the effective date of this Act any and all appropriations for defraying the cost of the membership of the United States in the United Nations or in specialized agencies thereof are hereby rescinded and revoked; and any unexpended and unencumbered balances of any such appropriations shall be covered into the general fund of the Treasury of the United States.

SEC. 4. That the International Organizations Immunities Act of December 29, 1945 (59 Stat. 669; title 22, secs. 288 to 288f U.S.C.), be and it is repealed; and any and all Executive orders extending or granting immunities, benefits, and privileges under said Act of December 29, 1945, are hereby rescinded, revoked, and held for naught.

SEC. 5. This Act may be cited as the "International Organizations Rescission Act of 1969".

FIDDLING AROUND WITH "GOD'S TIME"

The SPEAKER. Under a previous order of the House, the gentleman from California (Mr. HOSMER) is recognized for 20 minutes.

Mr. HOSMER. Mr. Speaker, at the risk of inflaming raging passion in the Department of Transportation, the Interstate and Foreign Commerce Committee, and amongst my colleagues representing most of rural America, I am going to use this occasion for my semiannual plea for legislative enlightenment in the form of favorable action on H.R. 5464, which would establish year-round daylight saving time.

This timing is appropriate inasmuch as come next Sunday morning most of urban America reluctantly will be setting its clocks back 1 hour. Some, certainly, will forget; others, no doubt, will erroneously set their clocks forward another hour; some people will drop their timepieces and break them; and, of course,

residents of Hawaii, Arizona, and Michigan will do nothing, other than glow in the contentment that the rest of the country is now back in step with them, wherever that may be.

Nothing, it seems, arouses American outrage and indignation quite like a suggestion to change the time of day. Many of our constituents seem to feel that mortal man should not be fiddling around with "God's time."

Our friends at the Department of Transportation and our colleagues on the Interstate and Foreign Commerce Committee take a more pragmatic viewpoint: They believe that legislation affecting the time of day should be considered about once every 50 years—but only if absolutely necessary. And since the last time bill was passed in 1966, they seem in no great hurry to act on H.R. 5464 much before the year 2016.

To those who argue that we should stop changing time altogether, I would agree. The bill I am sponsoring with eight fearless colleagues—Mr. WYDLER, Mr. FRELINGHUYSEN, Mr. MILLER of California, Mr. HARRINGTON, Mr. ST GERMAIN, Mr. HALPERN, Mr. JOHNSON of California, and Mr. ROSENTHAL—would merely leave the clock where it is today. It would never more have to go back an hour on the last Sunday of October.

You might think of the result not so much as year-round daylight saving time, but more as a new standard time, 1 hour ahead of existing so-called standard time. It will put the hands of the clock at a location more in keeping with the needs of society in the 1970's.

America's problems with time can be traced back to the fact that we left the business of establishing time zones to the railroads. That was in 1883 and it goes almost without saying that anything left to the railroads will go awry.

In 1883, every railroad operated on its own standard time. There were over 100 "standard" times in the United States at that point, eight different ones in Pittsburgh, Pa., alone. This may have been done accidentally, but more likely it was done by the railroads with malice of forethought so that no one would know when the trains were late.

But in 1918, the Congress passed legislation to establish official time zones. That helped, but States, counties, and cities continued to set their clocks pretty much as they wanted on a local option basis.

During the two World Wars, the country went on war time to avoid the confusion of different times and to conserve fuel and electricity.

Then someone rediscovered what Benjamin Franklin had thought of 200 years ago—daylight saving time. Ben awoke one morning in Paris to find his hotel room bathed in sunlight, despite the fact that he was a notoriously late riser. He decided—with a certain amount of logic—that the sunlight was wasted while he was usually sleeping and would be better used later in the day.

However, not everyone agreed with Ben's judgment. Some places liked early time, others did not. The result was a crazy quilt pattern of standard and daylight times across the nation, even varying from county to county and city to city. This prompted one man to write the Interstate Commerce Commission that—

> Confusion bordering on anarchy reigns supreme, and anarchy is the mode of the day. By such means do states and nations pass through the gates of the graveyard of history.

To prevent something awful like that from happening. Congress again came to the rescue, this time with the Uniform Time Act of 1966. It provided that daylight saving time should be observed on a statewide basis from the last Sunday in April until the last Sunday in October, unless a State goes to the trouble of voting to exempt itself from daylight saving time all together.

That brought new sanity to the situation everywhere except in Hawaii, Arizona, and Michigan, which, in a pique of States rights fervor, promptly denied the copious benefits of daylight saving time to their citizens.

The question being raised by H.R. 5464, however, is why should the clocks be moved back at all. If an extra hour of sunlight is deemed valuable during the already long afternoons of summer, does not it stand to reason that an extra hour of afternoon sun would be equally or even more desirable during the short, cold days of winter?

Much of urban America answers yes to that question but, regrettably, rural America and drive-in movie theater owners violently disagree. The farmers worry about their milking schedules being disrupted. The movie people fret about when the curtain of darkness will clothe their profitable passion pits. Personally, I am more interested in disrupting the muggers' mugging schedule.

For example, tomorrow night, October 29, with daylight time still in effect, the large work force here in Washington will by and large be out of the city and home before sunset at 6:11 p.m.

However, on Monday night, November 1, the sun will set at 5:08 p.m. Eastern Standard Time, meaning that thousands of men and women will be walking the streets, waiting for buses and driving cars after dark.

And they will have to wait until February 2 to see the sun again at 5:30 p.m.

Were daylight saving time kept in effect all year long, the earliest sunset of the year would be at 5:50 p.m., leaving ample daylight for the safety and convenience of the vast majority of American citizens.

Many law enforcement officials in this country are convinced that year-round daylight time would have a favorable effect in reducing street crimes. Their statistics show that the highest crime periods are those hours immediately following dark, which, in the winter time, means when the largest group of people are on the streets.

Delaying sunset an hour in the winter would provide an opportunity for people to get home before dark, plus the added public safety of having the peak evening traffic hours in daylight.

There are other potential social benefits of winter daylight time. Schoolchildren would have an extra hour of playtime in the afternoons before dark, even though it would mean their leaving for school about sun-up.

It would also provide savings in fuel and electric power, by adding an hour of daylight to the peak load hours of 4 to 7 p.m. during the months of November through April.

At any rate, since we have 6 months of so-called daylight time and 6 months of so-called standard time, if we have to standardize on one time period, it would seem eminently logical to settle on daylight time for the convenience of the greatest number of people.

Besides, under such a system, we would once and for all abolish the trivia: "Spring forward, fall back."

NEW MAN, NEW PHILOSOPHY, GUIDING THE AEC

The SPEAKER. Under a previous order of the House, the gentleman from Pennsylvania (Mr. SAYLOR) is recognized for 15 minutes.

Mr. SAYLOR. Mr. Speaker, there may be a precedent in the making inasmuch as I rise today to commend the Atomic Energy Commission and especially, its new chairman, Dr. James R. Schlesinger. In a particularly strong and revealing speech last week, Dr. Schlesinger indicated that the AEC is charting a new course for the future.

The chairman's speech before the Atomic Industrial Forum of the American Nuclear Society may be considered as a "watershed" in the history of the Commission and in the history of this Nation's efforts to find environmentally-safe sources of energy.

Dr. Schlesinger's speech is too important to be "capsulated" so I have included it at the end of my remarks in full. However, in order that our colleagues can gain the "flavor" of the chairman's tradition-shattering position, I must highlight a portion of the address entitled, "What is the AEC's Role?" Chairman Schlesinger said:

> It is the responsibility of the Atomic Energy Commission vigorously to develop new technical options and to bring those options to the point of commercial application. It is not the responsibility of the Atomic Energy Commission to solve industry's problems which may crop up in the course of commercial exploitation. That is industry's responsibility, to be settled among industry, Congress, and the public. The AEC's role is a more limited one, primarily to perform as a referee serving the public interest.

With that last sentence, Dr. Schlesinger charts a new course for the AEC. One can confidently predict that this new road for the agency will be rocky—changing the habits of two decades will not be easy. Nevertheless, the chairman has gone to some lengths to "bury the hatchet" with conservationists throughout the Nation.

One speech, one court case, and a few changes in Commission procedures will not, by themselves, reassure the public that the AEC has changed its spots. As a longtime critic of the AEC, I am convinced that there now exists at the leadership level a positive attitude toward the total environment and when that attitude filters down to the AEC's operating level and when the "new look" is understood by the environmentalists as an olive branch, we may see the beginning of a new era of cooperation and

understanding which will lead to the solution of energy problems.

Important as Dr. Schlesinger's speech may be in terms of potential shift in the AEC's operating philosophy, I must point out that the headlong rush toward nuclearization has not been slowed. My point is simple: nuclear energy is not necessarily the "best" means of solving all the Nation's energy problems. There are other alternatives. When the AEC recognizes and accepts this fact and the financial implications thereof, we will indeed have entered a new era.

I have appended to my remarks, Dr. Schlesinger's important speech and also a New York Times story dealing with the impact of that speech. Following that, is an editorial from the Washington Post on the same subject:

REMARKS BY DR. JAMES R. SCHLESINGER, CHAIRMAN, U.S. ATOMIC ENERGY COMMISSION, AT THE ALL-CONFERENCE BANQUET OF THE ATOMIC INDUSTRIAL FORUM, AMERICAN NUCLEAR SOCIETY ANNUAL MEETING, BAL HARBOUR, FLA., OCTOBER 20, 1971

EXPECTATIONS AND RESPONSIBILITIES OF THE NUCLEAR INDUSTRY

It is a privilege for me to be with you this evening at the Joint Meeting of the Atomic Industrial Forum and the American Nuclear Society. I trust that my remarks will be useful to you in casting some light on the environment in which you will be operating in the years ahead. It has been suggested to me that there is some curiosity, even eagerness, regarding my attitudes and what I might say in my first formal expression of views before a large segment of industry. Consequently, if you will permit, I shall dispense with the barrage of compliments, reminiscences, anecdotes, and clumsy jests, which are customary on such occasions. Since I wish to limit my remarks to a reasonable time, I shall turn right to the substance.

Despite the wide span of interests in the audience, the focus of my remarks this evening will be nuclear power. Initially, I shall concentrate on my impressions regarding the status of the nuclear industry. Later I shall indicate my views regarding the responsibilities of that industry—and the quite separate responsibilities of the Atomic Energy Commission. Together these should provide a framework of expectations regarding the future. And—hopefully—an understanding of the interplay of rights and responsibilities that should govern our activities.

You will appreciate that I have been in my present position for only two months, so that much of what I will say could be classified under the heading of early impressions rather than a complete and systematic treatment. Nonetheless you should not take these comments lightly on that score. You will also appreciate that I come to the AEC with a primary background in the national security end of AEC's responsibilities. So I am prepared to look for those things that are given emphasis in the weapons program: safety, predictable performance, high reliability, thorough and painstaking component testing, and an extensive program dedicated to quality assurance. With respect to nuclear power these objectives carry clear and necessary implications in regard to the reliability and maintainability of plants, the security of electric power supply, the long-run costs of electric energy. Above all, they relate strongly to the safety of those plants, which continues to be our primary responsibility to the public. The theme of quality assurance is one that you have heard discussed in the past; you will be hearing more about it in the future—and I shall return to it in a few minutes' time.

I. WHAT IS THE PRESENT STATUS OF THE INDUSTRY?

When I met with some of you in Geneva, my assessment regarding the future of the nuclear industry was optimistic. It continues to be. Some of you may find it difficult to share that optimism—particularly in the atmosphere that has hung over the industry since Calvert Cliffs. Indeed, I can fully understand why many of you are distressed. Still it should be difficult to be other than bullish about the long-run future.

The development and the expected growth of this industry are simply remarkable. What other industry can look forward with the same degree of confidence to a growth rate of roughly 15% per annum. The future is spectacular—the ultimate future. The pace of achievement, however, will depend heavily on two provisos: first, provision of a safe, reliable product; second, achievement of public confidence in that product. Satisfying these provisos will be a demanding task. But it can be done, if we recognize that it is imperative to provide the determination, the resources, and the organization to meet that challenge.

There are two problem areas: first, a set of difficulties, probably unavoidable, reflecting the "growing pains" of the industry, and, second, the state of congestion in the review process. It may be natural to ask who or what is to blame. But that is useless. All bear some degree of responsibility—in failing to take the necessary actions in the light of persuasive evidence of trouble ahead.

Yet, if you are inclined toward gloom, think for a moment about the truly remarkable achievements of the industry in a brief span of time. It is just 18 years since construction started at Shippingport. It is under 17 years since President Eisenhower's Atoms of Peace Message. It is but 15 years since the Commission inaugurated its Power Reactor Demonstration Program. It is but 8 years since Oyster Creek. It is just 5 years since the first order was placed for a 1000 MWe power reactor. In a four-year period, 1963–1967, capacity on order from the industry increased fifteen fold. These are spectacular developments. To draw an analogy, it is similar to the entire history of commercial aviation from Kitty Hawk to the Boeing 747 being compressed into less than a score of years. And in the commercial breeder and the fusion reactor we look forward to, as it were, the veritable space age of nuclear energy.

Perhaps in some respects the pace has been too swift. In any event, no one should be surprised if there is evidence of growing pains. Inevitably there has been a shortage of experienced personnel—eased by the supply provided adventitiously from Admiral Rickover's naval reactors program. It was not inevitable that the shortage be permitted to persist. Some utilities have purchased power plants based on financial considerations, paper designs, and paper calculations—without adequate technical knowledge as to what they were buying. Over time, new plant designs have been based upon large engineering extrapolations.

Many of the architect-engineering firms appear not to have assembled the needed resources of qualified personnel to carry a large number of power reactors through to the operational stage. This is the more significant since these firms may be attempting to substitute for designers, and for customers who are not sufficiently knowledgeable or demanding to cope with many first-of-a-kind items and within an expanding program. A consequence has been a wide spectrum of uncertainties in costs, schedules, and plant performance—and the need for prolonged test and shakedown periods.

Under these circumstances one should hardly be surprised that there are growing pains, but rather that the industry is already so far ahead. In this connection, neither should you be surprised if the Commission lays stress on disciplined engineering and on quality assurance. This is essential to the long-run success of the industry—and to satisfy the legitimate public concern, which the AEC represents. We will need to be assured that piping is of the highest quality, that pumps work, that valves are properly designed and operate reliably, that welding has been done in accordance with specifications and that radiography confirms this fact. Those in industry who have chided us—quite properly—about the AEC regulatory process, know full well that you have reason to blush regarding some of these aspects of quality assurance. Gentlemen, these engineering details are not peripheral; they are the heart of our problem.

The focus of concern should be the likelihood of small accidents, small spills, unplanned shutdowns, power interruptions and associated higher construction and maintenance costs. Potentially these could be the source of far more trouble over the long run than the possibility of hypothetical disasters.

We must of course give careful consideration to these hypothetical accidents, even though their occurrence may have virtually zero probability. But we must insure that such consideration does not unduly divert our limited resources in management and technical personnel from adequate attention to the unglamorous engineering tasks that constitute the heart of the safety problem—and the heart of your commitment to produce reliable power. We regard it as vital that purchasing utilities acquire trained personnel and technical expertise, that they become knowledgeable and demanding customers—to insure that they receive full value for the dollar expended, to avoid power interruptions, to insure that plants can and will be properly maintained, and among other things, to avoid relying on the Atomic Energy Commission to perform this critical task. Moreover, we are confident that reliable power reactor vendors want nothing more than a knowledgeable and demanding customer.

II. WHAT IS THE AEC'S ROLE?

There is another aspect to growing pains which casts light on the relationship between the industry and the Commission. Some of you may feel that Calvert Cliffs was a watershed event in other respects—that the Court's decision should have been fought, that by failing to appeal the decision and by issuing regulation in conformity with the court's decision the Atomic Energy Commission was admitting that it was wrong, that the whole set of events was tantamount to the AEC's abandoning the industry. In light of the historical climate in the industry, this is an understandable response. From its inception the Atomic Energy Commission has fostered and protected the nuclear industry. Looking back one can, I think, say that this was the right policy for that historical epoch. That policy permitted a new and vital technology to be exploited; it created an industry and then protected the industry as it grew to relative maturity. But that industry, insofar as it involves the exploitation of light water reactor technology, should now be on a self-sustaining basis. Those of you who regard the response to the Calvert Cliffs as indicating a climatic change in the relationship between the industry and the AEC could well be right, though perhaps for the wrong reason. The move toward greater self-reliance for the industry had a certain historic inevitability. Such a process is always painful. It is, however, necessary. One result will be that you should not expect the AEC to fight the industry's political, social, and commercial battles These are your tasks—the tasks of a self-reliant industry.

The logic is, I think, quite clear. This is no longer an infant industry; it is rapidly approaching mature growth. The history of the tariff is replete with brawling, vigorous in-

dustries continuing to demand protection appropriate to the years of early growth, when the stage of infancy had long since been passed.

In this regard the thrust of the Atomic Energy Act of 1954 can readily be misconstrued. The concept of "promoting," implicit in the act, is an elastic one. It can be interpreted, quite properly, to mean that the AEC has responsibility aggressively to develop new or improved technical options which may be exploited for public use. It can be interpreted, quite improperly, I believe, to suggest that the Atomic Energy Commission should indulge in promotional activities on behalf of well-established industrial sectors. Perhaps the phraseology is obsolescent. In any event the world "promotional" has served to confuse some sections of the government, the industry, and the public regarding the proper role of the Atomic Energy Commission in this mature stage of the industry's development.

It is the responsibiilty of the Atomic Energy Commission vigorously to develop new technical options and to bring those options to the point of commercial application. It is not the responsibility of the Atomic Energy Commission to solve industry's problems which may crop up in the course of commercial exploitation. That is industry's responsibility, to be settled among industry, Congress, and the public. The AEC's role is a more limited one, primarily to perform as a referee serving the public interest. I might add that it is to industry's long-run advantage that the public has high confidence that the AEC will appropriately perform its role in this regard.

In the weeks since I came into this job I have been impressed on a number of occasion by the failure in the industry and in-house properly to distinguish between the role and responsibilities of industry and the separate role and responsibilities of the AEC. In the future I trust the distinctive responsibilities of a government agency will become more sharply etched in the minds of all of us. I have suggested some of my concerns, let me be more precise.

The Atomic Energy Commission does not sell power reactors. We are a by-stander, sympathetic I trust. The selling of power reactors is a concern of the vendors; the decision to buy that of the utilities. The Atomic Energy Commission has issued projections indicating 150,000 MWE installed by the end of 1980. We are interested, of course, but it is a projection not a target of the Atomic Energy Commission. If it turns out to be a 130,000 rather than 150,000, or 160,000 for that matter, that reflects, quite properly, the decisions of industry. They are not our decisions. The AEC's primary responsibility is to assure expeditious reviews of applications—a subject which rightly concerns you and to which I will return.

Again, it is not a responsibility of the AEC to supply power, even nuclear-generated power. I recently read an EEI study seemingly based on the premise that the AEC has a responsibility for power production. I question that premise. Utilities sell power. The Federal Power Commission is the primary agency concerned with power supply. Congress provides the framework. Unquestionably it is the AEC's responsibility to take local power supply conditions into account when an application lies before the AEC. Our new regulations specifically recognize this responsibility, but I underscore that in the existing statutory framework our responsibility is not the overall power supply situation, but rather providing technical options and seeing that the technology is appropriately and safely utilized.

You have every right to demand that the AEC perform its duties efficiently. If extraordinary costs are incurred because of the unduly slow functioning of AEC procedures, that is our problem and our responsibility to solve it. It is not our responsibility, however, if a utility encounters unanticipated costs because of a failure to do its job properly, failure to comply with the procedures, or because of a change in the law. We are sympathetic; we understand your problem, but it is your problem.

Finally—and let me underscore this point—it is not the AEC responsibility to ignore in your behalf an indication of Congressional intent, or to ignore the courts. We have had a fair amount of advice on how to evade the clear mandate of the federal courts. It is advice that we did not think proper to accept. If you regard the legislative or judicial framework as extreme or unworkable, you have a clear remedy through the seeking of legislative relief. We sympathize with the difficulties that you are facing, but we have no intention of evading our responsibilities under the law.

Since these difficulties stem from the enhanced concern about the environment, let me say a few words on that subject. Environmentalists have raised many legitimate questions. A number have bad manners, but I believe that broadside diatribes against environmentalists to be not only in bad taste but wrong. I believe that we shall receive from the responsible environmentalists considerable assistance in resolving our present difficulties. Take air pollution. It is my personal judgment that when all environmentalists, including ourselves, have a chance to assess the contribution of nuclear power to the reduction of sulphur and nitrogen oxides and particulates, that all environmentalists will appreciate the advantages of nuclear power in relation to the real alternatives. I believe the argument over radioactive discharges is pretty well off the boards. Good answers will still have to be provided regarding safety, transportation, and waste management. Moreover, the responsible environmentalists are keenly aware that the present situation can boomerang. If there are power interruptions, brownouts, and blackouts, the environmental movement will pay a severe price along with the rest of us—and that is the situation the environmentalists wish to avoid.

Dealing with intervenors is a time-consuming process. Most intervenors ask appropriate questions, albeit somewhat repetitiously. Some intervenors are deliberately exploiting existing procedures in order to cause delay. To the extent that delaying tactics have been used as a tool to force the provision of information that the intervenors may feel that they have been improperly denied, it is understandable. There is a direct way of dealing with this problem. To the extent that delaying tactics have been employed sheerly for the purpose of delay, to put off month-by-month or year-by-year the operation of plants and imposing costs on industry and the public, it cannot be condoned.

Environmentalists have also been raising questions that transcend the issues involved in individual plants. The question has been raised, by Michael McCloskey of the Sierra Club among others, whether our society for environmental reasons viewed broadly ought not curb its appetite for energy and for electric power. It is a legitimate social question. It is not unreasonable to question whether neon signs or even airconditioning are essential ingredients in the American way of life. More fundamentally it is not unthinkable to inquire whether energy production should be determined solely in response to market demand. Some of you I suspect have strong views on this matter. You should be prepared, whenever the necessity arises, to present your position to the public just as the Sierra Club does—and I suspect that at this reading you are likely to have the public with you.

Whatever the private views of the Commissioners, it would seem to me inappropriate for the Atomic Energy Commission to take a position on this issue. The AEC should be officially neutral. It is the AEC's mission to provide energy options that will serve public needs—in whatever manner the public prescribes those needs. The AEC lacks authority and consequently should avoid becoming entangled in the determination of broad social issues of this type.

III. FUTURE PROSPECTS

Let me address one more issue as I draw to a conclusion. In the reaction to Calvert Cliffs it has been remarkably clear that the utility industry does not relish operating in the spotlight of public attention. The traditional ways of doing business seem preferable. A utility could get on with the job of installing a 100 or 200 megawatt fossil-fueled plant and nobody really needed to be consulted save for the property owners and the local authorities, who could be dealt with on a private basis. Nowadays every plant seems to be drawn into public controversy. I can understand the nostalgia. The old ways were neater and more efficient, at least in a limited sense.

But this is 1971. We are more crowded. There is a heightened public sensitivity on environmental issues—an insistence by the public that it be consulted. We shall all have to learn to operate under these changed conditions. You will not only have to operate in the glare of publicity, you will have to take your case to the public. Do not expect us to do this for you.

I have heard the charge that the AEC has been "over-reacting." The new regulations are tough; you will agree, however, that they comply with the spirit of the court's decision. While they are tough, they are workable. I am surprised and concerned therefore by the attitude of discouragement to which I referred previously. These new regulations present no insuperable difficulties, if you will get on with your part of the job and we get on with ours. For our part, we shall make every effort to minimize the time to be abscribed in the review process. Some components of the review can be carried on in parallel rather than in series. A suitable cost-benefit study can normally be developed on the order of two months, particularly if there is a suitable format. There are scores of qualified individuals who can do the requisite work. The cost will be miniscule in relation to the total cost of a plant—or in relation to the cost of delays. You will need guidelines for such studies and you shall have them.

If there are endless conversations about one or even two years delay and we all sit on our hands, the delays will be endless. Let us not sit back and fail to take the steps indicated in the regulations—and take them as expeditiously as possible. In this respect I can assure you the AEC will make every effort to move the paper and proceedings along quickly. But in some situations we can only follow your lead. For example, how many of you have filed show-cause orders with regard to ceasing construction on your plants? We are still awaiting requests to go to one percent power or twenty percent which is permitted under the regulations.

We can never act on requests that are not transmitted to us. Handwringing will serve no purpose. As I suggested earlier, a great deal can be accomplished within the framework of the regulations. Self-help is the best help. In the absence of adequate response from the industry the question of just who it is that is "over-reacting" will be more readily resolved.

Now, some of my words have been strong and some of my message has not been easily palatable. You may have concluded that I have spent too much time discussing why your expectations may be pitched too high and why your actions have been pitched too low. You may also have felt that I have spent too little time discussing the responsibilities of the AEC. You are right. But you

should also understand that we have a full appreciation of the formidable job ahead of us. I have indicated the respects in which the responsibilities of the Commission and industry should be viewed and emphasized. A government agency has separate responsibilities, distinct from those of industry. What are those responsibilities? The first is to conduct its business in an efficient manner, so that we are not the source of delay. The second is to avoid changing the rules of the game for other than sound reasons. You have every right to demand that of us.

You have a right to demand that licensing reviews be expeditiously carried out. Improvements clearly are needed. But this is a task which requires action on both our parts. For example, in 1969, the Internal Study Group, established by the Commission to review its Regulatory Program, after consulting at length with all segments of the nuclear industry, reported that:

"The lack of a comprehensive set of regulatory safety criteria and industry codes and standards relating to the safety of nuclear power plants contributes to the uncertainty concerning regulatory requirements and to the length of time required to conduct regulatory safety evaluations."

It concluded that:

"There is an urgent need for substantially increased participation and support of these efforts by all segments of the nuclear industry, especially the utilities."

While some improvements have been made, it is nonetheless clear, that the need in this area has not been met, and that greatly intensified effort—on both our parts—is needed to develop nuclear industry criteria and standards.

In this and other respects I have cited a determination to do our job better. In many areas we have already taken or initiated the actions necessary to strengthen and augment our capabilities to do this. We intend to redouble our efforts, firm in the view that we can best be of help to the nuclear industry and the public by carrying out our own responsibilities effectively. I think the more you reflect on the matter that is really all that you require from a government agency with regard to your well-established programs.

Let me reiterate: the Atomic Energy Commission, like any government agency, exists to serve the public interest. The public interest may overlap, but it is not coincident with private interests. Private interests may, and indeed through the operation of the well-known invisible hand are likely to, serve the public interests. The motivation is different. The role of a government agency, designed to achieve and enforce public goals, is distinct. Yet, as the Atomic Energy Commission performs its public role, I believe that it will help you to achieve your legitimate and long-run objectives.

Thank you very much.

AEC Shifts Role To Protect Public: Chairman Tells Industry Not To Expect Agency To Solve Its Problems

(By Richard D. Lyons)

Bal Harbour, Fla.—Dr. James R. Schlesinger, the new Atomic Energy Commission chairman, told the nation's nuclear industry tonight that the agency's role had suddenly shifted from promoting atomic energy to protecting the public interest in nuclear affairs.

In charting a radically different course for the commission's civilian activities, Dr. Schlesinger told the nation's two main nuclear groups:

"You should not expect the A.E.C. to fight the industry's political, social and commercial battles. The A.E.C. exists to serve the public interest."

Dr. Schlesinger disclosed the commission's new approach to its responsibilities during a speech to a joint meeting of the Atomic Industrial Forum and the American Nuclear Society at the Americana Hotel.

"From its inception the A.E.C. has fostered and protected the nuclear industry," he told an uneasy audience of nuclear industry executives and engineers in his first major policy address since taking office two months ago.

Then he added, "It is not the responsibility of the A.E.C. to solve industry's problems."

The remarks came at a time of increasing public uneasiness over the potential ill effects, such as thermal and radiological pollution, posed by the generation of electricity by nuclear power plants.

Environmental protest groups have stepped up both complaints and lawsuits charging that the commission has failed to live up to its responsibilities to protect the public interest, especially in the area of reactor safety.

The thrust of the charges is that the A.E.C. has been indifferent to the potential threat to humans and wildlife, and has for too long blindly supported the nuclear industries.

In a landmark decision in July, Judge J. Skelly Wright of the Federal Court of Appeals in Washington held in effect that the commission had failed to meet the intent of the National Environmental Policy Act, which went into effect last year.

The decision, involving the construction of a nuclear power plant near Chesapeake Bay in Calvert Cliffs, Md., stated that issues posed by nonradiological hazards must be settled before the commission could grant construction and operating permits.

The decision, which caused consternation within the nuclear industry, resulted last month in the commission issuing new safety regulations that must be met before a plant can be licensed.

The regulations are expected to delay the opening of 112 atomic facilities at substantial cost to the nuclear industry, as well as to the public utilities buying the plants, and perhaps ultimately to the consumer.

Dr. Schlesinger referred to the decision tonight in stating that many persons in the industry felt "that the court's decision should have been fought, that by failing to appeal the decision and by issuing regulations in conformity with the court's decision the A.E.C. was admitting that it was wrong, that the whole set of events was tantamount to the A.E.C.'s abandoning the industry."

He said this was only partly correct, observing that the industry should stand alone in dealing with the problems posed by current technology, but that the commission would continue to undertake research to develop better power plants.

"It is the responsibility of the A.E.C. vigorously to develop new technical options to the point of commercial application," he said.

"It is not the responsibility of the A.E.C. to solve industry's problems which may crop up in the course of commercial exploitation," he continued. "That is industry's responsibility, to be settled among industry, Congress and the public. The A.E.C.'s role is a more limited one, primarily to perform as a referee serving the public interest."

"In the weeks since I came into this job I have been impressed on a number of occasions by the failure in the industry [and the A.E.C.] properly to distinguish between the role and responsibilities of industry and the separate role and responsibilities of the A.E.C.," Dr. Schlesinger said. "In the future I trust the distinctive responsibilities of a government agency will become more sharply etched in the minds of all of us," he said.

Turning to the complaints of environmentalists, Dr. Schlesinger voiced some concern with the problems the nuclear industry had to face, and its reaction.

"Environmentalists have raised many legitimate questions," he said. "A number have bad manners, but I believe that broadside diatribes against environmentalists to be not only in bad taste but wrong."

He observed that environmentalists might come to realize that nuclear power could benefit the ecology by reducing hazardous wastes from fossil fuel power plants, such as sulphur and nitrogen oxides and soot.

"Moreover, the responsibile environmentalists are keenly aware that the present situation can boomerang," he added. "If there are any power interruptions, brownouts and blackouts, the environmental movement may pay a severe price along with the rest of us."

In a different vein, Dr. Schlesinger said the commission would not let itself get involved in the issue of whether society "ought not to curb its appetite for energy and for electric power," as some environmentalists have suggested.

"The A.E.C. lacks authority and consequently should avoid becoming entangled in the determination of broad policy issues of this type," he said, adding that it was up to the public to make the decision.

Dr. Schlesinger, a specialist in the economics and politics of arms development, has said privately in recent weeks that he intended to change the commission's position on environmental responsibility. Tonight he did so publicly.

In final remarks to his audience he said, "Let me reiterate: the Atomic Energy Commission, like any Government agency, exists to serve the public interests."

[From the Washington Post, Oct. 26, 1971]

A New Course for the AEC

The new chairman of the Atomic Energy Commission, James R. Schlesinger, has been in office less than three months but he obviously has set out to change the AEC's approach toward both the nuclear power industry and the public. In a remarkably tough speech in Florida last week, Mr. Schlesinger laid it on the line to the power industry which is already distressed at the new attitude emerging in Germantown. The Commission, he said, has a responsibility to the public as well as to the industry and in some fields it will perform in the future as a referee rather than as an advocate in disputes involving nuclear power plants.

Mr. Schlesinger's words are most welcome and they ought to be listened to carefully by the companies which build nuclear reactors and power plants. He is right in describing this industry as one with great potential for growth but only if it can produce a safe, reliable product in which there is widespread public confidence. At the moment, public confidence in the safety of nuclear power plants and in the determination of the AEC to enforce adequate safety standards is at a low ebb. This situation may or may not be justified; it is extremely difficult for non-experts to make exact judgments on many of the matters within the AEC's orbit. But it is a situation that has developed because of the basic conflict in the AEC's dual roles of promoting the use of atomic energy and of setting the safety standards for the plants that produce it. Too often the AEC has seemed to be pushing particular nuclear projects towards fruition while treating cavalierly its function as the public's protector.

It was this basic conflict that led us to suggest several months ago that perhaps it was time to split the AEC into two distinct agencies—one to push the development of atomic energy; the other to regulate the industry. Operating under the existing law, Mr. Schlesinger seems to be trying to do the same thing in a different framework. He says the task of the AEC in promoting atomic energy ends when it has helped develop new technical options and bring them to the point of commercial application. Once that occurs, he told the power industry, the AEC should not be in the business of solving the problems that may subsequently arise but should

be serving the public interest by arbitrating the disputes that arise. It remains to be seen whether he and the rest of the Commission will be able to make this distinction work in practice and, just as importantly, convey to the public a sense that is working.

It is true, no doubt, that there is widespread unhappiness inside the nuclear power industry with some of the recent actions of the AEC. The Commission ignored many recommendations from that industry when it responded admirably to the Calvert Cliffs court decision by setting out new standards of review for atomic projects and suspending work on many of those under way until new reviews are conducted. But that was a vital first step in getting the development of atomic power back in line with the public's renewed concern about safety and pollution. We assume from Mr. Schlesinger's remarks in Florida that he and his colleagues on the Commission intend to take the rest of the steps that are needed to assure the country that this vital source of energy can be handled without endangering either the public or the environment.

THE FEDERAL BUREAUCRACY AND INDIVIDUAL FREEDOM

The SPEAKER. Under a previous order of the House, the gentleman from Arizona (Mr. RHODES) is recognized for 5 minutes.

Mr. RHODES. Mr. Speaker, the Sunday, October 24 edition of the Arizona Republic featured a front page editorial by Mr. Eugene C. Pulliam, who is the publisher of the Arizona Republic, the Phoenix Gazette, the Indianapolis Star and the Indianapolis News. The editorial was entitled, "Will the Federal Bureaucracy Destroy Individual Freedom in America?"

The distinguished senior and junior Senators from Arizona have already inserted the contents of the editorial in the RECORD of October 26, and in the interest of economy I will refrain from asking that it be inserted again. However, it is my hope that all Members will take note of this editorial and read it carefully. It appears at page 37497.

In the editorial, Mr. Pulliam analyzes the power of the Federal bureaucracy, and the difficulty that the elected Members of the Government have in keeping the bureaucracy from taking actions which are not desired by the majority of the people. He points out that many times agencies of the Government seem to feel that there is no capability of performance in the average citizen and that therefore the Government must protect that citizen from his own incapacity.

Mr. Pulliam also discusses the Ralph Nader organization at some length, asking the question "Who has appointed this man to play God over American business? Who has given him and the bureaucrats who are helping him the right to destroy the investment and efforts of thousands of Americans who have entered into the voluntary associations of corporate endeavor?"

The gist of Mr. Pulliam's editorial is contained in the last paragraph:

> The United States spends billions of dollars every year to oppose Russia's determination to impose its autocratic rule of complete domination on other countries and to control individual freedom, industrial production, education and everything that approaches freedom of speech and freedom of expression. Here in America the bureaucrats are forcing the United States, step by step, to accept a system of government that will destroy free enterprise, local control of our educational system and, most important of all, the right of free expression, the fundamental right of liberty. If the bureaucrats succeed, freedom as we know it in America will be lost—maybe forever.

Certainly Mr. Pulliam presents a point of view which should be brought to the attention of all of the Members of Congress. This is a man who is not only the publisher of four successful newspapers, but has received nine honorary LL.D. degrees from nine universities and colleges, has won the William Allen White Foundation and the John Peter Zenger awards, the top award of Freedoms Foundation and a Wells Key award of Sigma Delta Chi. He is a knowledgeable, sincere, dedicated American who is plainly worried about the fate of his country and has eloquently told us why.

BUSING OF SCHOOLCHILDREN

The SPEAKER. Under a previous order of the House, the gentleman from Michigan (Mr. ESCH) is recognized for 5 minutes.

Mr. ESCH. Mr. Speaker, the Members of this body may soon be called upon to cast their vote on the school busing question. With that point in mind, I am taking this opportunity to present this statement as we attempt to resolve this matter.

Few issues in the Nation give rise to so much emotionalism and dogmatism as the busing of schoolchildren to secure equal educational opportunity for all students. Extensive litigation is before almost every court in the Nation; numerous different resolutions, bills, and constitutional amendments are before both Houses of Congress; apparent differences in statements by administration officials give rise to confusion; the letter-to-the-editor columns of the papers are full of acrimonious charges and countercharges.

Far too little of this debate has concerned itself with the most important part of the slogan "equal educational opportunity"—education. The purpose of an educational system is to create an environment in which learning can take place. While there is clearly a place in the educational system for attempts to bring about social change and an upgrading of society, the primary purpose is, and must continue to be, to educate.

Schools, therefore, should concentrate on providing a stable atmosphere in which the teacher can teach and the student can learn. The student himself must be the center of our concern. The quality of programs and academic excellence must be our major interest. The student must be presented with the academic and practical skills that will allow him to become a useful and contributing member of society.

Schools do have an impact for social change, but 30 hours a week spent in a schoolroom cannot solve the problems caused by 130 hours in deprivation. If the school system is to have any impact at all on removing a student from deprivation it must be because it provides him with the knowledge and the ability to break out of the cycle of poverty and ignorance. Only if the schools can teach him to read and write, calculate, and make use of his skills can he find a job and take his place in a world consisting of something other than welfare checks, indolence, dilapidated housing, and hunger. If the schools do not provide the education then all the social contact in the world cannot improve the student's lot. It has been shown time and again that students do not necessarily achieve more in an integrated setting. It is the equality of the courses offered and the staff available, not just the racial mix of the students and teachers involved, which determines achievement. In my view, spending money on special programs for the deprived is far more important than spending it on pupil transportation.

"Community spirit" has been an important part of our national heritage—pride in one's community, working together, cooperating to secure common goals, helping out a neighbor in times of need. Indeed some of the most important "social" legislation of the last decade has attempted through the community action program to reinvigorate that sense of community. Almost invariably, the most important institution of a community is its school.

Children need a sense of community—a stability—if they are to develop most effectively. Children need to feel secure in their relationships with their parents, with their friends, with the parents of their friends, with their teachers and classmates. That security and stability can best come, in my opinion, through neighborhood schools, as near as possible to his home—although it obviously cannot always be within walking distance.

For these reasons I am a strong supporter of the neighborhood school concept. This general statement of views, however, does not deal with a number of specifics which must be acknowledged in the "busing" debate.

The first, and most obvious, is the removal of "dual" school systems. Since holding office I have consistently supported the goal of unitary schools offering equal opportunity to all students. Indeed, every branch of the Government has affirmed again and again—through legislation, court rulings, and administration statements over the past two decades—that there cannot be separate school systems established on the basis of race. Nor can there be any question of the responsibility of school boards to take affirmative action to end the separate system.

There is serious confusion in the rulings of the courts on this entire question. It is important to point out that the Supreme Court did not hold that there must be racial balance in a school system. Indeed, it held that there are circumstances where an all black, or all white school is perfectly permissible. The Chief Justice recently expressed concern that the lower courts are widely misinterpreting the Supreme Court decisions in this area. The Court held that busing is one of the affirmative steps a school system can take to correct its pur-

poseful discrimination of the past. It did not hold that this was the only step, or even the most desirable step.

It is imperative, in my view, that the Supreme Court immediately clarify its rulings. At the present time, different rules are being applied by different lower courts throughout the Nation—creating confusion and conflict.

Second, additional confusion and conflict has been created by administrative vacillation. It makes no sense for the administration to state that they will do everything possible to uphold the law and, at the same time, to say that no Federal funds can be used for busing when the courts have declared that this is the law. It is irrational for the Federal Government to refuse to have any monetary responsibility for regulations which it has imposed and which it is responsible for enforcing. That is why I introduced an amendment to the Emergency School Desegregation Act during consideration in the Education and Labor Committee which would permit use of Federal funds for busing costs arising from a court order. I am hopeful that a similar amendment will be adopted during consideration of this legislation on the House floor.

Third, the Congress itself has been negligent in establishing a clear-cut policy in this field. While we have addressed ourselves on a number of occasions to the problems arising from dual school systems, we have never made clear the congressional viewpoint with regard to desegregation in "de facto" instances, when school boundaries were drawn without regard to racial composition. I will support an amendment, to be offered by Mr. O'HARA of Michigan, which will make it clear that busing is not required by Federal law where no governmental segregation has been found. In short, in those areas where schools have been built, students assigned, and money spent on a color-blind basis, busing will not be a Federal requirement.

Finally, total racial balance is neither desirable nor practical throughout the Nation. Our efforts must be concentrated on the upgrading of the systems where segregation has taken place by social accident, not by governmental design. Four years ago I joined with a group of Republican colleagues under the leadership of Congressman ALPHONZO BELL in studying urban education. We were distressed by the lack of attention to the special problems of the urban poor—whether black or white—in educational programs. We offered a broad program to correct this difficult problem. Unfortunately, that study has largely been ignored. Until the Government and our people are willing to commit adequate money to erasing these inequalities resulting from their environment, the problems of poverty and ignorance will continue to plague us—particularly in our cities.

It is urgent that the Congress, the administration, and the courts accept our immediate responsibility to settle the confusion and unpredictability surrounding our educational system. Our Nation cannot afford another generation of students whose education suffers because of a lack of stable environment. Let us have rational, rather than emotional discussion and debate. Let those in all three branches of Government accept responsibility to clarify the confusion and to develop a specific functional policy. Then let us commit ourselves to adequate funding to meet the educational needs of all the children within that framework.

THE COMMITTEE FOR PUBLIC JUSTICE

The SPEAKER. Under a previous order of the House, the gentleman from Missouri (Mr. ICHORD) is recognized for 10 minutes.

Mr. ICHORD. Mr. Speaker, it is becoming fashionable in some circles to express loud criticism of the Federal Bureau of Investigation and its work despite the fact that the FBI is acknowledged to be one of the most honest and efficient law-enforcement agencies in the world.

I do not for a moment suggest that the FBI is not subject to criticism and that such criticism is always improper or unwarranted and that the FBI will not survive in the face of it.

Nothing or no one is perfect. Why, there are even those who have the temerity to suggest that the U.S. House of Representatives occasionally falls short of perfection.

Criticism can be a force for improvement of the subject under critical scrutiny. All of us should welcome criticism of a constructive and objective nature.

But I think it is time that we examine the motives of some of those who are setting themselves up as critics of the Federal Bureau of Investigation.

I specifically refer to a group calling itself the Committee for Public Justice. That title has a nice ring to it; does it not? Committee for Public Justice. How can one argue with justice for the public? That is what this Nation is all about.

But do we know all we should about this so-called Committee for Public Justice, which has announced that it is about to release an exposé of the FBI. Has the media given us the full background of this group and its membership? Or has the public and Congress been kept ignorant of this information? I suspect the latter is true for most of us.

Some facts about the Committee for Public Justice:

The Committee for Public Justice was formed last year for the stated reason of examining the FBI, its methods of operation and its leadership because of the committee's own allegation that this country is in a period of "political repression" and that the FBI is one of the foremost weapons of government "political repression."

Now I find both of those contentions just a little bit hard to swallow.

You do not exactly have a period of "political repression" on hand when the likes of Rennie Davis, Abbie Hoffman, and William Kunstler are free to gallop about the country preaching the necessity of the change of our form of government either peacefully or by violence.

One of the founders of the Committee for Public Justice, Miss Lillian Hellman, stated that the committee was formed because "some of us thought we heard the voice of Joe McCarthy coming from the grave."

Now none of us long for a return to the McCarthyism of the right of the 1950's when many people suffered because of smear and innuendo.

But the activity of the Committee for Public Justice and similar activity throughout our Nation leads me to conclude that we have already entered a period of McCarthyism of the left where not only those who are charged with responsibility of enforcing the law, but also those who believe in the enforcement of the law, are branded as oppressors or Facists.

Let us examine Miss Hellman's background. She is identified in press reports merely as an author and playwright. And she is indeed that, one of some note. But the "new journalism" of today finds it easy to ignore or dismiss further information about Miss Hellman and her past.

The media has chosen to ignore—or dismiss—sworn testimony before Congress in 1951 that Miss Hellman had been a member of the Hollywood, Calif., chapter of the Communist Party, U.S.A.

The "journalism of advocacy" make no mention of her long work with and in behalf of Communist front groups in this country—about 100 different ones.

The new journalists do not tell us that while testifying before a congressional committee in 1952 that Miss Hellman declined to say under oath whether or not she had been a member of the Communist Party.

Another member of the Committee for Public Justice is one Frank Donner, who also found it convenient to rely on the fifth amendment when questioned about his connection with the Communist Party.

Perhaps the most notable figure on the committee's executive council is Ramsey Clark, a former Attorney General of the United States, whose name has of late become synonymous with vocal criticism of the FBI, generally criticism of unsubstantiated allegations.

This includes criticism of Justice Department policies concerning electronic surveillance, despite the fact that wiretapping reached theretofore unscaled heights while Ramsey Clark held the reins of the Justice Department.

There are other key figures in the Committee for Public Justice who have long been antagonistic to the FBI.

One is Norman Dorsen, general counsel of the American Civil Liberties Union, who echoes most of what Ramsey Clark has to say about the FBI; Telford Taylor, who has represented several Communist Party members before congressional committees.

A whole gaggle of the beautiful people have flocked to the Committee for Public Justice to lend it the glamor of their names: Jules Feiffer, the cartoonist; Shirley MacLaine, Candice Bergen, Mike Nichols, Arthur Schlesinger, Jr.

I suggest that their thirst for public justice at least is equaled by their de-

sire for personal publicity and public attention.

So the Committee for Public Justice will convene at the Woodrow Wilson School at Princeton University this Friday to issue its first pronouncements on the FBI, doubtless accompanied by extensive coverage from the practitioners of the new journalism, the east coast version.

The result will be predictable: frightening allegations that the FBI threatens the very foundations of our freedoms.

Let us hope that the reports include a full backgrounding of the Committee for Public Justice and of those who make it up.

When the rhetoric clears we will see whose creditability remains: The Committee for Public Justice or the Federal Bureau of Investigation.

SHARPSTOWN TRAGEDY: ACT I

The SPEAKER pro tempore (Mr. LINK). Under a previous order of the House, the gentleman from Texas (Mr. GONZALEZ) is recognized for 10 minutes.

Mr. GONZALEZ. Mr. Speaker, over a period of time beginning last June 16, I have addressed myself, on a sustained basis, to the scandalous aspects of the immunity order granted Frank Sharp, of Houston, Tex., the kingpin of one of the most shameful episodes of Texas history. In the beginning, various stories and comments were written about my activities in this respect in such a way as to bring ridicule and cast suspicion on my motives. Inquiries were made of me back home by some of the actors in this scenario I labeled Sharpstown Follies. They reminded of similar efforts made throughout my political career. I remember when I was mayor pro tempore of San Antonio and a bitter struggle took place, a mayor ordered a city detective to "get something on that Mexican." Later, year before last, during the SBA scandal, the two culprits hired a private detective to again get something on that little "——— Congressman." I never made mention of this because I considered it all part of the Follies, and so I continued to speak out, to stick to the subject matter and to concentrate on the need to salvage the integrity of the Justice Department.

Then, Will Wilson resigned. Again, various stories appeared, some saying I had nothing to do with his resignation, others squarely crediting—or blaming, depending on the point of view—me, others making me appear like a latter-day Savonarola. But the central issue, which I initially set forth, remains to confront me and every single Member of the Congress: the shoddy misuse of the Federal immunity statutes.

Back home in my beloved State of Texas, the imperative need to restore the regulatory statutes governing insurance corporations, which some of us enacted in 1957 after the scandals of the mid-fifties confronts the State legislature. These statutes we enacted and strengthened in 1957 have been diluted and watered down since 1961, and I have called upon the proper Texas officials to implore the Governor to call a special session of the legislature in order to tighten the law and make it impossible for the same thing to happen that did in the case of Sharp's insurance companies. Indeed and in fact I understand there are two insurance companies now on the brink for the same reason Sharp's went under and the insurance board is desperately trying to salvage the situation.

All of this does not make news, but actually accounts for the greater portion of my efforts.

Mr. Speaker, I intend to continue to speak forth. I am gathering additional documentation. I believe the proper committees of this House have a responsibility that must not be shunted off on a solitary lone Member.

Mr. Speaker, I shall return. In the meanwhile, the plot transcends the Follies era and has entered the tragic one.

OMAR TORRIJOS, PANAMA'S CASTRO, THREATENS INVASION OF CANAL ZONE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. FLOOD) is recognized for 10 minutes.

Mr. FLOOD. Mr. Speaker, following a massive campaign of incendiary propaganda of hate against the United States in the Republic of Panama, a large crowd estimated at 120,000 gathered on October 11, 1971, at the 5th of May Plaza in Panama City for a mammoth rally close to the Canal Zone boundary to commemorate the third anniversary of the 1968 coup d'etat that resulted in the formation of the present revolutionary Government of Panama.

During the weeks preceding the demonstration, tension on the Isthmus induced by a daily diet of inflammatory newspaper headlines and posters increased perceptibly. One slogan that I read with special interest was that the choice for Panamanians was Torrijos or FLOOD.

It will be recalled that General Torrijos recently reorganized his government replacing constitutionalists with leftists, that he has been close to Castro, that he has expressed himself as sympathetic with Red China and Soviet Russia, and that since July Soviet agents have been on the isthmus working in the Panama Government.

Translated into the language of power politics in which the Caribbean is the danger zone to the south and the Panama Canal the key target for its conquest, the use of the slogan "Torrijos or FLOOD" means that the crucial isthmian issue is continued U.S. sovereignty over the Canal Zone—FLOOD—versus U.S.S.R. control—Torrijos.

Although reports received before October 11 clearly indicated that violence was possible, there was none probably because of preparation by our Armed Forces to meet any attempt by Panamanian mobs to invade the Canal Zone as occurred in 1959 and 1964. Nevertheless, the demonstration had ominous tones aroused by General Torrijos, the principal speaker.

In one of the most provocative addresses by a responsible public official that I have read in a long time, he made points that should be noted. The volatile commander—

First, Stated that the Panamanian people "are reaching the limit of their patience";

Second, Charged that the United States in alerting its troops on the Isthmus did so "with the same sense of guilt that thieves take to hiding when the police get together";

Third, Declared that if deceived at the treaty negotiations, Panama would adopt the alternative of a "generation offering its life so that other generations may find a free country";

Fourth, Theatened to lead "6,000 rifles of the Guardia—to defend the integrity, the dignity of Panama";

Fifth, Admitted the objective of gaining full control of the U.S. Canal Zone;

Sixth, Made the charge that since the Vietnam war is ending the "merchants of blood" would like to "turn Panama into a Viet Pana"; and

Seventh, Stated that should the negotiations fail Torrijos did not know what would happen but that he would march at the head of the Panamanian people.

Mr. Speaker, the implied threat of General Torrijos was for a massive mob invasion of the U.S.-owned Canal Zone. Certainly no respecting government of the United States can accept such threats of blackmail. The situation thus created demands early action by the House on the pending Panama Canal sovereignty resolutions so that the entire world will understand that the United States will meet its treaty obligations with respect to the Panama Canal.

In order that the Congress and the entire country may know about the recent provocation at Panama and have a translation of the part of the Torrijos address relating to the United States and the Canal Zone, I quote that portion of it in my remarks as follows:

SPEECH OF BRIG. GEN. OMAR TORRIJOS' CINCO DE MAYO PLAZA—OCTOBER 11, 1971

We also wish to speak, gentlemen, about a problem that is in the hearts of all of us. It is the problem of our relations with the Canal Zone.

We wish to speak of this problem, gentlemen, which Omar Torrijos and the Panamanian people look upon as a sentimental problem, essentially sentimental. If not, let our ambassadors of the friendly republics here present say so. Let the newspapermen here present say so. What people in the world tolerates the humiliation of seeing a flag implanted in its own heart? Let them say so. And in saying so, I want them to look at us.

I know, gentlemen, I know, Panamanian people, that we are reaching the limit of our patience, I know we are reaching our limit of patience. Let the foreign correspondents here say, let them say what people in America, or what people in the world, will put up with having a governor next to its territory. In behalf of whom? Governor of what? Not even the savage tribes of Africa will put up with governors. Gentlemen, who has seen anything like this?

Since 1904 the Panamanian people have been fighting that treaty, which if shameful for us, for the United States democracy is ignominious. Let them prove now that it is true that they are the leaders of world freedom by removing from our midst the colonial enclave existing here, instead of rushing to alert their troops, because every time the

Panamanian people get together they alert their troops. They alert their troops with the same sense of guilt that thieves take to hiding when the police get together. With that same sense of guilt.

Let the world listening to us know the ruinous extent certain United States mentalities have reached. They pay us, they pay Panama, one million nine hundred thousand balboas, that is, one million nine hundred thousand dollars, for a 250 square mile strip of land. Yet, the Empire Building State (sic) pays a net 13 million, look at that figure. To what extent does their malice reach. That a Canal that sits astride a world route, that a Canal that has forced us to make their enemies our enemies, that has deprived Panama from making a list of its own enemies. Yes, gentlemen, we want to make the list of our own enemies, we do not want to be enemies of any country. We are seeking the right solution for our people, the right medicine for our people, the appropriate aspirin for our headache.

The Panamanian does not go out with an umbrella when it rains in Moscow. That is not true. Nor does he don an overcoat when it snows in Washington. That is not true. The Panamanian is seeking his own solution, is seeking to create a new Republic, and we are finding it here. This is being confirmed today.

I have been told by student leaders and by men who love the Fatherland: "Omar, we have faith in the negotiations, we have faith in your patriotic spirit." The hour Panama feels disenchanted at the negotiating table, the hour that they deceive us, the hour we notice they think of continuing to deceive us, I will come here, gentlemen. I will come and say to you: Panamanian people, they are deceiving us and now there is but one alternative, a single alternative remains when that happens. The alternative of a generation offering its life so that other generations may find a free country.

(Crowd interrupts and shouts: Omar, be sure, and strike the Gringos hard.)

Gentlemen, I have never deceived this country. I know there is much apprehension, there is apprehension in the atmosphere. Our enemies, our enemies are the enemies of the good feelings of the United States. They would want us to go to the Fourth of July. They are wrong, gentlemen. On Fourth of July we put the dead and they put the bullets. Today we are not going to the Fourth of July. (Editor's Note: Fourth of July Avenue is a boundary street.)

When all hopes have failed to remove that colonial enclave from here, Omar Torrijos will come to this same plaza and say: Gentlemen, we failed, let's go forward, because Omar Torrijos is not a hero with someone else's blood. Omar Torrijos is going to accompany you and the six thousand rifles of the Guardia are there to defend the integrity, the dignity of this country, gentlemen.

Because when a people, gentlemen, when a people starts a decolonization process, two things can happen. They either colonize all or they remove their colonialistic tent. And they are going to remove it, they are going to remove it, gentlemen, they are going to remove it. I wish to tell you the truth, gentlemen, I am honest enough with you. I would be dishonest if I did not confess here that in the mentality of those leading the Northern Nation right now there is a spirit of understanding, and there is a certain shame for allowing a situation like this to have continued for such a long time. They have said they are going to decolonize this, that they will give us back our flag, that the police will be ours, that the postal system will be ours, and that the Panamanain will be able to leave his home, and on his way from home to work, he will not have to go through that ignominous shame of passing through a section of road under the jurisdiction of a state of the United States. This is going to end, gentlemen.

There are merchants of blood, there are merchants of blood there and here, and the merchants of blood know no nationality. Their only mission is to sell blood, and the Viet Nam market is running out. They would like to turn Panama into a Viet Pana, into the new Viet Pana to sell their war machine. Let us not play along with them, gentlemen, we will not play along with them. I will let you know when the negotiations are failing. Let us give the impression of being a proud country, worthy and civilized. And the day the negotiators fail, I don't know what will happen, but Torrijos will march at your head. But then that will be the day that I will tell you.

LATEST DEVELOPMENTS IN FIGHT AGAINST DRUG ABUSE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. MURPHY) is recognized for 15 minutes.

Mr. MURPHY of Illinois. Mr. Speaker, it is not a new phenomenon, the use of drugs, but it is something which has become more prevalent among young people during the Sixties. Mind-blowing or mind-expanding drugs can really turn a person on; they can also kill as evidenced by Coroner Toman's report of 48 deaths from drug overdose in Cook County, Ill., last month.

When I recently completed a fact-finding tour for the House Foreign Affairs Committee, I was appalled at the use of dangerous drugs by military men, especially in Southeast Asia.

Certainly, the Defense Department is making an effort to ascertain which men are using drugs. An amnesty program was recently started and now men leaving Vietnam are given special tests to determine if they have ever used drugs. Like the body counts and the origin of the Vietnam war, however, I doubt seriously if the American people will ever really know the extent of drug use in the services.

Just last week, DOD announuced plans to lengthen the rehabilitation period in Vietnam for servicemen whose tests proved positive. What is now a 4-day stopover in Vietnam prior to returning to the States will become a 14-day program. While a 4-day period of detoxification is ludicrous, a 14-day delay is not much better. Can there ever be a realistic appraisal of the drug problem in the military and elsewhere if those in charge continue to deal with the problem in such an unrealistic way?

Administration officials, just back from a trip to Vietnam, were noncommittal when questioned by the press recently. They gave no indication of what further steps this administration was going to take to reduce this menace.

Americans are tired of this war; they are tired of the killing and the sacrifices of many American lives. They are tired of the addiction problem of our cities and suburbs which is in part traceable to the Vietnam conflict. They now seem ready to do something about these frustrations. But they cannot carry the burden alone.

The United Nations Commission on Narcotic Drugs was held in Geneva between September 28 through October 21, 1971. A Department of State press release lauded the debate "characterized by candor and specifics". Discussions highlighted problem areas and delinquent countries in Southeast Asia, the Middle East and Latin America. One line of the release, however, nullified the rest:

> The CND session did not draw forth the additional contributions needed from the developed countries for the UN Fund for Drug Abuse Control.

There can be no treatment and rehabilitation facilities, no qualified medical personnel, no long-range international attack without funds. The administration's recent addition of $155 million to existing drug funds in this country's budget was a beginning but hardly an adequate one.

I, for one, refuse to be satisfied with introducing drug legislation and inserting a few pertinent articles in the CONGRESSIONAL RECORD. I am agitating for action to stem the tide of addiction with every legislative and administrative tool at my disposal. I urge all of you to do the same. We must settle for nothing less than an all-out assault on this cancer which is infecting our servicemen and our children.

VETERANS DAY IN BUFFALO

The SPEAKER. Under a previous order of the House, the gentleman from New York (Mr. DULSKI) is recognized for 10 minutes.

Mr. DULSKI. Mr. Speaker, Veterans Day was observed last Monday under the new law which schedules it for the third Monday in October, rather than on November 11 as in past practice.

We, in my home city of Buffalo, N.Y., are fortunate to have one of the finest Veterans' Administration hospitals in the country. It is located adjacent to the State University at Buffalo campus and its school of medicine which gives it access to an additional resource of medical talent and sympathetic interest.

I went to the hospital last Monday to visit with both the patients and the staff. I can report that morale is good. I have been to the hospital many times before and again I was very pleased with what I found.

Those who follow professional football are aware that our city has a team in the American Conference, the Buffalo Bills. They are at the bottom of the standings, but that is not relevant here.

I was delighted to find that the members of the Bills took time out on Veterans Day to visit the patients at the VA hospital. This was indeed heartening to me.

And speaking of the Bills, I want to note, too, the visit to the hospital of one of the team's former star quarterbacks, who quit football to seek public office. I refer, of course, to our able colleague and my Buffalo area neighbor, the Honorable JACK F. KEMP.

Both Mr. KEMP and I earlier had the pleasure of taking part in an impressive special Veterans Day program at Buffalo's main post office. That program was conducted by Joseph D. Sedita, officer in charge.

LEGISLATION INTRODUCED TO ACHIEVE FUNDAMENTAL REFORM OF THE SOCIAL SECURITY PAYROLL TAX

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. HARRINGTON) is recognized for 10 minutes.

Mr. HARRINGTON. Mr. Speaker, today I am introducing, with Mrs. GRIFFITHS, a bill that would achieve fundamental reform of the social security payroll tax.

The payroll tax is the second largest producer of Federal revenues. This year it will yield $47 billion, more than the corporate income tax and exceeded only by the individual income tax.

The payroll tax is also, unfortunately a large and regressive tax. We in this country reached agreement long ago that taxation should be based on "ability to pay." In general, we have agreed that only income in excess of that needed for necessities should be taxed. The payroll tax reverses that intention. It does not exempt subsistence income and tax higher incomes; it rather taxes the subsistence or "first" income, and exempts higher incomes.

The injustice of this structure of the tax is serious because the tax is so large. The employee share and the employer share are each 5.2 percent. And in order to finance scheduled increases in Social Security benefits this tax will rise even further. H.R. 1 provides for increases to 7.2 percent by 1977 in both the employer and employee share.

The original funding of the social security program was not so drastically unjust. For one thing, the payroll tax more closely approximated a proportional tax since it covered the entire earnings of 97 percent of all workers. Second, the tax was smaller. The original rate was 1 percent. At that time the payroll tax provided a small portion of revenues and did not mar the essentially progressive nature of the combined Federal tax policy.

The payroll tax now provides 23 percent of Federal revenues. This share is growing. By 1976 the payroll tax will produce 25 percent of Federal revenues, some $80 billion. In short, we are relying in greater, not lesser, measure on our most regressive tax.

Recent cuts in lower income brackets have made the individual income tax more progressive. However, this relief has been eliminated in part or in full for middle-income workers by the increasing burden of the payroll tax.

There are other serious inequities in the present payroll tax formula. Unlike the income tax, the payroll tax is collected without consideration of family size or extraordinary expenses. The single worker pays the same as the married couple or the family of seven, despite differences in ability to pay.

The present formula discriminates against families with two wage earners. Individual, not family, income is taxed. A family with two workers, each earning $8,000 pays twice as much tax as a family in which a single worker earns $16,000. And two-worker families do not necessarily receive greater benefits eventually.

The legislation we are submitting would remove the inequities of the payroll tax without changing the basic structure of the social security system. The change involves no administrative headaches.

The bill we are proposing would remove the inequities and the regressivity from the payroll tax.

The ceiling on taxable income would be removed, including all wages in the tax base.

The personal exemptions and low-income allowance permitted on the Federal income tax could be subtracted from taxable income.

These changes would insure that the payroll tax be collected according to ability to pay. The tax would be collected on a family basis. Families with two wage earners would no longer be double taxed. Large families because of their greater needs would be taxed less than small families or single workers of the same income level.

This reform would lower the payroll tax for 63 million Americans. It would lower the tax for every family of four with an income under $14,500, for every married couple making less than $13,000, and for every single worker earning $12,250 or less. Even at the income level of $25,000, as many families would pay less in payroll tax under the proposed plan as would pay more. Only 8 million upper income Americans would pay more under the proposed changes.

The bill would take social security of the actuarial system and put it on a pay-as-you-go system. This change has been called for by several successive Presidential Advisory Commissions on Social Security. Recent blanketing-in provisions and raises in benefits which give current recipients payments far in excess of their original contributions have already made Social Security financing pay-as-you-go in reality. It is time to drop the costly formality of actuarial financing.

Under the proposed plan, the tax rate for employees would have to be set at 5.2 percent in order to finance current benefits. This rate would have to be raised in coming years to pay for scheduled benefit increases, but not as sharply as the rate increases provided for in H.R. 1.

The principle of equal contributions by employer and employee would be maintained by requiring the employer to pay tax or all wages paid, but at a reduced rate to compensate for deductions in the taxable income provided to employees. Initially this rate would be set at 4.5 percent.

Removing the ceiling on taxable income would provide naturally increasing revenues as personal incomes rise in the United States. The present benefits are totally inadequate for many of the elderly Americans now receiving social security.

Raising benefits to meet the rise in the cost of living and to give more adequate coverage to recipients will cost a great deal. The present tax structure cannot bear the increase. It already places too great a burden on those least able to pay.

Our proposal is not a substitute for general revenue financing and would not interfere with a partial financing of social security in that manner. I have long been in favor of general revenue financing, and hope that it will be undertaken. However, if general revenue financing is to be delayed, or gradually expanded as a supplement to the payroll tax, it is imperative that the payroll tax be made as equitable as possible.

NEW YORK'S BOND ISSUE

(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, on Tuesday the people of New York will vote on the transportation bond issue. I am supporting this measure because its passage appears to be the only viable means of saving the 30-cent fare at this time, and the maintenance of the fare is the overriding concern of all New York City residents. There are many faults with both the package which has been designed to save the fare and the proposed allocation of funds to be raised by the bonds, but the blunt truth is that any fare increase would create intolerable hardship for millions of people in our town, and we must take advantage of any plan that can avert an increase.

The package represents the only political compromise acceptable to those officials who must secure the State legislature's approval of the plan. This leaves New Yorkers with no real choice in the matter; we must support the bond issue or invite disaster.

Aside from "capital maintenance" money from the bond issue, the subsidy package as reported includes increased Triborough facility tolls and a subsidy from the city of New York of potentially $200 million in the next 2 years over and above the $250 million which the city annually contributes to the transit authority for operating costs and debt service. To say that the city is bearing an unduly heavy burden for the operation of the transit authority is to understate the case.

The city's share of the subsidy could be reduced according to the Governor and Dr. William Ronan if the Federal Government makes $100 million available in grants to the city for mass transit. I have introduced a bill, H.R. 10400 as amended, which would provide a 5-year, $1 billion emergency relief program for rapid transit systems and commuter railroads. Under my bill, the city would receive about $100 million in the first year of the program to pay for the maintenance and repair of rights-of-way. It is highly doubtful, however, that such legislation could be passed in time to aid our present fare crisis without the vigorous public support of Governor Rockefeller and other Governors across the country, and I urge Governor Rockefeller to work to marshal such support.

In the best of all possible worlds, I believe the bond issue should be studied on its merits alone without the entanglement of the fare issue. New York City residents would have good cause, in such a situation, to be skeptical of the bond issue. We have seen virtually no improvements in our subways since the passage of the 1967 bond issue which was successful only because of heavy city support. Given the continual dilapidation of our subways, we could well expect a far greater allocation of funds for mass transit than is now proposed by the State. When one considers the availability of matching Federal funds, it is clear that this bond issue may well provide more for highways than for mass transit. That is a real perversion of priorities, yet a very real probability. The State's recent contention, made before the New York congressional delegation, that $1 billion in matching Federal funds for mass transit would be forthcoming as a result of the bond issue is no more than wishful thinking.

It is regrettable that the bond issue cannot now be considered without the emotional complications of the fare issue. But it is essential to consider rationally the situation as it exists today, and such consideration dictates support of the bond issue, and I urge New Yorkers to so support it. I do feel, however, that this bond issue has been used as a ploy whereby the State has avoided the commitment it must eventually make to subsidize our subways. What we are faced with now is acceptable only as a stop-gap measure and I support it as such.

THE OZARK REGION IS FAST CATCHING UP IN HOUSING

(Mr. HALL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HALL. Mr. Speaker, in the Ozarks we revere the log cabin as a symbol of our past, but the limitations of living it represents are far behind us.

In housing as in many other ways, the Ozarks region is fast catching up with the best this country has to offer in modern advantages.

We are taking part in a breakthrough in rural housing achieved the past 2 years through the much improved services of the Farmers Home Administration, U.S. Department of Agriculture.

Three years ago, housing credit still was acutely limited in smaller towns and the countryside. Local lending institutions could not supply all the home financing needed in territory beyond the normal reach of city lenders. Housing in rural America remained in a state of widespread dilapidation and insufficiency, with insufficient housing twice as prevalent among rural families as in the cities.

One of the most distressing problems was that of finding a livable house or apartment for rent in a small town, priced within the means of elderly people living on modest retirement income; which they had seen fit to toil, sweat, and work for in securing their own futures.

Over all the 20 years from fiscal 1950 through fiscal 1969, FHA rural housing credit totaled $2⅓ billion—never as much as $500 million a year for the entire United States. In Missouri, the return of principal has always been over 100 percent due to prepayments.

However, President Nixon has now taken personal interest and action in this matter, with the result that the rural housing program has more than tripled within the fiscal years 1970 through 1972. It totals $3.8 billion for these 3 years—far in excess of all that was done in the previous 20 years. It appears the return will be greater than 100 percent still from grateful and well-housed farm operators.

These billions in new rural housing credit are being generated from private sources, through the better operations of the Farmers Home Administration.

This Department of Agriculture agency serves both farm and nonfarm rural people with insured housing credit, supplementing the conventional credit available. It is the same agency, serving the rural public through local county offices, that has long carried on bedrock services in agricultural credit for family farmers, and the rural community water and sewer program.

Farmers Home has developed new and highly effective ways of placing its insured loan notes either with local lenders, or with investors in distant centers of finance.

During the past 2 years, this system has drawn about $2.2 billion of extra capital from home loans into the rural United States, and this fiscal year it will produce a new annual high of $1.6 billion.

Nowhere is the impact of this new rural housing opportunity more apparent than in our Seventh Congressional District of southwest Missouri.

We stand first among all districts of the State in new family-owned housing realized from the FHA rural program.

More than 1,000 of the 4,700 homes produced in rural Missouri in fiscal year 1971 are in the Seventh District. This represents $11½ million of the $53 million of rural home building financed in Missouri through Farmers Home the past year.

Beneficiaries are the small town, farm, and other rural families of modest income, who realize their dream of owning an adequate, modernized home while they are building families and farms; the builders and suppliers who take part in building and equipping these houses; the whole communities where attractive new homes replace sagging, faded relics of an earlier day; and put a new, much more inviting face on a town or rural area.

Especially outstanding is Missouri's record in developing good apartment homes for senior citizens in rural communities.

We are the first State to build more than 1,000 such units. Projects in 50 smaller towns of Missouri have been organized by local community organizations. They operate as nonprofit corporations devoted to fulfilling a community need—the need for inexpensive but safe and modern housing where retired people may live in independence and dignity in the communities they call home.

These projects liberate our older people from the dismal alternatives of living in a house or room that is cheap only because of its decrepit condition, or of "doubling up with relatives."

In towns of our district such as Forsyth, Marshfield, Jasper, Stockton, Humansville, Fair Grove, Greenfield, and many others—typical senior citizen apartment projects are garden-style groupings of fourplex buildings, totaling some 20 apartment units and including a central activities room. Each unit has a livingroom, bedroom, dining area, fully modernized kitchen and bath.

State Director John O. Foster of the Farmers Home Administration supplies these figures or the projects:

The average amount loaned per living unit is $8,295.58. All units are one-bedroom apartments except for eight efficiencies and 13 two-bedroom apartments. The rent for one-bedroom apartments varies from $35 to $55 per month where utilities are not furnished.

Here is an example of the vast difference in cost between solving rural problems with action in the rural communities, or taking care of people after they move to the city in distress.

The same type of apartments that cost about $8,300 per unit in our rural community projects, cost $16,500 per unit in public housing projects in larger Missouri towns and cities.

Mr. Speaker, every principal service of Farmers Home—in housing, agriculture and rural community facilities—has been strengthened at the expressed direction of President Nixon. Besides the great advance in rural housing credit, he has called for $700 million of insured lending through FHA for family farm ownership and operation this year, as compared with the $475 million level of recent years. He has raised the rural water and sewer loan program from the $200 million to the $300 million a year level.

The result is far greater progress than ever before, in stimulating the credit necessary for successful operation of the family farm, and bringing living conditions up to standard in long disadvantaged rural areas.

And as the agency charged with delivering these much increased resources to rural areas, the record of the Farmers Home Administration in all its programs reflects great credit upon our former colleague in Congress and neighbor at home, the Honorable James V. Smith of Oklahoma, National Administrator of FHA.

STEEL YOURSELF FOR TROUBLE IN METALS INDUSTRY

(Mr. HANNA asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HANNA. Mr. Speaker, yesterday the Wall Street Journal carried a couple of stories which highlight a special concern of mine relative to the depth and longevity of our present recession. A major article on page 1 reveals the woes

of the aluminum industry. A further story on page 8 refers to a continuing pattern of earning loss in the copper industry. All the steel companies have similar tales of woes to spin.

This does not surprise me, Mr. Speaker, nor should any alert observer be shocked. The sadder, deeper truth is that this is neither a temporary nor a local phenomenon. Let me elaborate.

Throughout the industrialized countries the 1960's have seen an unprecedented expansion of the mineral extraction and metal processing. So much capital has been so diverted, in fact, that the consumption capacity of the industrialized countries is not capable of absorbing output even if times improved. In addition, it is precisely these industries which are in the forefront of the pollution problem. My prediction is, therefore, that we shall see a plateau of metal processing output in the highly industrialized countries for some time to come.

This fact suggests some painful alternatives. Like one: All such facilities in the free world in particular will have to operate below capacity. The pain of this is obvious when you realize that the economics of the business, especially true in aluminum, dictates that when you get below 90-percent capacity, you threaten all profit and below 85 percent, you move to sure loss. Like two: We have already experienced tough competition in the metal products lines within the free world market and the realities make it predictable that such competition could become not just fierce, but cruel. Like three: This could move us in the United States to more protectionism. The bad news here is that this game is already a greater threat to the Free World community than communism ever has been or will be.

Are we committed to a course that leads to disaster. Not if intelligent and thoughtful plans are made and implemented. And now, some of the requirements I believe are these:

First. We should prepare and encourage—yes, even fund—plans and programs to use domestic output of metals for programs in transportation and construction.

Second. Encourage leaders of the metal industries in the Free World to get together to mutually work out the most efficient uses of existing technologies and facilities and to make multinational approaches to existing and emerging markets.

Third. Support phaseout of U.S. facilities not competitive nor efficient.

Fourth. Enter into multinational accords, public and private, to develop the use of metal products in the third world—the so-called underdeveloped countries. This is one of the most important requirements. It undergirds the sense of urgency I believe we should have concerning the legislation for soft loans to underdeveloped countries through IDA in the World Bank, the Inter-American Development Bank, and the Asian Development Bank.

Believe me, Mr. Speaker, and fellow Members, this is a matter not of doing good, but rather serving our own obvious best interests. If we do not act constructively to meet the imperatives which arise out of the overcapacity we must live with for a longer time than anyone yet has foretold, then, I repeat, the risk is not only great; it is scary. We will see depression in the metals industry to some extent, increased competition, followed by protectionism reactions, in turn followed by deterioration in the whole free world—a world which seemed indestructible only a short time back.

I am not a doomsday prophet. It is not my nature to be negative. Can I not enlist some of you to share my concern and to join in a positive program for a realistic coping with this looming crisis?

Mr. Speaker, I include copies of the Wall Street Journal articles to be appended to these remarks and commended for sober reflection of all Members.

AILING ALUMINUM—ONCE-BOOMING INDUSTRY RUNS INTO BIG TROUBLE; OVERCAPACITY BLAMED

(By Roy J. Harris)

ALCOA, TENN.—This blue-collar company town, created and dominated by the country's biggest aluminum producer, ought to have been on the verge of a boom now. The company, Aluminum Co. of America, has been sharply expanding the capacity of its plant complex here, and it had planned to start up a new "super potline" for making aluminum ingots early in 1972.

But forget about a boom. Instead, it looks as if an economic bust is underway. The company's new $50 million-or-so plant addition, with a capacity of 100,000 tons a year, stands only partly finished, and it won't be completed before 1973, at the earliest. While "indefinitely" stalling completion, Alcoa also has closed a quarter of its existing plant capacity of 200,000 tons a year. And more than 800 Alcoa employes, nearly one-fifth of the company's normal work force, have been laid off.

This town's unexpected misfortune mirrors that of the industry as a whole. Once one of America's fastest-growing industrial teenagers, aluminum has developed into a mature industry with grown-up problems; overcapacity, price weakness, sluggish demand, tough foreign competition and environmental obstacles. "The era of a relatively small aluminum industry which had to run flat-out at 100% of capacity is long gone," says W. H. Krome George, president of Alcoa. He recently told a gathering of aluminum executives that "one of us (producers) is feeling very well, some of us are pretty sick, and a few of us may not survive." Such woes are certain to preoccupy many of the 250 aluminum executives who are in New York today and tomorrow for the yearly meeting of the Aluminum Association, an industry group.

NO SILVER LINING

Overseas aluminum producers have expanded. So have the U.S. "Big Three," Alcoa, Reynolds Metals Co. and Kaiser Aluminum & Chemical Corp. And several new companies have started making aluminum in the U.S. All that has aggravated overcapacity. U.S. producers have responded by delaying planned expansions and idling some existing production facilities. Right now the industry's estimated operating rate is about 85% of capacity, the lowest figure in at least a decade.

Last year's recession and this year's half-hearted recovery have dampened demand for aluminum. Industry shipments fell 6.6% last year to just under 5 million tons. Early hopes for a significant pickup this year have dimmed.

The big capacity and the small demand have weakened prices and turned official price quotations into mere starting points for discounting. While the book price for aluminum ingot quoted by major producers is 29 cents a pound, actual selling prices are substantially lower. Citing "ridiculous" price shading, Consolidated Aluminum Corp. recently labeled the 29-cent quotation "completely fictitious" and sliced its own list price by more than 20%, to 23 cents a pound—a step analysts say other companies now are mulling.

BAN THE CAN

International troubles, particularly the fast expansion of foreign competitors, have chopped U.S. aluminum exports in half this year; last year, exports accounted for nearly 12% of total shipments of the domestic industry. What's more, political threats loom abroad; most of the bauxite ore the U.S. industry needs is mined in developing nations prone to instability and resentment toward U.S. mining interests.

The ban-the-can drive pushed by anti-litter groups is aimed at aluminum as well as tin containers; environmentalists deem the cans a growing menace. But cans also happen to be one of the industry's fastest-selling and most profitable products. Oregon has outlawed ringtop cans, and other states and communities are considering doing the same. Another problem is the nation's electric-power pinch, which could cripple any industry upturn by inflating the operating costs of power-devouring aluminum smelters.

The combined effect of all those factors has pushed profits way down. Alcoa, Reynolds and Kaiser lumped together, earned $238 million in 1969; last year their profits dropped 11% to $211 million, and the downtrend is continuing this year. Analysts expect many companies to wind up with 1971 profits down between 30% and 75% from last year's already-depressed figure. This year's third quarter was the industry's worst in memory. Reynolds posted a $5 million loss, contrasted with a year-earlier profit of $8.5 million. Kaiser, which cut its dividend in half last month, had a 73% plunge in operating net. Alcoa profit dropped 77%.

THE GOOD OLD DAYS

It's all distressingly unlike the style in which industry executives are accustomed to operating. An industrial infant before World War II, aluminum emerged at the end of the war as a promising, fast-growing new business. In 1948, there were only three producers whose combined yearly capacity amounted to 641,500 tons. The industry's spectacular expansion since then has increased the number of primary domestic producers to 13, and industry capacity to 4.2 million tons a year. Growth prospects encouraged such outsiders as National Steel, Revere Copper & Brass and others to diversify into aluminum.

Research and aggressive selling spewed a steady stream of new aluminum products that vastly expanded the market. By holding prices low until aluminum got a strong foothold in a market, producers snatched sales away from products made of competing materials like steel, wood and copper. Home products—aluminum siding, awnings and storm windows—became important in the 1950s. Aluminum wire and cable that replaced copper, and aluminum cans that replaced steel, were big in the 1960s. And automobile makers steadily put more and more aluminum into cars.

In its two decades of fast growth, the industry's shipments multiplied by four-and-a-half times to 5.4 million tons in 1969 from 1.2 million tons in 1950. Despite an occasional slowdown, executives took it as a rule of thumb that aluminum shipments would increase yearly at twice the growth rate for the economy as a whole.

"Now I'd say 6% growth will be a more realistic figure when the gross national product rises 4%," says David Healy, a metals-

industry analyst at the Wall Street firm of Burnham & Co. Mr. Healy and other analysts consider that the industry is, in a sense, a victim of its own success; the big increases in capacity partly responsible for its current troubles were planned during the mid-1960s, when aluminum profits were large and expansion seemed a good idea.

The industry, says Stewart R. Specter, an Oppenheimer & Co. analyst, "is at a crossroads." Mr. Spector thinks the aluminum producers must keep cutting back output or their troubles will worsen. "If they are to survive in their present form," he says, "the aluminum companies must make the right decisions regarding marketing strategy, operating rates and pricing policies over the next 12 months."

Aluminum executives themselves are engaged in an unaccustomed bit of critical self-analysis. "The industry," Alcoa's Mr. George said in a recent speech in England, "was built world-wide by men skilled in production and sales. No production man wants to be caught without enough plant capacity. No good salesman wants to stop setting new sales records. We would all be better off if more of our companies had been run over the past decade by cold-eyed financial types, by men who understand money, profits and return on investment to a greater degree than most of us." Mr. George was Alcoa's chief financial officer for years before becoming president, whereas current chairman John D. Harper was a production executive most of his career, and former chairman F. J. Close was a sales executive.

There are, of course, glimmers of optimism. Many executives are hoping that the administration's new economic policies will help lift the industry out of the doldrums. "This business changes from night to day very quickly," says Richard S. Reynolds, chairman of Reynolds Metals. The economy "is going to have to swing" to the better, he says.

Producers already have a stake in potentially fast-growing markets like rapid transit cars and mobile homes. And engineers have found new uses for the metal in all kinds of other construction, from residential house frames to skyscraper "curtain wall" exteriors. Industry executives believe also that the extra weight of safety and emission-control devices will encourage auto makers to put even more of the lightweight metal in cars; Chevrolet already uses an aluminum engine block in its Vega.

A SYSTEMS ANALYSIS APPROACH TO CAPITOL SECURITY

(Mr. MONAGAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MONAGAN. Mr. Speaker, the bombing of the Capitol in March of this year brought forth a spate of proposals on how to improve congressional security. The more recent allegations that the spoken and written communications of Members and staff may be subject to surveillance of one kind or another by persons or groups not attached to the Congress are additional reasons why the Congress should act promptly to establish its own internal security unit.

What is needed is more than a mere expansion of the Capitol Police Force, more than intermittent sweeps of the buildings in search of electronic surveillance devices, and more than additional security measures at points of entry in the Capitol buildings. In a word, a comprehensive rather than a patchwork approach is what is required.

This can best be done by a systems analysis of Capitol Hill security requirements. Such an approach entails a comprehensive review of the threats and risks to which the Congress, including its personnel, facilities, and information, are subject and a subsequent formulation of minimum safeguards. I do not claim any special expertise in the technical aspects of a total security program. What I am sure of, however, is that the three principal elements of the Congress—its facilities, personnel, and information—are subject to risks and threats against which there are presently no protections or safeguards. Moreover, I doubt that some of these problems and threats have ever been seriously evaluated or that possible solutions have ever been formulated. I speak of responses to the risks of kidnap, blackmail, robbery, fires, riots, interception of communications, rifling of files, and optical surveillance among others. I also speak of the need to provide security for Members and staff in Washington, in their home States, and elsewhere.

Nothing is more important than that the people we serve have access to their Capitol facilities and to their representatives, and that the people's business be conducted in an atmosphere free of the fear of destructive and disruptive forces.

To assure maintenance of such an atmosphere Congress needs a single focal point for all security functions. In my opinion, only in that way can we guarantee a proper balance between security and accessibility.

A congressional security unit which I envision could serve as a valuable congressional adjunct in other areas. It could provide the necessary technical advice to Congress in the application of modern technology to the security problems of the Congress. It could also serve as a central point for the coordination of services provided to the Congress by the various Federal investigative agencies, including the Federal Bureau of Investigation, the Secret Service, the Internal Revenue Service, Defense Department agencies, and others. This particular responsibility of the congressional security unit would not only minimize duplication of effort resulting from referral of similar or identical security problems by Members or committees of Congress to more than one of these agencies, but also make more efficient and economical the provision of services by Federal investigative agencies. A not unimportant additional benefit would be that congressional oversight and review of the policies and operations of these Federal agencies could be conducted with greater independance and freedom.

It is important that both Houses act jointly in this area and that the programing for and operation of the congressional security unit be undertaken with the security considerations of the entire Congress in mind. It will not do for each body to go its own way in this vital area.

To carry out these purposes I am today introducing legislation which I hope will receive prompt and favorable consideration.

NOBEL PEACE PRIZE AWARDED TO WILLY BRANDT, CHANCELLOR, FEDERAL REPUBLIC OF GERMANY

(Mr. BLACKBURN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BLACKBURN. Mr. Speaker, I want to bring to the attention of the House a matter which causes me grave concern.

A five-member committee of the Norwegian Parliament, chaired by Mrs. Aase Lionaes, herself a member of the Norwegian Labor Party, chose to award this year's Nobel Peace Prize to Willy Brandt. the Chancellor of the Federal Republic of Germany. The Norwegian Parliamentary Committee acted upon recommendation of a five-man committee whose most prominent member was Jens Otto Krag, the Premier of Denmark, who spoke on behalf of the Social Democratic bloc in the Danish Parliament. Another member of the nominating committee, who is well-known for his bizarre ideas, was Prof. Giorgio La Pira of Florence, Italy. Although German diplomatic sources in Norway had maintained that Chancellor Brandt had asked that his name be withdrawn from consideration, Mrs. Lionaes, the chairman of the Norwegian Parliament's Nobel Prize Committee, denied this rumor. However, since the chairman of the Nobel Prize Committee and the leading member of the nominating committee are outstanding members of parties belonging to the Social Democratic International, does not it suggest itself that West Germany's Social Democratic leadership was at least privy to—if not actively engaged in promoting—Chancellor Brandt's nomination and selection?

In the citation, the award committee stressed the "concrete initiatives—taken by Chancellor Brandt—leading to relaxation of tension." Among other points, the citation referred to the signing by West Germany of treaties of friendship with Poland and the Soviet Union. The ratification of these treaties by the German Parliament is domestically a highly contentious matter and not at all a generally accepted and uncontested policy of the Federal Republic. The award of the Nobel Peace Prize to Chancellor Brandt at this time, that is, shortly before the ratification debate in the German Parliament is, indeed, a strange and unusual sign of attempting to support one of the parties to a critical German domestic debate. This support comes from non-German bodies whose leading members stand in an interlocking relationship to the leadership of the German Social Democratic Party whose chairman, in turn, Chancellor Brandt is.

As usual, Mr. Speaker, I believe we must raise questions of this nature or we will end up cooperating with the plans of those who politically oppose us.

CHINA, THE UNITED STATES, AND THE UNITED NATIONS

(Mrs. ABZUG asked and was given permission to extend her remarks at this point in the RECORD and to include extraneous matter.)

Mrs. ABZUG. Mr. Speaker, yesterday I addressed this House on the vote of the United Nations to seat the Peoples Republic of China. I expressed my deep concern for the negative reaction which has been expressed by some who suggest that we ought to reduce our financial support for the United Nations. My colleague, Mrs. PATSY MINK, of Hawaii, gave a lecture on the subject of "China, the United States, and the United Nations," last night at the Asia House in New York City, which I believe will be of interest to the Members of this body and include it at this point in the RECORD, together with a letter on this same subject which was signed by 125 Members of this House:

SPEECH BY REPRESENTATIVE PATSY T. MINK

I am delighted to be able to join Mr. Porter McKeever and the distinguished members and guests of the Asia Society at this most dramatic time. When Dr. Tom Manton invited me to speak on the subject of "China, the United States and the United Nations", I assumed it would be timely but nobody dreamed of a stunning 76 to 35 U.N. vote just two days before! At best, some were predicting a close vote. The U.S. was to the very end predicting a victory. As it turned out, it was quite a triumph for the U.N. as a world deliberative body.

I regret that Secretary Rogers, Ambassador Bush and certain Members of Congress have deplored this vote, using such words as "day of infamy," a grave tragedy, and deplorable. Certain Members of the Congress have blatantly stated that nations we help through economic and foreign aid should be our captives, but "doublecrossed" us in this vote. They argue that since we no longer control the U.N. and have lost our ability to prevent the expression of honest world opinion that we should cut our monetary support and scuttle it through forced bankruptcy. It is one thing to fight with all we have to win a vote; it is quite another to use our wealth to kill the organization simply because we cannot any longer control it.

Last week Wednesday at a press conference I announced that 125 Members of the House had signed a letter to Ambassador Bush reaffirming our support of the U.N. regardless of the outcome of the China vote. I believe that there are others who would have signed such a letter but because of the pressures of time, I was unable to talk to all Members of the House who would have likely concurred. As it was, I secured over a hundred of those signatures personally by direct contact on the floor of the House.

I must advise that of these 100 or more Members I contacted, a significant majority favored the Administration's "Two China" policy. There is no doubt in my mind that the U.N. vote of Monday is not popular among my colleagues, nor is it popular in the country as a whole.

But the fact remains that the U.N. has voted and whether we approve or not, we must now move on to our larger responsibilities as a creator and not as a destroyer of this world institution.

I believe also that we must now undertake a broad campaign within our own country to explain the actions of the U.N. in terms of reality and end all these poisonous recriminations and threats which do not dignify our status as a super power.

Put simply, the U.N. merely decided that the People's Republic of China was a legitimate government of 700 million Chinese. Our President has stated as much too. What the U.N. was not willing to do was succumb to our rationale that it was not a simple delegation issue. The U.N. vote very clearly showed that it viewed this purely from the vantage point of which delegation was the legitimate representative of the 700 million Chinese. It agreed with us that Peking obviously was. What it refused to go along with is the fiction that the change in recognition required making a separate government out of the other delegation whose credentials were no longer being recognized.

Perhaps I could be more charitable if I believed that our position was sound or even based upon national security considerations required for the preservation of our country. But the reasons for all these antics are simply our national ego and pride. Having held a position for 21 years, we could not simply acquiesce without "loss of face." I always thought that this phenomenon was essentially an Oriental "hang-up" but I find that it has afflicted the Occident with rare intensity of late.

Under the rationale that we could not let a true friend down, we came up with a policy of supporting the Nationalist regime's claim to the territory of Taiwan, because it had occupied it through military force since 1949. In politics as well as diplomacy there are times we must choose up sides and defend our 'friends' but when the votes are counted and our friends lose, I hardly believe that our national interest requires that we not continue to mope and prolong the spectacle of defeat.

Our loss of face at the U.N. will feed fuel to the fires of the ultra-right in this country who have always hated the U.N. and sought to have us withdraw from it. They have even condemned our children for collecting funds on Halloween for UNICEF!

I believe that we have come to this point in U.N. history because of certain initiatives taken by President Nixon early in his Administration. His decision to permit travel and to liberalize trade, and of course, his announcement of a personal visit to Peking guaranteed a new U.N. attitude on the question of The People's Republic of China. No longer do we see in our prestigious newspapers headlines about 'Red' China. It has overnight become a respectable nation, entitled to be referred to as a legitimate government.

Having ourselves created this aura of acceptance, it could hardly be expected that other countries would not do the same. Where before they joined us in our efforts to 'outlaw' this country, since we no longer respected our own embargo, there was no reason for them to be stuck with it, in fact, it was imperative that they too change and thereby convince Peking that they were not 'puppets' of the United States.

While we were busy shaking hands with Chou En Lai, it was difficult for anyone to believe that our defense of the Nationalist government was anything more than a political debt required by our past commitments and as a token gesture to appease the right-wing who were attacking the President for playing 'ping-pong' with freedom.

I would like to give President Nixon credit for initiating a move away from our previous hard-line stand. I do not know whether he foresaw the inevitable result of the U.N. vote and therefore acted, but certainly the State Department must have been as aware as all other observers that the United Nations was bound to recognize Peking this fall. Only the fate of Taiwan was at issue. We agreed that Peking should have both a seat in the General Assembly as well as the Security Council seat.

The President must have seen a need to make an accommodation, and he chose the dramatic route of personal diplomacy. By doing so, I think he helped to avert widespread hysteria in our country. The cries of outrage in Congress and elsewhere are bad enough now, but think of what they would have been had our government been totally committed once again to its blind course of completely excluding Peking from international councils.

As it was, the presence of Dr. Kissinger in Peking at the time of the crucial U.N. debate was no accident. I believe this fact alone probably was the key to the startling large vote in Peking's favor. The signal to many small nations was clear: we considered the People's Republic more important, and no matter what, the White House was determined to continue its detente. If indeed this was where the ball game was to be played—why should they be left out in the cold, supporting Taiwan when even the U.S. was moving beyond to the capital of Peking.

And so, the decision to send Dr. Kissinger on his dramatic second journey to Peking put the President's own seal on the policy of continued dealings with the mainland government, and I believe turned around the votes of many countries which were trying desperately to "read" our real intentions.

I can sympathize with their problem, since our course was at best ambiguous. The ploy of opposing the second part of the Albanian Resolution—to exclude Taiwan—was completely incongruous at a time when we had just demonstrated our ability to grasp the realities of world politics.

It is remarkable that we saw no conflict between recognizing Peking on one hand and supporting Taiwan on the other. We were simply the victims of our own propaganda. You can't denounce a country as savages to a whole generation of Americans, as we did for 21 years by picturing the Chinese Communist government as some kind of sub-human evil dragon from the mysterious East, ready to butcher civilized people, and then have these same Americans accept overnight the principle of full U.N. recognition of this same China.

And so we tried to reserve a spot for the "good guys" on Taiwan even as we tried to welcome Peking. Our erratic handling of the issue made it difficult for other nations to understand what we were seeking. My own view is that there were other ways of handling the China question without violating our "Boy Scout" Ethic.

The overall vote itself was a tremendous victory for world peace, and we should take cheer by it. It is a giant step forward. The full recognition of 700 million Chinese will strengthen the U.N. Their participation should greatly ease international tensions as differences are worked out through discussions rather than under the ominous threat of nuclear war.

What the United States does now, however, is terribly important, for unless we change our attitudes very quickly, we could continue the same destructive dichotomy that has plagued us for all these 21 years. It is imperative that we work toward a realistic and harmonious rapprochement between Peking and Taiwan that will prevent us from being drawn into another Vietnam war years from now.

The significance of the U.N. vote is that Taiwan has been cut off from the moral support of that distinguished international body which has voted repeatedly for 21 years to recognize its delegates as the spokesmen for all of China not only in the General Assembly but in the Security Council as well.

It was possible previously to construct a rationale for our support of the Taiwan government; after all, most of the other nations in the world did also. Now they do not, and we must accept this reality.

Suggestions have emanated from Peking

that the Chinese government is content to let time deal with the problem of the exiled Nationalists on Taiwan. Even after Chiang kai-Shek is gone, it is doubtful that the Nationalists would agree to letting the local Taiwanese assume control. Some say that a bloody civil war between the 14 million Taiwanese and the two million Nationalists is inevitable.

If so, there is a danger that, should we continue our support for the Nationalist regime in Taiwan, we will be forced to choose sides in this internal struggle. It will be another Vietnam. On the other hand, if we ignore Taiwan, we may be permitting a bloodbath to occur. I am not among those who look with stoicism on such a prospect, as if it were a necessity in order to establish a solid political order; that is a racist attitude which presumes that it is perfectly all right for Asians to kill one another as long as the end result is "good".

So I feel that our policy now should be to work to prevent a resolution of Taiwan's ultimate status by military means. I should emphasize immediately that it is not for us to meddle in the future political status of Taiwan. This is the responsibility of the people of China and Taiwan. At the same time, we can at least support in principle those steps which are most likely to achieve an amicable accord, and remove any barriers which might interfere with that objective.

It seems obvious to me that our government will soon seek diplomatic relations with Peking. We can then work to persuade Peking to permit free elections on Taiwan perhaps even under United Nations supervision should violence threaten. Peking might be persuaded that the government thus elected on Taiwan would be willing to deal with it as to the ultimate status. The U.S. commitment to self-determination would be likewise honored. It may be that Taiwan could eventually become an autonomous Chinese state much as Byelorussia and Ukraine are autonomous states of the Soviet Union. This final outcome would serve to vindicate our smashing defeat this past Monday.

There is no reason why our government should not also maintain cordial relations with the government now in power in Taiwan—although such should not be construed to guarantee military support. Our military commitments to Taiwan, entered into long before it became obvious that the rest of the world did not recognize the validity of the Taiwanese claim to sovereignty over all of China, must now be reassessed.

In 1969, I was offered, and I accepted, the Chairmanship of a U.S.-China Committee within the Members of Congress for Peace Through Law, a bipartisan, unofficial organization seeking to promote world peace.

Last year in a series of luncheon meetings, our Committee heard from a number of experts on China. Statements were given by the Honorable Elliot Richardson, then-Under Secretary of State; Mr. Harrison Salisbury, Assistant Managing Editor of the New York Times; Honorable Alvin Hamilton, former Canadian minister of agriculture and negotiator of the Sino-Canadian wheat agreement; Mr. Pat Clever, Canadian businessman; Dr. Jeremy Stone of the Council on Foreign Relations; Dr. Noel Brown of New York; Professor Jerome A. Cohen of the Harvard Law School; and Mr. Fox Butterfield, New York Times correspondent. We were also fortunate to have papers presented at these same meetings by our colleagues, Congressman Paul Findley, Senator Walter Mondale, Congressmen Charles Whalen, Robert Leggett, Jonathan Bingham, and Morris Udall, and Senator Dan Inouye.

At these meetings, which were attended only by the Members of Congress, we tried to explore in depth all of the major ramifications of U.S.-China policy. I might add that our Committee laid the groundwork for these studies by preparing an extensive report on the historical, political, and military aspects of the People's Republic of China. At the conclusion of our series, I submitted a summary and recommendations. The Members of Congress who associated themselves with these recommendations were Senators Hatfield of Oregon, Harold Hughes of Iowa, George McGovern of South Dakota, and Walter Mondale of Minnesota; and Representatives Bella Abzug of New York, John Conyers of Michigan, Robert Drinan of Massachusetts, Don Edwards of California, Paul Findley of Illinois, Don Fraser of Minnesota, Mike Harrington of Massachusetts, Augustus Hawkins of California, Robert Kastenmeier of Wisconsin, Abner Mikva of Illinois, Bertram Podell of New York, Thomas Rees of California, Henry Reuss of Wisconsin, Donald Riegle of Michigan, Howard Robison and Benjamin Rosenthal of New York, Edward Roybal of California, William Ryan and James Scheuer of New York, Frank Thompson of New Jersey, and Charles Whalen of Ohio.

None of us are, of course, experts on China, however I believe that we do express a point of view which was arrived at after full and deliberate consideration of the problem.

Our statement was as follows:

"We commend and support the recent initiatives by President Nixon which have moved us toward the goal that he has set for his administration—normalizing relations with the People's Republic of China.

In the light of this new atmosphere in bilateral relations between the United States and China, we must now take the next logical step—advocated also by the President—to assure that representation of the People's Republic of China in the United Nations. We should recognize what is inevitable—that the China seat in the U.N. will be occupied by representatives of the People's Republic of China.

The status of Taiwan should be initially handled as a matter for the United Nations Trusteeship Council. We look forward to an ultimate resolution of the status of Taiwan to be decided by the peoples on both sides of the Taiwan straits.

For the United States the necessity of expanding cultural, economic and social relations to include diplomatic relations with the People's Republic of China will become increasingly obvious. We should undertake this step as soon as feasible.

"Friendship between the United States and China has been a hallmark of U.S. foreign policy during the last 200 years. The hostility of the last 20 years has been a deviation of that long range policy from which we must return. Let historians write that 1971 was the watershed year which marked a return to an era of friendship and cooperation between the United States and China."

It is my belief that a solution to the status of the people who inhabit Taiwan, now without portfolio as the government of all of China, yet unoccupied by the People's Republic of China, could well be a matter for the U.N. to consider. We need the interest of the U.N. to provide the peaceful mechanism for negotiations and discussions which must take place between the People's Republic and the people of Taiwan. More importantly, U.N. presence could provide an orderly transition needed to avert a human catastrophe for the people of Taiwan who must sooner or later be given the right to determine their future allegiance.

However, the nettlesome issue of Taiwan should not be allowed to divert our attention from our larger goals. It is extremely important that our people understand the benefits that will derive in terms of cultural contacts, trade, and reductions in world tensions that can flow from cordial relations with China. No longer can we afford to ignore their existence or picture the Chinese as inscrutable, sinister enemies. We must recognize them first of all as human beings, and then go on to deal with them as the exigencies of international affairs require.

It is now time to "open" China again to contacts with the west. But it is really the United States which is being "opened" by the force of world opinion to the emergence of a China quite unlike the outlaw we have long portrayed it as being. She is in truth a major factor in world affairs and is now taking her place among the United Nations.

This is why we were for the first time deserted by all our western allies such as Great Britain, Canada, and France all of whom voted against the United States position. They recognize that the west must be "opened" to China, and that dogmatically held positions must be changed.

It must also be said that the recognition of China by the U.N. will be no automatic panacea for the immense problems that have plagued that organization. We cannot predict whether the Chinese efforts will be negative, or positive in accordance with the goals of the U.N.

Certainly the issues will be vastly more complex. If times were perilous with just the Soviet Union there to frustrate us, it could be even more so with China in our midst. But far from being an argument for us to now withdraw in defeat, this is a compelling reason why we should not only maintain but increase our participation in the U.N. It will be vastly more important now as the U.N. becomes an even more meaningful body due to the representation of China, for us to preserve our voice in the decision that will be made.

We must be prepared for any eventuality—negative or positive. Possibly the United States can serve an arbiter's role in areas of conflict between the super powers Russia and China. If we pull out, it will confirm Russian suspicions that our turnabout on China was designed to install in the U.N. an adversary which would do our battles for us against the Soviets. Some Russian officials have felt that we were trying to capitalize on the poor relations between these two countries. I think it would be a terrible mistake to allow the U.N. to become a mere debating platform for the antagonisms of the Soviet Union and China. We can avoid this by using our influence to mollify the conflicts and strive for compromise agreement; but if we withdraw we will be surrendering our power to influence the international pursuit of peace.

Those of us who serve in Congress and who are concerned with maintaining the United States contributions to the U.N. will be redoubling our efforts to prevent a retrenchment. I urge your resolutions and assistance in rallying such support.

Beyond this, an objective for all Americans who truly seek a better United States perspective of Asia will be to educate the public and even our governmental officials to the reality of the U.N. decision. The term "Red China" should disappear from the national lexicon and be replaced simply by "China".

We must strive to cleanse public opinion of the years of negative propaganda aired about the Chinese, for we will be dealing with them on an increasing basis over the years ahead.

Just as we accepted the existence of Russia as a nation to be reckoned with in world politics, we must similarly recognize the necessity of communication and accord between the rest of the world and the 700 million people of China.

This is a task, of course, toward which the Asia Society has been working for years, and I know that at this most crucial time your efforts will doubly important.

CONGRESS OF THE UNITED STATES,
Washington, D.C., October 13, 1971.

Hon. GEORGE BUSH,
Ambassador, U.S. Mission to the U.N.,
New York, N.Y.

DEAR MR. AMBASSADOR: We believe that a strong United Nations is an essential element in the creation of a just and peaceful world. We believe that you share our views.

We were deeply distressed to read statements ascribed to other Members of Congress threatening a dramatic reduction in U.S. financial support for the U.N. if the Republic of China were to be expelled from that body.

However we as individuals may feel on the particular issue, nothing could be more damaging to our genuine national interest than for us so to undermine the foundations of the United Nations. For years the United States has fought the efforts of other U.N. members to exercise a financial veto over its activities by withholding funds. It takes little foresight to perceive that should this practice become widespread, the U.N. will cease to function at all in any meaningful way. The recent criticism by Narcotics Bureau Director Ingersoll of countries which are refusing to contribute to a U.N. anti-drug program poses an ironic counterpoint to the suggestion of withholding funds, and serves to underline the danger to our interests of such a course.

We firmly believe that our efforts, like yours, must be dedicated to strengthening the U.N., not simply for its own sake, but also because the attainment of a world in which international cooperation prevails ought to be at the heart of our foreign policy. We urge you to make clear that our government remains committed to that goal.

LIST OF HOUSE MEMBERS

Brad Morse of Massachusetts.
William F. Ryan of New York.
Ogden Reid of New York.
Benjamin Rosenthal of New York.
Herman Badillo of New York.
Lionel Van Deerlin of California.
Don Edwards of California.
Sidney Yates of Illinois.
John Sieberling of Ohio.
Nick Begich of Alaska.
Parren Mitchell of Maryland.
Ronald Dellums of California.
James Corman of California.
Glenn Anderson of California.
Bob Eckhardt of Texas.
Robert Drinan of Massachusetts.
Don Fraser of Minnesota.
William Ford of Michigan.
Ella Grasso of Connecticut.
James Scheuer of New York.
John Dent of Pennsylvania.
James O'Hara of Michigan.
Bob Leggett of California.
Lee Hamilton of Indiana.
Edward Roush of Indiana.
Charles Vanik of Ohio.
William Hungate of Missouri.
John Conyers of Michigan.
Emanuel Celler of New York.
Abner Mikva of Illinois.
Lucien Nedzi of Michigan.
Robert Nix of Pennsylvania.
Joseph Karth of Minnesota.
Ken Hechler of West Virginia.
Paul Sarbanes of Maryland.
William Green of Pennsylvania.
Louis Stokes of Ohio.
Harold Johnson of California.
Shirley Chisholm of New York.
Henry Helstoski of New Jersey.
Robert Roe of New Jersey.
Mike Harrington of Massachusetts.
John Dellenback of Oregon.
Patsy T. Mink of Hawaii.
Bob Kastenmeier of Wisconsin.
Spark Matsunaga of Hawaii.
Bella Abzug of New York.
Frank Evans of Colorado.
Brock Adams of Washington.
Claude Pepper of Florida.
James Howard of New Jersey.
Edward Roybal of California.
James Abourezk of South Dakota.
Teno Roncalio of Wyoming.
John Culver of Iowa.
Bertram Podell of New York.
Dante Fascell of Florida.
Thomas Rees of California.
Augustus Hawkins of California.
Henry Reuss of Wisconsin.
Phillip Burton of California.
John Brademas of Indiana.
Dominick Daniels of New Jersey.
Frank Thompson, Jr., of New Jersey.
William D. Hathaway of Maine.
John Moss of California.
Charles Rangel of New York.
Morris Udall of Arizona.
Lloyd Meeds of Washington
Hugh Carey of New York.
John Dingel of Michigan.
Joshua Eilberg of Pennsylvania.
Fernand St Germain of Rhode Island.
Andrew Jacobs of Indiana.
Robert Tiernan of Rhode Island.
William Moorhead of Pennsylvania.
Cornelius Gallagher of New Jersey.
Peter Kyros of Maine.
Jonathan Bingham of New York.
Sam Gibbons of Florida.
Bob Bergland of Minnesota.
Thomas O'Neil of Massachusetts.
Clarence Long of Maryland.
Arthur Link of North Dakota.
John McFall of California.
Bill Frenzel of Minnesota.
Peter Frelinghuysen of New Jersey.
Frank Horton of New York.
Paul McCloskey, Jr. of California.
William S. Broomfield of Michigan.
Paul Findley of Illinois.
Gilbert Gude of Maryland.
Howard W. Robison of New York.
Charles Whalen, Jr., of Ohio.
Silvio O. Conte of Massachusetts.
Donald W. Riegle, Jr., of Michigan.
Margaret M. Heckler of Massachusetts.
Charles A. Mosher of Ohio.
Richard Bolling of Missouri.
Carl Albert of Oklahoma.
Floyd V. Hicks of Washington.
Henry B. Gondalez of Texas.
Edward Garmatz of Maryland.
Chet Holifield of California.
Hale Boggs of Louisiana.
Ken Gray of Illinois.
William R. Anderson of Tennessee.
Mike McCormack of Washington.
Thomas E. Morgan of Pennsylvania.
Julia B. Hansen of Washington.
Edward Boland of Massachusetts.
Joseph M. McDade of Pennsylvania.
Ray Madden of Indiana.
Edward Patten of New Jersey.
Joseph Minish of New Jersey.
John Blatnik of Minnesota.
Thomas Foley of Washington.
William Clay of Missouri.
Jim Symington of Missouri.
John Dow of New York.
Jerome Waldie of California.
Fred Schwengel of Iowa.
George Miller of California.
Edward Koch of New York.
Peter W. Rodino of New Jersey.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. KEE (at the request of Mr. PREYER of North Carolina), from today at 3 p.m. through November 7, on account of official business.

Mr. FOUNTAIN (at the request of Mr. PREYER of North Carolina), on October 28, 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:

Mr. SAYLOR, for 15 minutes, today, and to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. KEMP) and to revise and extend their remarks and include extraneous matter:)

Mr. RHODES, for 5 minutes, today.

Mr. MILLER of Ohio, for 5 minutes, today.

Mr. ESCH, for 5 minutes, today.

Mr. SCHWENGEL, for 1 hour, on November 4, 1971.

(The following Members (at the request of Mr. DENHOLM) to revise and extend their remarks and include extraneous matter:)

Mr. ICHORD, for 10 minutes, today.

Mr. GONZALEZ, for 10 minutes, today.

Mr. FLOOD, for 10 minutes, today.

Mr. MURPHY of Illinois, for 15 minutes, today.

Mr. DULSKI, for 10 minutes, today.

Mr. HARRINGTON, for 10 minutes, today.

Mr. MOORHEAD, for 30 minutes, on November 1.

Mr. CORMAN, for 60 minutes, on November 4.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. EDMONDSON in three instances.

Mr. ROUSH.

Mr. ULLMAN, to revise and extend his remarks on the bill H.R. 4590.

Mr. QUIE and to include extraneous matter with his remarks made today in the Committee of the Whole.

(The following Members (at the request of Mr. KEMP) and to include extraneous matter:)

Mr. CAMP.

Mr. QUIE in three instances.

Mr. PELLY.

Mr. LANDGREBE.

Mr. HOSMER.

Mr. GERALD R. FORD.

Mr. WYMAN in two instances.

Mr. BROTZMAN.

Mr. DERWINSKI in three instances.

Mr. SCHMITZ in three instances.

Mr. MCCLOSKEY.

Mr. WYLIE in two instances.

Mr. BRAY in two instances.

Mr. PRICE of Texas.

Mr. CARTER in two instances.

Mr. HORTON.

Mr. GROSS.

Mr. COUGHLIN.

Mr. BROOMFIELD in two instances.

Mr. RAILSBACK.

Mr. SCHWENGEL in two instances.

Mr. MIZELL in five instances.

Mr. MICHEL.

Mr. BAKER.

Mr. SPENCE.

Mr. SCOTT.

(The following Members (at the request of Mr. DENHOLM) and to include extraneous material:)

Mr. MATSUNAGA.
Mr. ROY.
Mr. BADILLO in two instances.
Mr. JACOBS.
Mr. HAMILTON in three instances.
Mr. DIGGS.
Mr. NICHOLS in two instances.
Mr. VAN DEERLIN.
Mr. WALDIE in six instances.
Mr. BLATNIK in two instances.
Mr. CLAY in eight instances.
Mr. HAGAN in three instances.
Mr. STUBBLEFIELD in two instances.
Mr. JAMES V. STANTON.
Mr. ROYBAL in 10 instances.
Mr. DENT.
Mr. EVANS of Colorado.
Mr. CORMAN in three instances.
Mr. RODINO.
Mr. KLUCZYNSKI in three instances.
Mr. FOUNTAIN in three instances.
Mr. DRINAN in two instances.
Mr. MIKVA in two instances.
Mr. MOORHEAD.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 79. An act for the relief of the Glover Packing Co.; to the Committee on the Judiciary.

ENROLLED BILL SIGNED

Mr. HAYS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 10458. An act to broaden and expand the powers of the Secretary of Agriculture to cooperate with Mexico, Guatemala, El Salvador, Costa Rica, Honduras, Nicaragua, British Honduras, Panama, Colombia, and Canada to prevent or retard communicable diseases of animals, where the Secretary deems such action necessary to protect the livestock, poultry, and related industries of the United States.

BILL PRESENTED TO THE PRESIDENT

Mr. HAYS, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following titles:

H.R. 10458. An act to broaden and expand the powers of the Secretary of Agriculture to cooperate with Mexico, Guatemala, El Salvador, Costa Rica, Honduras, Nicaragua, British Honduras, Panama, Colombia, and Canada to prevent or retard communicable diseases of animals, where the Secretary deems such action necessary to protect the livestock, poultry, and related industries of the United States.

ADJOURNMENT

Mr. DENHOLM. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 18 minutes p.m.), under its previous order, the House adjourned until Monday, November 1, 1971, 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:

1233. A letter from the Deputy Assistant Secretary of the Interior for Management and Budget, transmitting a report of the receipts and expenditures of the Interior Department in connection with the administration of the Outer Continental Shelf Lands Act of 1953 for fiscal year 1971, pursuant to section 15 of the act; to the Committee on the Judiciary.

1234. A letter from the Acting Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated September 20, 1971, submitting a report, together with accompanying papers and illustrations, on Long Island, Port Isabel, Tex. (dust control), authorized by Public Law 88-326, 88th Congress, approved June 29, 1964; to the Committee on Public Works.

RECEIVED FROM THE COMPTROLLER GENERAL

1235. A letter from the Comptroller General of the United States, transmitting a report on the need to recover the costs of processing business reply mail, U.S. Postal Service; to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BLATNIK: Committee on Public Works. H.R. 11423. A bill to extend the Federal Water Pollution Control Act until January 31, 1972 (Rept. No. 92-594). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON of California:

H.R. 11465. A bill to provide for the establishment of a national cemetery in Los Angeles County in the State of California; to the Committee on Veteran's Affairs.

By Mr. BADILLO (for himself, Mr. BURTON, Mrs. CHISHOLM, Mr. DELLUMS, Mr. DRINAN, Mr. EDWARDS of California, Mr. FAUNTROY, Mr. FRENZEL, Mrs. GRASSO, Mr. GUDE, Mr. HALPERN, Mrs. HANSEN of Washington, Mr. HARRINGTON, Mr. KOCH, Mr. MADDEN, Mr. MITCHELL, Mr. RANGEL, Mr. RIEGLE, Mr. ROSENTHAL, Mr. RYAN, Mr. STOKES and Mr. SYMINGTON):

H.R. 11466. A bill to amend the Food Stamp Act of 1964 to provide food stamps to certain narcotics addicts and certain organizations and institutions conducting drug treatment and rehabilitation programs for narcotics addicts, and to authorize certain narcotics addicts to purchase meals with food stamps; to the Committee on Agriculture.

By Mr. BIAGGI:

H.R. 11467. A bill for the relief of residents of northern Ireland; to the Committee on the Judiciary.

By Mr. BROTZMAN (for himself, Mr. WILLIAMS, Mr. BEVILL, Mr. BARRETT, Mr. HECHLER of West Virginia, Mr. GERALD R. FORD, Mr. HALPERN, Mr. THONE, Mr. ROBINSON of Virginia, Mr. WAGGONNER, Mr. BAKER, Mr. SYMINGTON, Mrs. CHISHOLM, Mr. WINN, Mr. FREY, Mrs. GRASSO, Mr. RHODES, Mr. PETTIS, and Mr. YATRON):

H.R. 11468. A bill to require that all schoolbuses be equipped with seatbelts for passengers and seatbacks of sufficient height to prevent injury to passengers; to the Committee on Interstate and Foreign Commerce.

By Mr. BROTZMAN (for himself, Mr. DUNCAN, Mr. BAKER, Mr. CLARK, and Mr. DAVIS of Wisconsin):

H.R. 11469. A bill to amend the Tariff Schedules of the United States with respect to the classification of certain ceramic articles; to the Committee on Ways and Means.

By Mrs. GRIFFITHS (for herself and Mr. HARRINGTON):

H.R. 11470. A bill to amend chapters 2 and 21 of the Internal Revenue Code of 1954, and title II of the Social Security Act, to reduce social security tax rates and provide a new method for their determination in the future, to remove the dollar limitation presently imposed upon the amount of wages and self-employment income which may be taken into acount for tax and benefit purposes under the old-age, survivors, and disability insurance system (making allowance for personal income tax exemptions and the low-income allowance in determining such amount for tax purposes), and to increase benefits under such system to reflect the new tax and benefit base; to the Committee on Ways and Means.

By Mr. HALL:

H.R. 11471. A bill to assist in the efficient production of the needed volume of good housing at lower cost through the elimination of restrictions on the use of advanced technology, and for other purposes; to the Committee on Banking and Currency.

By Mr. HAMILTON (for himself, Mr. CHARLES H. WILSON, Mr. MORSE, Mr. YATRON, Mr. HALPERN, Mr. HARRINGTON, Mr. STOKES, Mr. BUCHANAN, and Mr. LLOYD):

H.R. 11472. A bill to establish a Joint Committee on National Security; to the Committee on Rules.

By Mr. HORTON (for himself and Mr. CONABLE):

H.R. 11473. A bill to amend the Social Security Act to increase temporarily (for all States presently below the maximum) the Federal matching percentages under the cash public assistance and medical assistance programs; to the Committee on Ways and Means.

By Mr. KOCH (for himself, Mr. BRADEMAS, Mr. MCCLOSKEY, and Mr. ROY):

H.R. 11474. A bill to amend title 23 of the United States Code to authorize construction of exclusive or preferential bicycle lanes, and for other purposes; to the Committee on Public Works.

By Mr. KOCH (for himslef, Mr. CLEVELAND, and Mrs. GRASSO):

H.R. 11475. A bill to amend the Urban Transportation Act of 1964 to authorize certain emergency grants to assure adequate rapid transit and commuter railroad service in urban areas, and for other purposes; to the Committee on Banking and Currency.

By Mr. MONAGAN (for himself, Mr. GIAIMO, Mr. FASCELL, and Mr. PEPPER):

H.R. 11476. A bill to establish the Office of Congressional Security, and for other purposes; to the Committee on Rules.

By Mr. ROY:

H.R. 11477. A bill to extend to all unmarried individuals the full tax benefits of income splitting now enjoyed by married individuals filing joint returns; to the Committee on Ways and Means.

By Mr. BOB WILSON:

H.R. 11478. A bill to amend the Tariff Act of 1930 so as to exempt certain private aircraft entering or departing from the United States, Canada, and Mexico at night or on Sunday or a holiday from provisions requiring payment to the United States for overtime services of customs officers and employees, and for other purposes; to the Committee on Ways and Means.

By Mr. ESCH:

H.R. 11479. 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. CRANE (for himself, Mr. WAGGONNER, Mr. SIKES, Mr. ABERNETHY, Mr. ARCHER, Mr. ASHBROOK, Mr. BAKER, Mr. BLACKBURN, Mr. DEL CLAWSON, Mr. COLLIER, Mr. DICKINSON, Mr. DOWDY, Mr. EDWARDS of Louisiana, Mr. FISHER, Mr. GOLDWATER, Mr. GRIFFIN, Mr. HALEY, Mr. HALL, Mr. HOSMER, Mr. HUNT, Mr. HUTCHINSON, Mr. JOHNSON of Pennsylvania, Mr. KING, and Mr. MINSHALL):

H.R. 11480. A bill to limit U.S. contributions to the United Nations; to the Committee on Foreign Affairs.

By Mr. GONZALEZ:

H.R. 11481. A bill to establish a Uniformed Services University of the Health Sciences and to provide scholarships to selected persons for education in medicine, dentistry, and other health professions, and for other purposes; to the Committee on Armed Services.

By Mr. HALL:

H.R. 11482. A bill to amend the Internal Revenue Code of 1954 to allow a deduction for expenses incurred by a taxpayer in making repairs and improvements to his residence; to the Committee on Ways and Means.

By Mr. HELSTOSKI:

H.R. 11483. A bill to order the construction of a Veterans' Administration hospital in the southern area of New Jersey; to the Committee on Veterans' Affairs.

By Mr. KOCH:

H.R. 11484. A bill to amend title V of the Social Security Act to extend for 5 years (until June 30, 1977) the period within which certain special project grants may be made thereunder; to the Committee on Ways and Means.

By Mr. LONG of Maryland:

H.R. 11485. A bill to amend title 38 of the United States Code in order to establish a national cemetery system within the Veterans' Administration, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MIKVA:

H.R. 11486. A bill to amend the Internal Revenue Code of 1954 to disallow any deduction for depreciation for a taxable year in which a residential property does not comply with requirements of local laws relating to health and safety, and for other purposes; to the Committee on Ways and Means.

By Mr. MILLER of California (for himself, Mr. TEAGUE of Texas, Mr. DOWNING, Mr. FUQUA, Mr. SYMINGTON, Mr. FLOWERS, Mr. SEIBERLING, Mr. DAVIS of South Carolina, Mr. PELLY, Mr. WYDLER, Mr. WINN, Mr. FREY, Mr. COUGHLIN, Mr. CABELL, Mr. ROE, Mr. PRICE of Texas, Mr. SIKES, Mr. BENNETT, Mr. HALEY, Mr. FASCELL, Mr. ROGERS, Mr. YOUNG of Florida, and Mr. PEPPER):

H.R. 11487. A bill to authorize the Administrator of the National Aeronautics and Space Administration to convey certain lands in Brevard County, Fla.; to the Committee on Science and Astronautics.

By Mr. PATMAN:

H.R. 11488. A bill to amend section 404(g) of the National Housing Act; to the Committee on Banking and Currency.

By Mr. SMITH of New York:

H.R. 11489. A bill to facilitate the amendment of the governing instruments of certain charitable trusts and corporations subject to the jurisdiction of the District of Columbia, in order to conform to the requirements of section 508 and section 664 of the Internal Revenue Code of 1954, as added by the Tax Reform Act of 1969; to the Committee on the District of Columbia.

By Mr. STUCKEY:

H.R. 11490. A bill to regulate the location of chanceries and other business offices of foreign governments in the District of Columbia; to the Committee on the District of Columbia.

By Mr. THONE:

H.R. 11491. A bill to amend the Soil Conservation and Domestic Allotment Act, as amended, to permit sharing the cost of agriculture-related pollution prevention and abatement measures; to the Committee on Agriculture.

By Mr. WAGGONNER (for himself, Mr. SIKES, Mr. CRANE, Mr. BARING, Mr. BROYHILL of Virginia, Mr. DUNCAN, Mr. FLYNT, Mr. GROSS, Mr. LANDGREBE, Mr. PRICE of Texas, Mr. RARICK, Mr. ROBERTS, Mr. ROBINSON of Virginia, Mr. ROUSSELOT, Mr. SATTERFIELD, Mr. SCHERLE, Mr. SCHMITZ, Mr. SPENCE, Mr. SPRINGER, Mr. STEIGER of Arizona, Mr. THOMPSON of Georgia, Mr. YATRON, Mr. YOUNG of Florida, and Mr. ZION):

H.R. 11492. A bill to limit U.S. contributions to the United Nations; to the Committee on Foreign Affairs.

By Mr. BOB WILSON:

H.R. 11493. A bill to provide for the seizure and forfeiture of vessels, vehicles, and aircraft used to illegally transport into the United States certain aliens, and for other purposes; to the Committee on Ways and Means.

By Mr. FAUNTROY:

H.J. Res. 937. Joint resolution designating January 15 of each year as "Martin Luther King Day"; to the Committee on the Judiciary.

By Mr. STAGGERS:

H.J. Res. 938. Joint resolution to amend title 5, United States Code, in order to designate November 11 of each year as Veterans Day; to the Committee on the Judiciary.

By Mr. MONAGAN:

H.J. Res. 939. Joint resolution to extend the authority conferred by the Export Administration Act of 1969; to the Committee on Banking and Currency.

By Mr. BROOKS:

H. Con. Res. 441. Concurrent resolution authorizing the printing of "The Joint Committee on Congressional Operations: Purpose, Legislative History, Jurisdiction, and Rules" as a House document, and for other purposes; to the Committee on House Administration.

MEMORIALS

Under clause 4 of rule XXII,

279. Mr. BRINKLEY presented a memorial of the senate of the State of Georgia, requesting Congress to propose an amendment to the Constitution of the United States to give students the right to attend the public school nearest their place of residency; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

SCIENCE AND PUBLIC POLICY PROGRAM, UNIVERSITY OF OKLAHOMA—STATEMENT OF GOALS

HON. TOM STEED

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1971

Mr. STEED. Mr. Speaker, the University of Oklahoma has established a new science and public policy program, concentrating on a field where there is a serious and obvious need for effective service.

With the rapid and increasing changes in our society technology assessment is an area we cannot afford to ignore. The assessment of the changes associated with the development of particular technologies is a challenging assignment

The new science and public policy program began operating last month under the direction of Don E. Kash, with Irvin L. White, assistant.

Its statement of goals is as follows:

SCIENCE AND PUBLIC POLICY PROGRAM, THE UNIVERSITY OF OKLAHOMA—STATEMENT OF GOALS

The Science and Public Policy Program was established at the University of Oklahoma in September, 1970. The Program is an autonomous budgetary unit under the Provost of the University.

Technology assessment—the anticipation of beneficial and undesirable second and higher order consequences associated with the development and application of particular technologies—will be the research focus of the program. Recognition of society's need for such a capability is widespread, and development efforts are underway in government, industry, non-profits, and other universities as well as at the University of Oklahoma. Our particular effort will be to assess specific technologies, attempting to project their development ten to fifteen years into the future, the goal being to contribute to the development of society's capacity for maximizing benefits and minimizing the social costs associated with the application of any particular technology.

Our technology assessments are to be undertaken by interdisciplinary core research teams comprised of six to eight persons. Our plan is to use organization, physical setting, and common interests as a means for developing a truly collegial assessment capability. When necessary, the skills and expertise of the core team will be supplemented by bringing in outside consultants.

The teams are expected to produce a report of their completed assessment within a twelve to eighteen month time limit. The reports will be published and distributed widely, the goal being to provide new information and knowledge to those charged with decision-making responsibility in the technological area being assessed, information and knowledge from a broader overviewing perspective than would otherwise be