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S. 3307—INTRODUCTION OF A BILL RELATING TO MEDICARE PRE- MIUMS

Mr. MONDALE. Mr. President, inflation is one of the greatest burdens borne by our senior citizens. Not only are their fixed incomes hurt the most by rising prices, but they pay a disproportionate share of some of the fastest rising costs in our economy.

Nowhere is this problem more severe than in the squeeze between meager and declining incomes of senior citizens, and the escalating costs of their medical care.

And in no way has this problem been more dramatically revealed than in the recent announcement by the administration of a 33-percent increase in premium costs to participants in medicare's supplementary medical insurance program. The Secretary of Health, Education, and Welfare has directed that costs, originally \$3 per month and now \$4, be raised to \$5.30 a month, for a new annual increase of \$15.30 per participant.

For the great majority of the 20 million medicare beneficiaries, such an increase would be intolerable. For most of the remaining participants, it would be a substantial burden. Most of our older citizens are now receiving shockingly inadequate incomes and almost all of them are bearing extremely heavy medical expenses.

Persons over age 65 constitute only about 10 percent of our population. But 20 percent of the poor people in the United States are over 65. Older persons pay 20 percent of all prescription drug costs in America. Approximately 3.8 million elderly persons spend more than \$100 a year on prescription drugs alone, and if they must go to the hospital, they have to pay a \$52 deductible and substantial additional sums if their stay is an extended one. They also must pay a significant portion of their physicians' fees.

Since medicare went into effect in 1966, there have been very substantial increases in the deductible portions of hospital and extended care charges which participants must pay. For example, the hospital deductible was initially set at \$40, the payment per day after the 60th day at \$10, the individual's share of the lifetime reserve days was \$20, and the payment per day for extended care facility charges after the 20th day was \$5. The Department of Health, Education, and Welfare has just increased these charges, effective January 1, to \$52, \$13, \$26, and \$6.50, respectively.

Senate

In short, the administration is seeking to lay the full burden of inflationary medical costs upon those who have the greatest need for medical care and the least capacity to meet these added burdens.

For, while the administration now plans to increase costs by 33 percent in part B premiums and has already increased costs by 18 percent in deductible and per diem payments, they sought to hold increases in social security payments to a grossly inadequate 10 percent. Congress did manage to enact a 15-percent increase, but it is clear that social security payments have barely managed to keep up with overall inflation, and cannot begin to keep up with inflation in the medical sector.

Perhaps, if social security beneficiaries had a good deal of additional outside income, as some fortunately do, these increased burdens under the medicare program would be tolerable. However, only about 17 percent of social security recipients have any outside resources. Millions of social security beneficiaries are paid only the minimum monthly payment which was just raised from \$55 to \$64.

Including the social security increases just enacted, the minimum benefit for a man and his wife is \$1,152 a year. This is less than one-half the \$2,671 per year estimated by the U.S. Bureau of Labor Statistics as necessary to permit existence at the poverty line for a retired couple.

The significant increase in deductibles and per-day payments will constitute a nearly crushing burden on many of those beneficiaries who receive benefits at or near the minimum, if they must be hospitalized. For those who have attempted to protect themselves against this risk by private health insurance to supplement the hospital and medical coverage under medicare, the picture is no better. For example, premiums for the medicare supplementary insurance offered by Blue Shield in Minneapolis have recently been increased from \$7.95 a month only a year ago to \$14.90 a month today. Thus, these costs have increased by 87 percent in the past year.

Seven million people age 65 and over are living in poverty or near poverty, many of them receiving no income except social security benefits. We have recently succeeded in amending our tax laws so that those living in poverty can be freed of Federal income taxes. It

makes no sense to levy an increase of \$15.60 a year on a person living in poverty just because it is calculated as some kind of "share" of the medical insurance program. This has the effect of saddling those already in poverty with the cruel costs of inflation. We must find a better way.

Indeed, the average social security benefit meets only about one-third of the needs spelled out in the Bureau of Labor Statistics "retired couples budget." So it is not just a question of protecting a small minority of aged persons from a heavy increase in medicare premiums. What we have to do is protect literally millions of aged social security annuitants from having an already inadequate standard of living further impaired in order to finance this program.

I think there is a better way. When this program was established, it was decided that half of the cost would be borne out of general revenues of the Federal Government. The other half was to be borne by the participants. Had the cost of living remained reasonably stable, this would have been tolerable. But, in the face of recent and continuing inflationary developments, we cannot ask these poor, aged beneficiaries to pay even one-half of the increased physicians' charges that have been experienced since medicare went into effect.

Furthermore, the administrative costs under this program appear to be inordinately high. I do not think it is fair to ask the elderly to pay these administrative costs of the Government.

I am introducing legislation which will freeze the present \$4 per month premium through June 1971. The additional cost to the Government to prevent the \$1.30 per month increase which the Secretary of Health, Education, and Welfare has announced, will be approximately \$301 million. Effective July 1, 1971, my bill will return the monthly premium for part B to \$3 a month, as it was in 1966 when the program was initiated. This additional cost of about \$230 million will also be paid out of the general fund.

As I have indicated, the medicare part B premiums are only one aspect of the increasing burden of medical care costs for the poor and the elderly. But we can deal with this problem immediately and directly.

The Government cannot deal so readily with the rapidly increasing medical care costs which are reflected in the increasing premiums for private insurance programs which supplement medicare. However, it can reduce these costs indirectly by avoiding increases in the deductible and per day costs to be borne by the participants.

I will be developing further legislation to roll back the increased deductibles and to make other badly needed improvements in the medicare program. I believe the program should be expanded to cover those on disability retirement under the social security program, even though they are under age 65.

I think it is vital that we eliminate the requirement that medicare participants provide, at their own expense, the first three pints of blood which they may require. Similarly, I think it is essential that we provide for coverage of a substantial portion of out-of-hospital prescription drugs for those under medicare. Finally, I think we should consider alternative methods of financing the entire participants' share of medicare part B. We should strive to eliminate the monthly premiums charged to the participants entirely. Through general fund financing, or increased payroll taxes, or some combination, it should be possible to eliminate these significant deductions from the monthly social security benefits checks.

Mr. President, I feel that the fight against inflation is our paramount task today. We must seek economy in Government. We must act to resist unjustified price increases. We must seek fiscal restraint, while protecting against unemployment or unfair burdens on particular sectors of the economy.

But we cannot simply shift the problem of inflation over to that sector of our population least able to stand the burden.

The announced increases are "responsible neither to our economy nor to our people."

They are, rather, discriminatory and unfair.

I hope that this measure will be acted on promptly by the committee. I do not think we can afford to wait for comprehensive social security amendments. Action is required before the July 1 effective date for the new premium rates. I will welcome the cosponsorship of my colleagues of this important measure.

I ask unanimous consent that the text of the bill be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 3307) to prevent further increases in the monthly premium pay-

able for supplementary medical insurance under part B of the medicare program established by title XVIII of the Social Security Act, and for other purposes, introduced by Mr. MONDALE, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 3307

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subsections (a) and (b) of section 1839 of the Social Security Act are amended to read as follows:

"(a) The monthly premium of each individual enrolled under this part shall be \$4, in the case of any month after June 1970 and prior to July 1971, and shall be \$3, in the case of any month after June 1971.

"(b) The Secretary shall, during December 1970 and of each year thereafter, estimate the dollar amount necessary to defray the total costs (including administrative costs) of providing benefits payable under this part for the 12-month period commencing July 1 of the succeeding year and the aggregate amount of the premium payments which will be paid into the Medical Insurance Trust Fund during or with respect to such period. In estimating such total costs for any period, the Secretary shall include an appropriate amount for a contingency margin. Whenever the Secretary, pursuant to the preceding sentence, makes an estimate of such costs for any 12-month period he shall make a public statement setting forth the amount of the costs so estimated by him, together with the actuarial assumptions and bases employed by him in arriving at such estimate."

(b) Subsection (a)(1) of section 1844 of such Act is amended to read as follows:

"(1) a Government contribution equal to the amount by which the total costs (including administrative costs) of providing benefits payable under this part for any period exceeds the aggregate amount of the premium payments which will be paid into the Medical Insurance Trust Fund during or with respect to such period, and".

(c) The amendments made by the preceding subsections of this section shall take effect July 1, 1970.

Sec. 2. In addition to sums authorized under other provisions of law to be appropriated to the Federal Supplementary Medical Insurance Trust Fund, there are hereby authorized to be appropriated to such fund for the fiscal year ending June 30, 1971, such sums as may be necessary to place such Trust Fund, at the end of such year, in the same position in which it would have been at the end of such year if the first section of this Act had not been enacted.

ready been imposed by the President before Congress acted and was incorporated in his over-all spending ceiling of \$192.9-billion, which now seems certain to be substantially exceeded.

These were the main actions and inactions by Congress that will push up the spending total in the current fiscal year.

Failure to raise postal rates and the resulting increase in the postal deficit—\$600-million.

Enactment of a larger Social Security increase, effective at an earlier date, than the President requested—\$1.1-billion.

Failure to pass two bills affecting Veterans Administration and Farmers Home Administration credit programs—\$400-million.

Enactment of Agriculture and Public Works appropriation bills—\$500-million.

Failure to end duplication of burial benefits in the veterans and Social Security programs—\$100-million.

Added lending by the Small Business Administrations and reduced savings deposit insurance premiums—\$130-million.

Veterans benefits and Civil Service retirement—\$100-million.

These increases and other smaller ones were offset in a minor way by cuts in other appropriations bills, but the net effect is an increase in spending of at least \$2.9-billion.

This figure does not include about \$500-million that would result from passage of the Health, Education, and Welfare appropriation bill, which Congress, under threat of a Presidential veto, decided to put over until next year.

It is still possible that Congress may act early next year to offset some of the \$3-billion increase. For example, postal rates may yet be increased. This would have an effect for part of the fiscal year.

Almost as serious from the Administration's point of view as the impact of Congressional actions and inactions is the huge increase in currently estimated spending in the "uncontrollable" items. A dramatic example is interest on the national debt.

Between April and August, the estimated spending on interest was increased by \$634-million. In an unpublicized notification to Congress last week, the President disclosed that the estimate was subsequently revised upward by \$932-million, making a total rise of \$1.6-billion in this single item, almost entirely caused by the steep climb of interest rates.

Almost equally dramatic is Medicare. Since April the estimated outlays have been increased by \$675-million. Of this, \$275-million is a re-estimate since August. The Budget Bureau explained to Congress that "the increase reflects higher costs for hospitalization and physicians' services, based on 1969 experience."

The uncontrollables as a group are now estimated at nearly \$4-billion higher than the April estimate and more than \$2-billion higher than the July-August estimate. Other items showing increases are Civil Service retirement, unemployment insurance, Social Security (apart from the new increase in benefits) and railroad retirement.

Mr. GRIFFIN. Mr. President, I yield to the Senator from Arizona.

Mr. FANNIN. Mr. President, I am very concerned about the possible effects of the cut in impacted area funds—particularly if they are made across the board.

It would be disastrous in some Arizona school districts if the funds for impacted areas were cut substantially from the present appropriation. Of the 296 active school districts in the State of Arizona during the last fiscal year, 1968-69, 120 districts participated in Public Law 874 with that law providing impact funds in the amount of \$7,039,-

365. Eighteen of these schools participated in Public Law 815 with an amount of \$1,977,000. More than 40 percent of our school districts depend heavily upon the funds for impacted areas.

Because of the favorable flying conditions—including sky space and favorable weather—Arizona has some of the most extensive military facilities in the Nation. The vast open spaces utilized is illustrated by one testing and proving ground of almost 1 million acres. These facilities are on federally owned, tax free lands, although a vast number of families of employees live in the areas with their youngsters attending public schools, placing an extra load on the school districts within the area.

Arizona is also unique in having large Indian reservations within its boundaries which are exempt from State property taxes. The Indian children living on these reservations are entitled to the same quality education as all other children living in Arizona. But, it is unfair to ask those Arizonans who pay real property taxes to assume the burden for these children at a time when the Federal Government is shirking its duty and obligation to provide education for them.

This is especially true in several of our northern counties, where a majority of the school-age population is Indian.

Apache County has an estimated 1968 population of 46,500, and 75 percent of these persons are Indians living on reservations. Navajo County has an estimated population of 49,200. About one-half of these persons are Indians.

It is undoubtedly true that, should the Public Law 874 moneys for Indian children be substantially reduced, Johnson-O'Malley funds would have to be increased by a like amount. So where, really, are the savings? All that would be accomplished would be to shift the financial burden from the budget of HEW to the Department of the Interior. It would therefore be false economy—as well as disruptive to the orderly program already being carried out in many of the State's schools. The only other alternative would be for Johnson-O'Malley funds not to be increased—a totally unacceptable occurrence since it would have a disastrous and perhaps irreparable effect on the education and lives of the many of our Indian children. We must not eviscerate their education program.

Mr. President, when we review Arizona's position as the State with more Indians on reservations than any other, a growing number of whom are seeking education in the public schools, and as a State which has only 16 percent of its land on the real property tax rolls, any proposal to reduce the appropriation for Public Law 874 is untenable and unthinkable.

I do not deny for a minute that impacted area funds doubtless are going to some affluent school districts. We need only to look at some of the areas surrounding Washington, D.C. I am, naturally, in favor of making changes in the law to correct the obvious and admitted inequities. But an across-the-board cut in impact areas funds is certainly not the answer. Such a move it seems obvious to me, as well as to many educators with whom I have spoken, would particularly

penalize many of the most needy and most deserving districts.

With all the emphasis the Nixon administration has given and intends to give to education, this seems to me not to be the area where we should strive for economies, particularly when they doubtlessly will have an adverse effect on many educational programs and therefore on the lives and welfare of many children. Surely, the cuts can be made elsewhere.

Mr. COTTON. Mr. President, I ask unanimous consent to have 2 minutes.

The PRESIDING OFFICER (Mr. TYNINGS in the chair). Is there objection? Without objection, it is so ordered.

Mr. COTTON. Mr. President, so much has been said in the last few minutes about impacted areas that I think we should make perfectly clear what has happened. The authorization for impacted area funds, of course, was based on estimates. For fiscal year 1969 we appropriated 90 percent of the total estimate.

For fiscal 1970 we appropriated 90 percent of the total estimate. We did not appropriate 100 percent of the authorization. For 1970, it comes to \$79,100,000 more than 90 percent of the fiscal 1969 estimate.

I am as keenly interested in these funds as is anybody in the Senate, but let us not reach so far that we lose. I think conference action in this regard was entirely reasonable and justified.

Mr. MONDALE. Mr. President, I rise today in support of the conference bill on HEW appropriations. I am proud that we in the Congress are acting to add over \$1¼ billion to the administration's request for education and health funds.

Appropriations for the education of our children, and for the health of our citizens, are investments in the future well-being of this country.

The conference committee bill includes desperately needed increased appropriations for medical research, health manpower, libraries, bilingual education, vocational education, student assistance, and college construction. These investments will pay for themselves several times over.

But we are told that this bill will be vetoed. We are told that these investments are unnecessary and undesirable. I disagree.

The impact of such a veto on the quality of life in America would be severe. For example, the vice president of the National School Board Association, Mr. George Evans, has warned that "some schools will have to close their doors early or drop programs" if this bill is vetoed. And Dr. Campbell Moses has stated that if we fail to provide \$40 million for workers with heart disease "50,000 people will die in the next 12 months who do not need to die."

In Minnesota alone, a veto of this bill would cost schools and schoolchildren at least \$16 million in lost Federal funds. This is the difference between the \$55.5 million which would go to the State in the conference committee bill and the \$39.7 million which Minnesota would receive under the President's budget request.

I am told that to replace the estimated

loss of Federal funds for education programs in Minneapolis alone, the property tax would have to be increased by 4 or 5 mills. I do not think the Federal Government can adopt a policy of passing more and more of the responsibility for financing education to local residents who are already faced with intolerable property taxes.

But that is just what is happening. Two years ago the Federal Government paid 8 percent of the total cost for elementary and secondary education in this country. Last year the Federal Government's share of the responsibility dropped to 7.4 percent. And this year, it is estimated that the Federal Government will be paying 6.6 percent, or less, of the total cost of education if this bill is vetoed.

A veto of the HEW appropriations bill would also have a serious impact upon federally supported health activities in my State. Such activities include health services, mental health programs, health research, food and drug control, and programs for environmental health and consumer protection. A reduction of Federal support in these areas would cost the State of Minnesota approximately \$4 million—again, the difference between the nearly \$50 million allotted to Minnesota in the Senate-passed bill and the lower budget requests of the administration.

I think it is terribly important that the charge of inflationary spending with regard to this bill be examined in the proper context.

The Congress reduced the administration's appropriations requests by a total of \$7.6 billion last year by cutting 10 appropriations bills. Most of these savings came from cutting waste in the Pentagon's \$80 billion budget. We increased appropriations requests by only \$2 billion, including the \$1.1 billion addition for education and additional funds for health research, water and air pollution programs, and food stamps. In short, the Congress made a net reduction of \$5.6 billion in the administration's budget requests.

Thus, the decision we face is not one of inflation, it is one of national priorities. I deeply believe we must continue to shift resources to programs responsive to human needs. I fought hard to obtain these increases in education and health funds, and I will do all I can to override any veto of them.

Mr. MATHIAS. Mr. President, in considering the conference report on Labor-HEW appropriations for fiscal 1970, we are weighing the importance of Federal programs which directly influence the education and health of the American people and the future of the Nation as a whole. We are also facing, belatedly and reluctantly, the problem of the overall economic condition of the country and the challenge of congressional self-discipline.

Because of the great impact of this legislation and the vast public interest in it, I want to outline clearly the factors which compel me, after reviewing the entire situation, to cast my vote against adoption of the conference report.

I cast this vote with the greatest reluctance and unhappiness. In the past I

have consistently supported the types of increases in HEW programs which are represented in this bill. I have welcomed and encouraged a major shift in national priorities away from excessive military spending and toward meeting our urgent domestic needs.

In this instance, however, two basic commitments—the commitment to expand domestic programs, and the commitment to combat inflation—have come into direct conflict and collision.

The conference report before us today contains appropriations totaling over \$19.7 billion for fiscal 1970, about \$1.3 billion above the budget submitted by the President. After reviewing the inflationary impact of such a major increase in Federal spending, the President has announced that, if this conference report reaches his desk, he will be compelled to veto it. Secretary Robert Finch of Health, Education, and Welfare supports this position. I am sure with the greatest reluctance and regret.

I do not accept all of the subsidiary arguments offered by the administration against this conference report. For example, it is argued that the funds will come too late to be fully effective. Certainly this bill, delayed until the seventh month of the fiscal year, is so tardy that its lateness has already snarled planning and budgeting both by Federal agencies and by the countless school districts and other local agencies who are anxiously awaiting a congressional decision. But programs have gone forward productively in the past when appropriations have been too long delayed. I am confident they will do so again, and again, and again, until the Congress finally reforms its method of handling appropriations bills and gets its work done earlier.

Nor do I accept the argument that the programs which receive the greatest increases in this bill are somehow of lower priority than other HEW efforts. For instance, Public Law 874, the program of aid to federally impacted school districts, has been extremely important to many Maryland school systems for years. I have joined a majority of the Congress in resisting the repeated efforts of two administrations to decimate this program.

The problem before the Senate today, however, is not that of the value of any individual educational or health program by itself. Rather, it is the fiscal impact of this bill as a whole. That impact must be weighed in the light of two facts: First, the commitment of the President to hold down total Federal spending to combat inflation; and second, the executive branch's legal opinion that certain types of appropriations must be spent.

The question of mandatory spending is a rather technical one. It may surprise or confuse the general public, since the popular impression is that once Congress has appropriated a given amount of money for any Federal program, the executive branch is required to spend that money. In fact, however, in many cases in the past various administrations have exercised some discretion in withholding or impounding all or part of funds appropriated for given projects or programs. At an early stage in the delibera-

tions over the bill, it had been suggested by some that, if Congress did approve a Labor-HEW bill which exceeded the budget, the President might sign the bill and then apply that executive discretion to make reductions in actual cash outlays.

The President's counsel have determined, however, that his discretion in this instance is severely limited. For the first time in my knowledge, executive-branch officials have accepted the formal legal opinion that appropriations under certain types of Federal-aid programs, the so-called formula-grant programs, have to be spent. The opinion concludes that, by establishing a mathematical formula for the distribution of funds under some programs to the States or local governments, Congress has mandated that those funds must be distributed up to the limits of actual appropriations.

The pending conference report includes increases in such mandatory spending which total \$1,219,904,000 more than the President's budget requests. Major items within this group include an increase of almost \$171 million for title I of ESEA; an increase of \$398 million for aid to impacted areas; \$122.5 million more for grants to the States for vocational education; and \$104.4 million more for hospital construction under the Hill-Burton Act.

The fact which must be considered at this point is the firm determination of the President to keep overall Federal spending within the strict limits he feels are necessary to curb inflation and avoid further strains in our national economy. Reasonable men may and do differ about precisely where those limits should be set. The fact is that President Nixon, in a series of public statements, has made perfectly clear his commitment to curbing inflation and his conclusion that this Labor-HEW bill is too inflationary to be acceptable.

If the bill should become law, the President would therefore have to spend the increased amounts, totaling over \$1.2 billion, in HEW programs such as aid to impacted areas, ESEA, vocational education, and Hill-Burton under which full cash outlays are mandatory. However, to maintain the overall budget restraint to which he is committed, the President would also have to make corresponding cuts in other programs.

What programs could be cut to save \$1.2 billion? Mr. Creed Black, Assistant Secretary of Health, Education, and Welfare for Legislation, has informed the Senate:

If the President asked us to offset the expenditure impact, we could not make a single discretionary grant or loan for the rest of the year—and even with that extreme action we could offset only half the increases proposed by Congress. The consequences to medical research, health services, air pollution programs, rehabilitation, education research and a myriad of other project-supported activities are obvious.

Such drastic cuts could even reach beyond HEW to cripple such important programs as urban renewal, housing, mass transit and a host of creative anti-poverty efforts.

Mr. President, in essence the executive branch is saying that, if Congress insists

the preservation, study, and development of the nation's estuaries.

It also presents the respective responsibilities which should be assumed by Federal, State, and local governments, and by public and private interests, in the management of our Coastal Zones. This is most important, given the failure of our present institutional arrangement to protect these areas.

I have not yet had the opportunity to review this study in depth. Legislation based on it was very recently introduced in Congress. While I have not yet decided if this bill is exactly what we need, I would like to suggest briefly before closing, some considerations which must be accepted in any legislative effort to obtain a workable and effective coastal management system:

1. The state must be recognized as having the primary role in coastal zone management. It can provide the link between Federal incentives and research, and local requirements and desires. The state is neither too close to the coastal resource, nor too distant.

2. The state must possess the institutional arrangements sufficient to protect the coastal zone. This means adequate financial resources, administrative machinery and enforcement authority. It means a single agency, that is not merely a conglomeration of other agencies, but one with power to deal with overlapping jurisdictions and to develop and regulate a master plan for the state's Coastal Zone.

3. At the same time, the federal government has a definite role in the coastal zone. It has the specific responsibility for national security and navigation. It should as well develop goals and criteria for resource management. And it should encourage, if not force, the states to act in protecting our Coastal Zones.

4. The Federal Government must also coordinate and place in focus its own activity relating to the Coastal Zone. The Marine Science Council has detailed the vastness of this activity. The Council should be upgraded to ensure that a federal policy exists and is effected.

5. The large scale destruction of our wetlands must stop. They are too valuable ecologically and too important recreationally for the present drainage rate to continue. A better balance is needed in this area.

6. Generally, the multiple-use philosophy must prevail for present and future planning. The exploitation of a single resource or use that is contrary to, or irreversibly precludes other desired uses, must be discouraged. At certain times it cannot be avoided. In these instances counterbalancing uses of similar resources must be ensured.

7. Certain small areas of the coastal zone must be fenced off as ecological preserves. We must provide our scientists with conditions for long-term analysis of the coastal zone under natural condition.

If these considerations are implemented in a national, state-federal cooperative effort to develop our coastal zone, this important natural resource can be protected. We can reverse the degradation of our limited shoreline and realize the full benefit of being a coastal nation.

RISE IN MEDICARE FEES

Mr. MONDALE. Mr. President, since the first announcement of my intention to resist the rise in medicare fees, I have received a great deal of support as well as many personal testimonials regarding the burden which these added costs would place upon our senior citizens.

I ask unanimous consent that a few illustrative items be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

MONDALE IS CORRECT

TO THE EDITOR:

I was glad to read of Sen. Mondale's interest in medicare fees. With a raise of 15 per cent in monthly benefits and medicare fees raised to \$5.30, minimum check recipients wouldn't benefit much.

My Social Security check now is \$48.70, plus 15 per cent more would be \$56. Taking off the \$5.30 for medicare would leave \$54.70, less 10 cents for cashing the check leaves \$54.60.

In case of hospitalization the first \$52 would have to be paid, which would leave only \$2.60.

Many older folks (through no fault of their own) have their savings used up. Higher taxes, higher prices for everything necessary, are still with us. Hope Sen. Mondale will have success in bringing about a change.

(Name withheld by request.)

[From the Little Falls (Minn.) Daily Transcript, Jan. 8, 1970]

MEDICARE FEE HIKE MEETS OPPOSITION

In a United Press International news story yesterday Sen. Walter Mondale reported that he was "encouraged by the support shown for his proposal to put a \$4 per month ceiling on payments old people must pay for Medicare." The senator said he will introduce a bill to keep payments at \$4 per month when Congress reconvenes later this month.

"This is a cruel increase and it will hit many citizens who already are in a desperate situation," he said. "Also, it may force many to drop out of Medicare and it is essential that we keep these people in the program."

The Minnesota senator suggested that the additional money needed to finance the program—some \$300,000,000—could come out of general revenue.

Medicare has been under-financed since it began in July 1966. The monthly premium then was \$3 and the government matched it with an equal amount. The premium was raised to \$4 in 1968.

An attempt to raise it again, when it was still found to be running behind, was rejected by then Secretary of Health, Education and Welfare Wilbur J. Cohen, who issued orders aimed at holding the line on payments for doctors' charges.

Robert H. Finch, who now heads the department, has raised the monthly fee to \$5.30, beginning July 1. With the government's matching share, this would bring the total monthly cost of medical coverage for the 19.3 million Americans covered by the program to \$10.60.

As probably could be expected, the action by Secretary Finch already has aroused congressional intervention. There also has been some sentiment for scrapping the Medicare premium plan and combining Medicare with hospitalization. The elderly then would be covered under Social Security.

The average Social Security retirement check now is \$116 per month for a single person under terms of the new law although increased pension checks will not be in the mail until April. The average retirement check for a couple is \$170 per month. While these amounts provide for only a subsistence level of living for the elderly, there are many others who receive considerably less with the result that a \$5.30 or \$10.60 monthly Medicare bill makes a big hole in an already pitifully small check.

The result many times is that the elderly are forced on the welfare rolls and a consequent heavy burden on property taxpayers. The government may save some money but the rest of us will have to fight that much harder to pay our property tax bills. In other

words, the action by the administration is much in the order of "robbing Peter to pay Paul."

MONDALE SEEKS LIMIT ON MEDICARE CHARGES

Legislation to prohibit any increase in the present \$4-a-month premium charged to the aged participating in the nation's Medicare program will be introduced shortly in the Senate by Minnesota's Walter F. Mondale. The \$4 premiums are scheduled to be raised to \$5.30 beginning July 1, 1970, by the present administration.

Senator Mondale was highly critical of the proposed \$1.30 per month raise in Medicare premiums. His reasoning is that most senior citizens are losing in the battle with inflation.

"At a time when inflation is robbing our senior citizens of their hard-earned retirement benefits, it is unfair to require them to pay higher fees for the medical care they so desperately need," said the Senator.

Mondale further pointed out that it is inconsistent on the part of the present administration in Washington to request a 15 per cent across-the-board increase in Social Security benefits on the one hand and a 33 per cent increase in contributions to Medicare by the aged on the other hand.

In view of the widespread abuses of the Medicare program uncovered during the past year, the position of Senator Mondale seems eminently reasonable. Rather than taxing the already severely limited purchasing power of retired people with fixed income, some effort to eliminate gouging by medical people should assume first priority.

Other than tightening administrative procedures to insure that there is no overcharging of patients receiving help under Medicare, it seems not fair to expect Medicare to be self-supporting or even largely self-supporting.

Medicare was intended as an aid to relieve the elderly of a prime worry of their declining years, the worry of financing medical bills at a time in life when medical care is most often needed and the ability to pay is at its lowest.

Senator Mondale's bill not only provides for a freeze of the monthly fee at its present \$4 level but provides for a systematic reduction in the fee over the next several years. The slack in the cost of the program would be taken up by increased contributions from general revenues as well as contributions from the Social Security payroll tax.

POLLUTION—A PRIME PROBLEM

Mr. MONDALE. Mr. President, pollution takes center stage as a prime problem as we enter the 1970's. The threat that man might soil his nest to such an extent as to make it almost uninhabitable becomes more credible with each passing day.

But there is still time to stop the trend toward destroying our environment and with it the quality of our lives. Despite the activities in recent years of certain legislators, such as my colleague Senator GAYLORD NELSON, Congress has come to recognize pollution as a matter of national concern only in the past few months.

That recognition is being fostered and heightened by the work of our communications media. I shall cite one outstanding example: A series of articles by Roberta Hornig and James Welsh which appeared in the Washington Evening Star from January 11, 1970 through January 18. The thoroughly researched and dramatically written articles describe the

Atlantic Ocean as a sewer—in the words of adventurer Thor Heyerdahl—and America as a trash can. It quotes an expert as saying man is in danger of becoming a vanishing species.

I ask unanimous consent that the series of articles be printed in the RECORD.

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

A WORLD IN DANGER—1: THE ENVIRONMENT: IS IT PROBLEM NO. 1?

(By Roberta Hornig and James Welsh)

(NOTE.—Many scientists concerned with environmental pollution fear that the 1970s will be the dawn of Doomsday. This is the first of seven articles examining what man has done to his world, and what he can do to save it.)

John Heritage's job begins to close in on him long before he gets to the office.

As a 31-year-old staff aide to Wisconsin's Sen. Gaylord Nelson, Heritage specializes in the environment. On a typical workday, he hasn't driven far from his home in Alexandria when these troubles begin coming at him, one after another.

His car inches through a crowded interchange onto Shirley Highway. It is a gray, heavy day. The cars stop, inch forward, stop. The fumes hang over the highway.

The cars, thousands of them, sputter through Arlington's apartment wonderland, past the Pentagon and toward the 14th Street Bridge.

As he approaches the bridge, a jet swings into its landing approach to National Airport. It approaches from upriver.

Heritage knows that as he crosses the bridge, the plane—perhaps even two—will pass not far overhead, engines screaming and dumping oily black grit on top of the exhaust-laden air he is breathing.

The Washington skyline should be clearly in view now. Some days it is, but today it is not. The accumulation of smoke from cars, buses, trucks, planes and smokestacks is too heavy; the skyline is blurred in a pastel haze.

Beneath the bridge, the Potomac flows dirty and sluggish, logs and dead fish floating in the murky brown.

Heritage crosses the bridge and the traffic passes a densely built-up urban area. There is construction nearly everywhere—buildings and highways.

The noise and confusion reach a peak as he nears the Rayburn House Office Building. There, a pile driver is banging away at full steam.

John Heritage has driven from a famous suburb to the Capitol of the United States. The trip is past, but not forgotten. He has to drive home tonight, and back to work tomorrow morning, and he wonders what Washington will do to right man's wrongs against nature.

"You have to wonder what's happening to people," he observes. "Call it irritation if you want, but anyone can sense on a trip like this what is meant by the contention that our quality of life is going down."

"The environmental problem is no longer an issue of saving trees, of conserving natural resources. It's part of daily life. To go from one place to another in our cities is to pass through an unhealthy cross-section of pollution."

Heritage and his fellow Washingtonians are far from alone. Countless thousands across the country are wondering and worrying about their own communities—not just the big towns of New York and Los Angeles, but also the middle-sized cities of Oakland, Salt Lake City, Denver, Wilmington, Providence, Buffalo, Chattanooga, plus smaller towns and even rural areas.

And if other Americans remain relatively unconcerned, the sweep of current develop-

ments and trends may be giving them second thoughts.

People in Cleveland apparently had decided they could live with the Cuyahoga River. But one day last June the river caught fire. The blaze from an ignited oil slick soared five stories high and caused \$50,000 damage to two railroad trestles. Clevelanders are more "aware" now.

Around San Francisco, a city justifiably proud of its good looks, it has been fashionable to look down on Los Angeles as a monument to tastelessness. Northern Californians like to think of LA's air pollution, which has set off 71 emergency alerts since 1955, as typical of the kind of mess Southern Californians are capable of making. But now in the San Francisco Bay area, the smog is so thick that the Northern Californians can't see across the bay.

Lake Erie was murdered, the victim of industrial and municipal waste disposal. It now harbors new life—a mutant of carp which lives off poisons.

Death is also coming to more of the nation's once clear waters.

So much sewage from upstream communities is coming down the Eagle River in the Colorado Rockies that trout fishermen, if they still go there, catch toilet paper, not fish.

In Northeastern Pennsylvania not too long ago, acid drainage from a mining operation leaked into some abandoned, uncapped gas wells, eventually polluting the underground water serving seven counties. In some parts of the area, the only way to get water was to truck it in.

Incidents and problems like this are piling one atop the other.

The days are gone when concern for the land, the air, the water was the sole province of the conservationists, the wilderness enthusiasts, the bird watchers and a few far-seeing scientists, authors and public officials.

Last spring the National Wildlife Federation arranged for a public opinion poll, on the subject of conservation. It showed 85 percent of the American people worried about the state of the environment.

The problems they worry about, of course, vary in severity from place to place.

Washington, for instance, is about average for a city of 800,000 and a metropolitan area of nearly 3 million. Like similar areas, it suffers from air pollution caused chiefly by auto exhausts and burning fuels.

But Washington is not too typical because, as a government town, it has little industry to add to air and water wastes.

A good question then is why the Nation's Capital stands in the middle rather than the low end of the pollution index.

But solutions are as elusive as the air, and relatively little has been done.

As an issue, the environment began gathering true momentum in 1969. This year, it could well elbow its way to the top of the list of issues of major national concern, perhaps overshadowing the war in Vietnam. Students are planning protests; President Nixon is planning new programs.

There are reasons.

Everyday pollution is becoming more evident to the senses. As Heritage puts it: "It's real because you can smell it, touch it, see it, hear it."

Beer cans and other debris float by boaters far down the Chesapeake Bay. Signs warning "No Swimming—Polluted Water Not Recommended for Bathing" crop up in more and more places.

Airline passengers can spot metropolitan areas ahead by the banks of smog enveloping them. If they don't notice, their pilots, who are increasingly hampered by lowered visibility, are likely to tell them about it.

Besides commonplace pollution, dramatic "accidents" and attention-getting examples of pollution dangers are occurring more frequently.

The Cuyahoga River fire is just one example. Its effect was small in comparison to the breakup of the American tanker *Torrey Canyon* off the coast of England, leaving oil smeared across miles of British and French coasts, and killing tens of thousands of birds and fish.

More recent environmental "happenings" range from oil spills from a drilling platform off the Santa Barbara coast, to scientists' reports that human mothers' milk contains more DDT than the federal government permits in cow's milk sold for human consumption, to the death of 6,400 sheep on isolated Utah rangelands from nerve gas the Army was testing.

Evidence has piled up that no corner of the world is safe from pollution.

Poisonous pesticide residues have been found in penguins in the Antarctic.

Thor Heyerdahl, who sailed across the Atlantic last year, said the ocean "looked like a sewer."

In Greenland, traces of lead from industry and gasoline have been found in cores taken from the ice.

In Europe, acid rain frequently falls as far north as Sweden.

The Rhine is a contender for the world's most polluted river. Athenians call their air "Marshall Plan smog" for the fumes pouring from industry. In Venice, it's a tossup whether air pollutants or the flooding caused by excessive landfill operations will destroy a good part of the city's art treasures.

And as the pollution mounts, journalism is putting a higher news value on the environment.

Bigger headlines are going on stories like oil spills and smog alerts. Scientists' reports get into print and over the airwaves. There is a new breed of reporter's "beat"—the environment.

Newspapers are devoting long stories and series to the over-all problem. Time magazine now runs an environment section. Last year Look magazine devoted much of a whole issue to the environment. Newsweek has something similar in the works. So do Fortune.

Partly because of this kind of coverage, and partly because they are better organized, scientists are getting the message across as never before. And it is a sober message.

Increasing credibility is going to people once regarded as extremists for warning that the human species could become extinct unless it learns to live in harmony with nature.

Dr. Barry Commoner of Washington University in St. Louis is now considered a prophet for the doom-crying he has done for years—that "it's a matter of survival to be scared."

And ecologist LaMont Cole of Cornell University is now getting audiences besides other ecologists when he warns that pollution, because it kills forest and water plants supplying the world its oxygen supply, amounts to a time-bomb that may be impossible to defuse.

In a curious way, the Apollo space flights have helped galvanize public opinion. Mail to the White House on the environment doubled after last year's first moon landing.

To many, the flights raised the question of where technological priorities should be directed—into space or back on the earth?

The critics weren't alone. Astronauts joined them, some of them saying that from space, air pollution was so visible it cut into the joy of seeing Mother Earth from hundreds or thousands of miles away.

And the warnings are coming across.

In New York, mini-skirted women are picketing shops that sell coats made from the skins of leopards, a diminishing species.

In Minnesota, a Mothers' Day protest march on the site of a planned nuclear-powered generating plant on the Mississippi.

In fairly conservative Santa Barbara, students led by a former state senator for

on this HEW bill, the Nation will get the increased spending for a few programs which is mandated by this bill. But the Nation will also have to endure deep cuts in almost every other domestic program, regardless of its merit, in which reductions are legally possible.

Further, and most significantly, we have witnessed in 1969 the curtailment of the programs of some Federal agencies, not by reason of any penurious act of the Congress or the President, but because the full measure of money requested and appropriated simply did not buy all that it was supposed to. This experience is being shared in households all across the country. If inflation is not arrested, its hit and run larceny will cripple all our national programs.

To me this would go far beyond any rational reordering of priorities. It would add up to a massive dislocation of Federal efforts and projects now under way. It would mean the sacrifice of many meritorious Federal assistance programs for the sake of otherwise desirable increases in a few.

The Senate this afternoon is acting with full awareness of the consequences of our choice. It is not an easy decision to reach. It is complicated by our tardiness in considering this bill, a delay which has greatly restricted the fiscal options available, since almost all other appropriations bills have already been passed. But our essential choice today is not whether to vote for or against education and health, but rather whether this body is going to exert some belated self-discipline, or accept the harsher discipline which the economic realities will, if necessary, impose on us.

Mr. BAYH. Mr. President, it is frankly depressing to speak in support of legislation that is so vital to the American people yet at this moment trembles under the threat of Presidential veto.

The Senate-House conference has reported a bill which recommends HEW-Labor expenditures of approximately \$19.8 billion. It has been pointed out clearly that this figure is almost \$87 million under the President's own budget request. The \$19.8 billion does not include \$1.2 billion in title I, Elementary and Secondary Education Act advance funding originally requested by the President and contained in the Senate bill. Since this advance funding was knocked out in conference, the critical issue at the moment is the displeasure of President Nixon with the approximately \$1.3 billion in new obligational authority considered by the House and Senate to be vital for the welfare of our Nation.

Is this the same Nixon who as Candidate Nixon in 1968 promised that if elected his "administration would be second to none in its concern for education?" And is this the same Nixon who pronounced solemnly in 1968:

When I look at American education I do not see schools, but children, and young men and women—young Americans who deserve the chance to make a life for themselves and ensure the progress of their country. If we fail in this, no success we have is worth the keeping.

I submit, Mr. President, that Congress not failed in its determination to provide adequate education and health

care for the American people and we will not be deterred from achieving that goal.

Mr. Nixon has taken the position that the \$1.3 billion increase in HEW-Labor appropriations is inflationary. Most of this amount was added on the floor of the House to provide funds for items not considered in the President's budget request and to increase funds for items contained in the budget but inadequately represented. In my opinion the increases reflect the desire of Congress to give more than lip service to much needed reordering of priorities. The additional funds committed to vocational education, educational professional development, impacted aid, bilingual education, public libraries, environmental improvement, hospital construction, health manpower, health education, research and library facilities construction, cancer and arthritis research, and vaccination against German measles were viewed as essential by both Houses of Congress.

You may recall that on October 22, 1968, Candidate Nixon stated:

America's school, university, research and public libraries are the repositories of American culture. . . . In a world where knowledge is the key to leadership, a modern progressive library system is a vital asset.

It may be recalled that when elected, Mr. Nixon proceeded symbolically to cut library funds to an alltime low during, of all things, National Library Week. The American Library Association estimated that 2 million people in low income and disadvantaged areas would lose a library services—that many bookmobiles would disappear in regions of the Southwest heavily populated by Indians and Mexican Americans and that thousands of children would suffer since inability to read is a key cause of failure in school. It is the height of hypocrisy for such action to be taken by a President who pledged his administration would be second to none in its concern for education.

What do we say to the millions of Americans who will benefit from these increases? What do we say to persons suffering from cancer and arthritis and praying for a cure? What do we say to communities without adequate hospital facilities and manpower for patient care? What do we say to parents desirous of well-trained instructors and skills education for their children? What do we say to dedicated administrators of schools in areas affected by the presence of Federal installations? And what do we say to pregnant mothers in need of vaccination against German measles?

I say in no uncertain terms that a \$1.3 billion increase in HEW-Labor appropriations when measured against our commitment to spend approximately \$70 billion for defense cannot be viewed as inflationary. And certainly the recent revelations concerning billions of dollars in cost overruns, waste, and overall inefficiency in defense spending; coupled with the rumored expenditure of additional billions to expand the ABM, should give us good cause to question the HEW-Labor veto on these grounds alone. Are we to believe that such spending is non-inflationary but health and education

spending is? It should be remembered that the additions to these vital domestic programs come to just 20 percent of the savings made by the Congress in the President's military budget alone; the additions—made by the Congress—to domestic needs are about equal to the savings made by Congress in cuts from the President's requests for the foreign aid program. The \$70 billion we have committed to defense is approximately 3½ times as much as Congress has appropriated for HEW-Labor expenditures.

No one denies the need for curbing Federal spending as long as it does not sacrifice areas of critical human development. We still spend approximately \$20,000 for each enemy soldier killed in Vietnam. We spend only 44 Federal dollars for each American primary and secondary pupil we educate here at home. We have been asked to spend \$4 to \$10 billion, or maybe much more, for the ABM system, a system which, at this particular point cannot even guarantee defense. But we are asked not to spend an additional \$1.3 billion as an investment in the education and health of our people. This view of America's priorities is not only wrong, but it is dangerous to the very foundation of America.

Additionally, it is estimated that our economy will expand from an overall 1969 GNP of \$932 billion to a projected overall 1970 GNP of \$993 billion, and it is interesting to note that the \$19.8 billion recommended by Congress is approximately the same percentage of the projected overall 1970 GNP as last year's appropriations of \$18.6 billion were of the 1969 GNP.

Furthermore, the net change in inflationary impact will be almost as great if State and local governments are forced to meet the needs abandoned by President Nixon. The President must know that responsible local government is not going to allow a deterioration in the education of its children or a reduction in its capability to administer to the health needs of its citizens. Schools will not close in April and pregnant mothers will be assured that serum for German measles is available.

Finally, it has been revealed that a presidential task force organized in March 1969, by Health, Education, and Welfare Secretary Finch has recommended greatly increased appropriations for education. The task force chaired by Wilson Riles, Deputy Director of California schools, was charged with studying the problems of urban education, which the threatened veto would affect seriously.

A specific conclusion of the Riles report is that "without adequate funding there is no hope for effective education in the cities." The task force recommended further that Federal appropriations of up to \$14.5 billion more a year be expended by 1975. Moreover, this does not deal at all with the needs of non-urban schools that in many respects are comparable.

A veto of this modest increase in the HEW-Labor appropriations would represent a gross miscalculation by the President of this Nation's requirements. And I submit that Thomas Jefferson was right

in 1816 and is right today, when he stated:

If a nation expects to be ignorant and free, in a state of civilization, it expects what never was and never will be.

Mr. MCINTYRE. Mr. President, I support the HEW appropriation bill because it helps us in reordering some of our priorities, an action which I feel is so important at this point in our history.

I do not believe this legislation is inflationary as the President has declared. He has announced that the \$1.1 billion increase in funds for our elementary and secondary schools, our college students, our hospitals, our libraries, our vocational education program, and our health library facilities would contribute to inflationary pressures.

I do not believe a case can be made to support this position of the President. Congress has reduced the Presidents' spending requests by \$7.5 billion even when you include the proposed \$1.1 billion the Congress would add in the HEW bill.

Of this reduction, \$5.6 billion was in military spending. Another \$1.2 billion was a reduction in foreign aid spending. This latter amount is nearly exactly the same as the increase we are asking for in the HEW appropriations bill. I am not opposed to spending money we have saved on foreign aid to assist our schools, our college students, our hospitals and our libraries.

New Hampshire alone would suffer nearly a \$4 million loss if the bill does not pass or is successfully vetoed.

Losses in New Hampshire would include: \$1,550,000 of aid for impacted elementary and secondary schools; \$187,336 for construction of hospitals under the Hill-Burton program; \$730,000 for vocational education; \$302,285 for libraries; \$279,290 for NDEA for college students; and \$773,552 for equipment and supplies for secondary education.

These would be significant losses to New Hampshire. If the schools, colleges, hospitals, and libraries of New Hampshire are to have these funds, the local taxpayers would have to provide these additional moneys out of increased local taxes.

I consider among the highest priorities in our Nation to be assistance to our schools, our colleges, our hospitals and our libraries. We must meet these priorities.

Mr. President, I propose to vote for the conference report.

Mr. WILLIAMS of New Jersey. Mr. President, President Nixon has reaffirmed his earlier announcement that he will veto the pending Labor-HEW Appropriations Act. He has stated that he cannot approve the funds which both the House and Senate would allocate to HEW and which exceed by \$1,262 billion the amount recommended by the President and contained in his budget for the Department of Health, Education, and Welfare. Interestingly enough, the total Labor-HEW appropriations bill amounts to \$86.9 million less than the President requested. The bulk of the additional appropriations—almost \$1.1 billion—has been earmarked as the Federal

contribution to the support of the country's education system.

The issue is now clearly joined between the President and Congress. While he has expressed his sincere desire to fight inflation, he has chosen to do so at the expense of the Nation's schools and her students—the most germinative influence in American life. On the other hand, Congress has found it necessary to cut Defense expenditures requested by the President by over \$7 billion in an attempt to fight inflationary trends in the Nation's economy.

The program-by-program breakdown of the proposed increases in appropriations to the Office of Education shows clearly the effect that a Nixon veto will have. Nationally, the increases in the pending bill over the Nixon budget request provide \$356 million more for elementary and secondary education programs, \$398 million more for school assistance in federally affected areas, \$79 million more for higher education programs, \$210 million more for vocational education programs, \$28 million more for library and community services programs, and \$14 million more for education of the handicapped programs. In my own State of New Jersey, the bill will provide \$10 million more for elementary and secondary education programs, \$9.5 million more for school assistance in federally affected areas, \$1.6 million more for higher education programs, \$3.8 million more for vocational education programs, and \$.83 million more for library and community services programs. The total increase in education funds to New Jersey equals almost \$26 million.

We are now facing the crucial question of priorities. The President's own Commissioner of Education, Dr. James E. Allen, Jr., stated recently:

Unless we take action now to accelerate the pace of reform, to improve rapidly the capability of our educational system to correct the deficiencies, we can only expect the gap between need and performance to continue to widen.

Mr. President, there can be no question that the need is now. The blunt truth is that the education system in the United States is on the brink of a dangerous decline. Although the President has recently determined to give precedence to welfare and environment, he cannot allow education to be shunted aside and ignored.

Examples of the crisis we face in education are all too easy to find. In my State, the mayor of Jersey City has just announced that he will have to close that city's public school system for lack of adequate funds and because property owners can no longer shoulder the burden of increased taxes to support those schools. And this same problem resulted in school closings in Cincinnati and Youngstown, Ohio, just 2 years ago. Also, testimony before my Special Committee on the Aging points out the fact that senior citizens—who in New Jersey are predominantly a homeowning group—must pay a heavy property tax much of which goes to support local school systems. While the increase in education appropriations will not eliminate property taxes for the fixed income senior citizen

it will certainly help to put off continuing tax increases to fund community schools.

For these and innumerable other reasons, we must not allow ourselves to bend to the threat of a Presidential veto of the Labor-HEW appropriations bill. Should President Nixon choose to veto this measure we must expend all of our energies to override such a veto. Certainly the increase in funds will not solve all of the problems which beset our educational system but it is a vital expression of the determination of Congress that the gap between need and performance must not continue to widen.

Mr. HARRIS. I urge the Senate to adopt the prior conference report on the Health, Education, and Welfare appropriation bill.

The appropriations bill is particularly important since it represents a significant step in reorienting the priorities of this country. I was pleased that during the last session of Congress we were able to cut out certain nonessential expenditures, such as the \$5.9 billion we cut from military appropriations, and at the same time increased appropriations in other areas which needed more attention such as the approximate \$1.2 billion increase in the HEW appropriations bill. As pointed out in the earlier debate on this bill, out of 14 appropriations bills requested, Congress lowered the requested amount in 10 bills and raised it in four bills, and in the process managed to appropriate overall approximately \$5.6 billion less than President Nixon asked us to spend in fiscal year 1970.

The President has indicated that he will veto the HEW appropriations bill for economy reasons. This is difficult to believe, since Congress spent less than the amount requested by the President, and since the President did request and approved certain questionable military expenditures. However, statements made by Health, Education, and Welfare Secretary Robert Finch confirm the President's intention to veto the bill. I would urge that this decision be reconsidered.

I think the decision should be reconsidered because of the critical need to improve the health of all people in this Nation and the quality of education for the youth of the Nation.

The bill includes additional funds for research, air pollution, mental health, mental retardation, cancer research, heart research, and numerous other health needs.

Funds are provided in the bill which would permit NIH to continue to operate all 93 general clinical research centers in the United States. These centers have improved greatly the health care capabilities in our Nation and without the additional funds for NIH, 19 of these centers would have to be closed. The thousands of deaths each year attributed to heart, stroke, and cancer disease could be cut significantly with an increased emphasis on research and improved health care facilities.

Equally important to the increased funds for health are the funds for education. I have maintained that education of our people should receive

priority. It is the lifeblood of this country and the future of this country. It can make the difference between living with or rising above the problems of poverty and of despair which now trouble so many people in this Nation. In the final analysis an appropriation for education should be considered an investment in the future—an investment that will return to the Federal Government more money in taxes by reason of a more productive nation and one that will save untold sums lost in crime and welfare.

The bill provides much needed funds for elementary and secondary education. The need for increased funds for educationally deprived children, for bilingual education, library resources, and an improved dropout prevention program cannot be doubted.

Likewise, the need for the impact aid funds is imperative. Many of the school districts receiving impact aid have already voted the limit of their legal capacity for building and operational purposes in support of their educational program. Without the support of the Federal Government through impact aid, many of these schools will be facing disaster. One school superintendent when speaking of the need for the impact funds stated:

It is the opinion of our citizens that this community is expected to offer a quality and comparable education to the students of military personnel and the students of non-military personnel who live in a community which is heavily impacted. This would appear to be a poor time to tell those who are doing so much for their country that in appreciation we will offer their children a diluted and inferior education.

This brief review of the appropriations contained in the bill clearly establishes that the funds appropriated are directed at critical needs of all the people of this Nation.

During the seventies it is absolutely imperative that we devote more of our resources to human needs. If the President persists in his threatened veto and Congress is unable to override his veto, we will begin the seventies by taking a step backward in solving man's health, environmental, and educational needs.

I hope that the President, after additional consideration of the fact that Congress is spending considerably less than he asked us to spend, will decide to sign the bill and join with Congress in a commitment to meet the health and educational needs of the people.

Mr. MUSKIE. Mr. President, the threat of a Presidential veto hangs over the present version of the Labor-Health, Education, and Welfare appropriations bill for fiscal year 1970. The threat is based on a claim that the aid we propose for education and health care programs and facilities will be inflationary.

We have been told by the administration that we are appropriating \$1.3 billion too much for education and health. We have not been told by the administration why \$1.3 billion is more inflationary than \$7.5 billion, which is the amount the Senate cut from the President's budget requests.

The issue comes down to a question of priorities.

Mr. President, last year Congress took several important steps toward reordering our national priorities at the same time that it demonstrated a continuing concern with the inflationary aspects of the Federal budget. To accomplish these twin goals Congress cut overall appropriations by \$7.5 billion from what the President had originally requested. The \$5.6 billion of this amount represented cuts in the administration's military appropriations requests.

The \$1.3 billion in additional funds that Congress has proposed for education and health amount to just 20 percent of the savings which the Congress made in the President's military budget alone. In addition, these savings just about equal congressional cuts from the President's foreign aid request.

The conference report before us reflects a reordering of our national priorities in favor of vitally needed health and education programs. The \$1.3 billion of increased funding in this bill, to which the President apparently objects, would support hospital construction, health library facilities, elementary and secondary school aid, vocational education, educational instruction equipment, and aid to higher education.

These are not luxury items in the Federal budget. They are expenditures designed to meet some of the most essential needs in our society today.

We may defer the purchase of a new car, a television set, or a boat. If we care about our children, we do not put off health care or necessary supplies for school. Deferred health facilities are lost opportunities for better care for those who need it most. Deferred expenditures for education are lost opportunities for young people, who cannot afford to be shortchanged.

Mr. President, the fight against inflation should not be paid by those who can least afford to pay—the poor, the ill, and the young. The fight against inflation should be waged to strengthen the Nation's economy, not to weaken essential public services.

I am particularly encouraged to learn how the additional \$1.3 billion proposed by this conference report will affect small States like Maine.

Total appropriations proposed by this conference report for education in Maine are set at \$16.8 million, as compared with only \$12 million in the administration's request.

Congress has proposed \$5.9 million for elementary education in Maine. The administration requested only \$4.9 million, a decrease of about \$600,000 from 1969 spending.

Congress has proposed \$3.9 million in Federal assistance to impacted areas in Maine. The administration requested \$2.2 million. I can assure the President and the Secretary of Health, Education, and Welfare that there are no wealthy communities in Maine.

Congress has proposed \$3.25 million for vocational education in Maine. The administration requested only \$1.9 million. This figure represents a significant increase in an area of education which has too often been neglected in the past.

Such is the bill which the President

has threatened to veto. The final test of this question will come with the 1971 budget, as the President reveals the degree to which he is willing to trim back on military expenditures and other items such as space and the SST, in order to direct funds to programs designed to re-order our national priorities.

I urge my colleagues, and the President of the United States, to reaffirm our national commitment to improving the quality of life for all our citizens by accepting the conference report before us.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

The question is on agreeing to the conference report.

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

The yeas and nays were ordered.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. There will be order in the Senate Chamber. Attachés will take seats. There will be no call of the roll until there is order in the Chamber. Senators will please take their seats. Attachés will please take their seats.

The Sergeant at Arms will clear the Chamber of all attachés who are not seated.

The rollcall was resumed and completed.

Mr. KENNEDY. I announce that the Senator from South Carolina (Mr. HOLLINGS), is necessarily absent.

I further announce that the Senator from Idaho (Mr. CHURCH), the Senator from Minnesota (Mr. MCCARTHY), and the Senator from Ohio (Mr. YOUNG), are absent on official business.

I further announce that, if present and voting, the Senator from Idaho (Mr. CHURCH), the Senator from South Carolina (Mr. HOLLINGS), and the Senator from Ohio (Mr. YOUNG) would each vote "yea."

Mr. GRIFFIN. I announce that the Senator from Hawaii (Mr. FONG) and the Senator from New York (Mr. JAVITS) are absent on official business.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

The Senator from Colorado (Mr. DOMINICK) and the Senator from Texas (Mr. TOWER) and necessarily absent.

If present and voting, the Senator from New York (Mr. JAVITS) would vote "yea."

On this vote, the Senator from Hawaii (Mr. FONG) is paired with the Senator from Texas (Mr. TOWER). If present and voting, the Senator from Hawaii would vote "yea" and the Senator from Texas would vote "nay."

The result was announced—yeas 74, nays 17, as follows:

[No. 2 Leg.]

YEAS—74

Aiken	Gore	Murphy
Allen	Gravel	Muskie
Anderson	Gurney	Nelson
Bayh	Harris	Packwood
Bellmon	Hart	Pastore
Bennett	Hartke	Pearson
Bible	Hatfield	Pell
Boggs	Holland	Prouty
Brooke	Hughes	Proxmire
Burdick	Inouye	Randolph
Byrd, Va.	Jackson	Ribicoff
Byrd, W. Va.	Jordan, N.C.	Russell
Cannon	Jordan, Idaho	Schweiker
Case	Kennedy	Smith, Maine
Cotton	Long	Sparkman
Cranston	Magnuson	Spong
Dodd	Mansfield	Stennis
Dole	McClellan	Stevens
Eagleton	McGee	Symington
Eastland	McGovern	Talmadge
Ellender	McIntyre	Tydings
Ervin	Metcalf	Williams, N.J.
Fannin	Mondale	Yarborough
Fulbright	Montoya	Young, N. Dak.
Goodell	Moss	

NAYS—17

Allott	Griffin	Saxbe
Baker	Hansen	Scott
Cook	Hruska	Smith, Ill.
Cooper	Mathias	Thurmond
Curtis	Miller	Williams, Del.
Goldwater	Percy	

NOT VOTING—9

Church	Hollings	Mundt
Dominick	Javits	Tower
Fong	McCarthy	Young, Ohio

So the conference report was agreed to. The PRESIDING OFFICER. The clerk will report the first amendment in disagreement.

The legislative clerk read as follows:

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 4 to the aforesaid bill, and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert: "\$36,116,000".

Mr. BYRD of West Virginia. Mr. President, will the Senate be in order?

The PRESIDING OFFICER. The Senate will be in order. Attachés will please take their seats.

The question is on concurring in the House amendment to the amendment of the Senate numbered 4.

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will report the second amendment in disagreement.

The legislative clerk read as follows:

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 50 to the aforesaid bill, and concur therein with an amendment, as follows: Strike out the matter inserted by said amendment, and insert the following:

"Instructional equipment

"For equipment and minor remodeling and State administrative services under title III-A of the National Defense Education Act of 1958, as amended, \$48,740,000: *Provided*, That allotments under sections 302(a) and 305 of the National Defense Education Act, for equipment and minor remodeling shall be made on the basis of \$75,740,000 for grants to States and on the basis of \$1,000,000 for loans to nonprofit private schools, and allotments under section 302(b) of said Act for administrative services shall be made on the basis of \$2,000,000".

The PRESIDING OFFICER. The question is on concurring in the House amendment to Senate amendment numbered 50.

The amendment was agreed to.

Mr. NELSON. Mr. President, I cannot hear back here; and I want to say, in case I missed it, that Senate amendment No. 83 is going to be debated extensively and probably will not be voted on today. I do not want it to slip by because of my not being able to hear.

The PRESIDING OFFICER. What is the number of the amendment?

Mr. NELSON. I want to be sure when Senate amendment No. 83 is called, because it is going to be debated extensively, and I assume it will not be voted on today. I cannot hear the numbers of the amendments as they are called.

The PRESIDING OFFICER. The clerk will report the next amendment in disagreement.

The legislative clerk read as follows:

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 51 to the aforesaid bill, and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following:

"School assistance in Federally affected areas

"For grants and payments under the Act of September 30, 1950, as amended (20 U.S.C., ch. 13), and under the Act of September 23, 1950, as amended (20 U.S.C., ch. 19), \$600,167,000, of which \$585,000,000 shall be for payments to local educational agencies for the maintenance and operation of schools as authorized by the Act of September 30, 1950, as amended (20 U.S.C., ch. 13), and \$15,167,000 which shall remain available until expended, shall be for providing school facilities and for grants to local educational agencies in Federally affected areas as authorized by said Act of September 23, 1950: *Provided*, That this appropriation shall also be available for carrying out the provisions of section 6 of the Act of September 30, 1950."

The PRESIDING OFFICER. The question is on concurring on the House amendment to the Senate amendment numbered 51.

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will report the next amendment in disagreement.

The legislative clerk read as follows:

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 56 to the aforesaid bill, and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following:

"Higher education

"For carrying out titles III and IV (except parts D and F), part E of title V, and section 1207 of the Higher Education Act of 1965, as amended, titles I and III of the Higher Education Facilities Act of 1963, as amended, titles II and IV of the National Defense Education Act of 1958, as amended (20 U.S.C. 421-429), and section 22 of the Act of June 29, 1935, as amended (7 U.S.C. 329), \$871,874,000, of which \$164,600,000 shall be for educational opportunity grants under part A of title IV of the Higher Education Act of 1965 and shall remain available through June 30, 1971, \$63,900,000 to remain available until expended shall be for loan insurance programs under part B of title IV of that Act, including not to exceed \$1,500,000 for computer services in connection with the insured loan program, \$154,000,000 shall be for grants for college work-study programs under part C of title IV of that Act (of which amounts reallocated shall remain available through June 30, 1971), including one per centum of such amount to be available, without regard to the provisions in section 442 of that Act,

for cooperative education programs that alternate periods of full-time academic study with periods of full-time public or private employment, \$43,000,000 shall be for grants for construction of public community colleges and technical institutes and \$33,000,000 shall be for grants for construction of other academic facilities under title X of the Higher Education Facilities Act of 1963 which amounts shall remain available through June 30, 1971, \$11,750,000, to remain available until expended, shall be for annual interest grants under section 306 of that Act, \$222,100,000 shall be for Federal capital contributions to student loan funds established in accordance with agreements pursuant to section 204 of the National Defense Education Act of 1958, and \$12,120,000 shall be for the purposes of section 22 of the Act of June 29, 1935: *Provided*, That \$7,241,000 shall be for payments authorized by section 108(b) of the District of Columbia Public Education Act, as amended (D.C. Code, sec. 31-1608)."

The PRESIDING OFFICER. The question is on agreeing to the House amendment to the Senate amendment numbered 56.

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will report the next amendment in disagreement.

The legislative clerk read as follows:

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 83 to the aforesaid bill, and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert: "\$1,948,000,000."

At the end of said amendment, strike out the period, and insert the following: "Provided further, That those provisions of the Economic Opportunity Amendments of 1967 and 1969 that set mandatory funding levels shall not be effective during the fiscal year ending June 30, 1970."

The PRESIDING OFFICER. The Chair recognizes the Senator from Wisconsin (Mr. NELSON).

Mr. BYRD of West Virginia. Mr. President, may we have order?

The PRESIDING OFFICER. The Sergeant at Arms will remove from the Chamber all attaches who are not seated, and Senators will please take their seats. Senators will please talk to the attaches in the cloakroom. The leadership desires order on the Senate floor.

Mr. NELSON. Mr. President, the amendment just read by the Chair seeks to eliminate earmarking from the authorization for the Office of Economic Opportunity. This authorization bill originated with our Subcommittee on Employment, Manpower, and Poverty. We voted in the subcommittee to earmark the funds in the poverty program. We voted in the full committee to earmark the funds in the poverty program. We voted in a rollcall vote on the floor of the Senate to earmark the funds in the poverty program. Now this amendment seeks to undo what our committee, the Senate, and the Senate-House conference did in the authorizing bill.

The PRESIDING OFFICER. Will the Senator please suspend? The Senator will suspend until the attaches are seated or leave the Chamber and until Senators themselves are seated, so that the Senator from Wisconsin can be heard.

Mr. NELSON. On October 14, when the OEO authorizing bill came to the floor from the Committee on Labor and Public Welfare, a motion was made to

knock out the earmarking within the bill. On a rollcall vote, the motion to knock out the earmarking lost, 50 to 36.

The House also voted for earmarking. The conference committee agreed upon earmarking in the bill. In the Appropriations Committee conference, an amendment that looked innocent enough was offered by Congressman MICHEL, which simply said that "mandatory funding levels" should not go into effect for this fiscal year. If that amendment had been called to the attention of Representative PERKINS or to my attention or to the attention of any other Senator who had worked on the authorizing legislation, it would have been out of order as legislation in an appropriations bill. I have been told here repeatedly that we cannot legislate in an appropriations bill. Yet, after 10 months of hearings and drafting a bill, voting in the subcommittee, the full committee, the floor of the Senate, the House, and the conference committee, one innocent looking little amendment slips in which seeks to knock out all the effort and all the legislative mandate that was written into the authorization bill by rollcall votes on the floor of the Senate. If that position is to stand, I would suggest that we not have any rollcall votes in the future on any authorization bills. The majority supported that position all the way; yet this Michel amendment seeks to reverse that decision, without any debate or discussion.

Mr. President, the House amendment contains two distinct propositions. I ask that the amendment be divided. The first part of the House amendment reads as follows:

In lieu of the sum proposed by said amendment, insert: \$1,948,000,000.

Mr. President, this part of the amendment is acceptable. It would have been more pleasing if we had been able to get the \$2.048 billion figure requested by the administration and adopted on the Senate floor by a vote of 60 to 32. This amount would have provided the Economic Opportunity programs with a modest increase of \$100 million. Nevertheless, the Senate conferees should be commended—particularly the chairman of the Senate conferees, the distinguished senior Senator from Washington (Mr. MAGNUSON)—for securing an agreement on the figure of \$1.948 billion.

The PRESIDING OFFICER. Will the Senator please suspend, in order to make clear the parliamentary status with respect to the Senator's motion?

Will the Senator explain the way he wants the question divided, so that we have it completely for the RECORD?

Mr. NELSON. I want to divide the question to act first on the \$1.948 billion. I have no objection to that.

As to the second part of the question, I want to offer an amendment to the second half of the amendment that is before the Senate.

The PRESIDING OFFICER. So that the Senator has no objection to the first portion?

Mr. NELSON. I have no objection to the first portion.

Mr. TYDINGS. As it is reported in the House amendment to the Senate amendment.

Mr. NELSON. I send to the desk the second part, which will be my next motion, after we have settled the question of the \$1.948 billion.

The PRESIDING OFFICER. Under the Senator's request, the first vote, even though he agrees with the amount, will be on the amount, and the second vote will be on the language change which the Senator is now offering as an amendment.

Mr. NELSON. That is correct.

The PRESIDING OFFICER. It might be easier, parliamentary speaking, if the Senate would vote now on the first part which the Senator agrees to, so that the only other part the Senate will have to vote upon will be the language.

Mr. NELSON. That is satisfactory to me.

Mr. HOLLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Florida will state it.

Mr. HOLLAND. Has the request for a division been granted by the Chair?

The PRESIDING OFFICER. Yes. The Chair granted that when he was trying to make a further explanation.

The clerk will now report the first part of the House amendment to the Senate in disagreement numbered 83.

The assistant legislative clerk read as follows:

In lieu of the sum proposed by said amendment, insert "\$1,948,000,000".

The PRESIDING OFFICER. The question is on concurring in the first part of the House amendment to the Senate amendment numbered 83.

The first part of the House amendment to the Senate amendment numbered 83 was agreed to.

The PRESIDING OFFICER. The clerk will report the second part of the House amendment to Senate amendment numbered 83, with the proposed amendment of the Senator from Wisconsin (Mr. NELSON).

The assistant legislative clerk read as follows:

Provided further, That those provisions of the Economic Opportunity Amendments of 1967 and 1969 that set mandatory funding levels shall not be effective during the fiscal year ending June 30, 1970.

With an amendment proposed by the Senator from Wisconsin (Mr. NELSON) to insert, in lieu of the above House language, the following:

Provided further, That those provisions of the Economic Opportunity Amendments of 1967 and 1969 that set mandatory funding levels, including mandatory funding levels for the newly authorized programs for Alcoholism Counseling and Recovery and for Drug Rehabilitation, shall be effective during the fiscal year ending June 30, 1970.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Wisconsin (Mr. NELSON) to the second part of the House amendment to the Senate amendment No. 83.

Mr. NELSON. Mr. President, when we

passed the OEO authorization bill, we earmarked funds for various OEO programs, but we also put in adequate flexibility for the OEO funds, and this bill passed both Houses. On a rollcall vote they tried to knock out earmarking, but they failed. Much later, this amendment No. 83 was slipped in to the appropriation conference which simply removed the "mandatory funding levels," which is legislation in an appropriation bill. If anyone had known such an amendment was in there, a point of order would have cut it out.

Mr. President, for a clearer understanding of the situation which may motion addresses, it seems necessary to discuss the background of both the appropriations legislation before the Senate and the authorization act which was enacted last month.

If the proviso set forth in the House amendment to the Senate amendment had been proposed in the Senate in the first instance, it would have been subject to a point of order as legislation in an appropriations bill. Furthermore, if the appropriations item we are now considering were among the amendments agreed upon in the conference report itself which was adopted earlier on a rollcall vote, the proviso would—if this were the first of the two Houses to receive the conference report, which it is not—be subject to a point of order as new matter not included in the bill passed by either House. The conferees would have exceeded their powers by reporting a provision not committed to the conference committee for its consideration. The proviso I am objecting to is not, however, subject to a point of order for one reason and one reason only. It is not subject to a point of order because the other House has already adopted it. Nevertheless, the underlying facts still remain: First, the proviso was not contained in the legislation sent to the conference; second, the proviso is legislation in an appropriations bill—and what is more it is legislation which seeks to nullify the earmarking provisions of the authorizing legislation—the economic opportunity amendments (Public Law 91-177) which was adopted by each of the Houses of Congress last year.

While it is not possible to raise a point of order against the proviso since it has already been adopted by one House, the Senate must nevertheless express its judgment on the substance of the provision. The action of one House does not, of course, foreclose the other House from exercising its independent judgment. It is for the purpose of enabling the Senate to make its separate and independent judgment that I have offered the motion to modify the proviso so as to make it consistent with the authorization act. Let me refer to the Statement of Managers on the part of the House of Representatives. I do so not for the purpose of commenting upon the action of the conferees for the other House but rather in order to inform ourselves as to the legislative history. In fact there is a complete absence of legislative history for this provision. The Statement

of Managers, as I mentioned before, clearly stated that the conferees would recommend the appropriation amount of \$1,948,000,000, but there is no reference at all to indicate that any other change would be proposed in the language of the appropriation provision. On December 22, the amendment was adopted by the House without debate.

Let me hasten to add that it is not my intention to imply any criticism of the conferees who so ably represented the Senate on this conference committee. I am discussing the merits of the proposition—the effect the proviso would have. I understand very well that the conferees representing the Senate did not initiate the addition of a proviso which they did not take to conference with them in the Senate-passed bill. Indeed, I would hope that one of the by-products of the pending motion would be to strengthen the hands of Senate conferees on future bills in resisting proposals to add legislative provisions to appropriation bills.

Mr. President, as a matter of fact, when we were considering the OEO authorization bill, the chairman of the Appropriations Subcommittee, the Senator from Washington (Mr. MAGNUSON), voted against an amendment on the floor of the Senate that would have removed the earmarking.

Let me discuss for a moment the authorizing act. As chairman of the Subcommittee on Employment, Manpower, and Poverty, last year I went through every executive session of the subcommittee, of the full Labor and Public Welfare Committee, and of the conference committee dealing with the Economic Opportunity Amendments of 1969. Earmarking of funds was the primary issue all the way. The bill I introduced in April provided for earmarking of the funds authorized for the various economic opportunity programs—Headstart, Follow Through, Comprehensive Health Services, Emergency Food and Medical Services.

Some reservations for other programs were added as we went through the legislative process on that authorization bill. Last June, the Senator from Iowa (Mr. HUGHES) introduced a new special emphasis program for alcoholic counseling and recovery with a reservation of funds that must be used for that program. He is chairman of a special subcommittee on the problems of alcoholism and drug addiction which has held many hearings on these problems. The Senator from Colorado (Mr. DOMINICK) is a member of that special subcommittee too, and in the markup session on the authorizing legislation in the committee last September his proposal was accepted for a special emphasis program for drug rehabilitation with a reservation of funds that must be spent for that purpose. These are the only new programs established in the Economic Opportunity Amendments of 1969. But there has never been any doubt in anyone's mind from the time we started acting on that legislation that funds were going to be reserved for alcoholic counseling and recovery and for drug rehabilitation. It is not as if OEO just learned about the reservation of funds for those programs

recently. They have known for a long time.

I might say, Mr. President, that this is an important issue on principle, and it is also important on its merits.

So far as I am concerned, there will be no rollcall vote tonight, if I have to stay here all night, since there is no one here to listen to it. I want to be sure that all Senators have an opportunity to read the Record tomorrow morning. We can have quorum calls to bring everyone back, or put what we want in the Record and agree that there will be no rollcall vote until tomorrow.

Mr. HOLLAND. Mr. President, will the Senator from Wisconsin yield?

Mr. NELSON. I yield.

Mr. HOLLAND. I am not taking any position either for or against the Senator's efforts but may I call attention, however, to the fact that I doubt that he has proceeded in the way he intends to proceed. I may be mistaken.

My understanding is that the Senator has secured a division of the House amendment in two parts, and that the Senate has accepted the first divided portion.

Mr. NELSON. The Senator is correct.

Mr. HOLLAND. The proposed language starting in the bottom paragraph, on page 1, of the Senator's mimeographed sheet that I find at my desk reads as follows:

At the end of said amendment strike out the period and insert the following:

It contains a proviso which is thoroughly understandable.

I think that the Senator means to strike out any proviso in the House amendment and to insert in place thereof the words that he intends to suggest. And I do not believe that his language as prepared accomplishes that purpose.

I simply make that as a friendly suggestion. If I am mistaken, the Senator may correct me.

Mr. NELSON. Mr. President, I appreciate the comments of the Senator. The amendment I sent to the desk read:

I move that the Senate concur in the House amendment to Senate amendment No. 83 with an amendment substituting in lieu of the language in the second part of the House amendment the following: . . .

So, in the written motion I sent to the desk, I asked to have this part substituted for the other.

Mr. HOLLAND. That would be correct. And the Senator from Florida has been mistaken, but he has been relying upon the mimeographed sheet placed upon his desk.

Mr. NELSON. The Senator is entirely correct. The mimeographed sheet did not have the full motion. I appreciate the Senator's contribution.

Mr. HOLLAND. I thank the Senator.

Mr. NELSON. Mr. President, the proviso set forth in the House amendment not only attempts to nullify the mandatory funding levels in the Economic Opportunity Amendments of 1969, but also the mandatory funding levels in the Economic Opportunity Amendments of 1967. There is only one mandatory funding requirement of the Economic Opportunity Amendments of 1967 which is still applicable. That is the require-

ment placed in the 1967 amendments by the distinguished Senator from Vermont (Mr. PROUTY), which provides that one-third of the sums allocated by OEO for research and demonstration projects, are required to be used for research and pilot projects designed to assure a more effective use of human and natural resources of rural America and to slow the migration from rural areas due to lack of economic opportunity, thereby reducing population pressures in urban centers.

This important mandatory funding requirement proposed by the Senator from Vermont (Mr. PROUTY) will be nullified once again—as it was in the appropriations acts for 1968 and 1969—if the proviso contained in the pending House amendment is not changed as I have proposed in the motion I have offered. The junior Senator from Vermont deserves to be commended for focusing attention upon the problems of rural poverty. I supported his proposal for research on rural poverty in 1967, and I support it now. Likewise, the chairman of the full Labor and Public Welfare Committee, the senior Senator from Texas (Mr. YARBOROUGH) has on many occasions reminded members of the committee of the needs of rural areas for anti-poverty and education programs. I would hope that the required allocation of research funds to be devoted to the problems of rural America would not once again be shunted aside. The motion I have offered will prevent that.

Mr. President, I hope all Senators appreciate the significance of the sequence of events which occurred in regard to the earmarking of funds for OEO. As chairman of the subcommittee responsible for this very important legislation, I introduced the first bill to extend OEO in this session of Congress.

The bill contained earmarkings.

Our committee held hearings over a period of many months. We considered and debated the earmarking issue at great length. The subcommittee reported out a bill containing earmarkings.

Then the full Committee on Labor and Public Welfare considered the issue and debated it at length. The committee reported out a bill containing earmarkings. Then the Senate as a whole debated the bill. Earmarking was one of the issues.

A motion was made to eliminate the earmarking. The motion was decisively defeated on a rollcall vote on the floor of the Senate.

The Senate passed a bill containing earmarking. A similar procedure occurred on the House side. The House passed a bill also containing a form of earmarking.

The Senate and House conferees conferred. Earmarking was again a major issue. Agreement was reached. And finally both Houses accepted the report of the conference committee containing earmarking.

It just so happens that the OEO would prefer not to have earmarking. They would rather have an appropriation of about \$2 billion to spend virtually as they decide it should be spent within the

broad directives of the Economic Opportunity Act.

I do not blame the OEO for taking that position. If I were the administrator of such a program, I, too, might very well prefer to have 100 percent freedom in spending of \$2 billion. And I might very well feel that my judgment was better than that of Congress, as most administrators do feel.

But the point is that Congress has listened to and considered the position of OEO at every step of the legislative process. We considered it when we drafted the original bill. We considered it in the subcommittee. We considered it in the committee. We considered it on the floor. We considered it again in conference. And we rejected it.

Congress decided it wanted to give OEO a clear directive as to how it wished to see resources committed on the war on poverty.

I do not think this is the time or place to debate how we earmarked the funds. We have already debated that.

The fact is that we were extremely considerate. We simply took the budget recommendations made by the President and made them the basis for our earmarking. I repeat, we simply took the administration's budget recommendations, and the justifications made by the President and made them the basis for our earmarking.

We added two small new programs, for alcoholism and drug abuse. And to show that we were serious about these programs, we directed OEO to reserve funds for these programs to guarantee that they would be established.

We also gave the OEO Director greatly increased flexibility in reallocating funds in his agency.

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

Mr. NELSON. I yield.

Mr. HUGHES. Mr. President, for the purpose of clarification, I would like to have the Senator reassure me as to the procedures. What would go back to the House and what they would be voting on and what the final decision would be if this motion is approved by the Senate?

Mr. NELSON. My staff has checked with the Parliamentarian and I am advised that this last proviso in amendment No. 83 in disagreement is the only thing that would go to the House of Representatives. This is the last item in the bill. Everything else has been approved, including the money for the Economic Opportunity program, which was just adopted. This single amendment relating to earmarking would go back to the House, if it were adopted as I propose, and the House would either accept or reject the amendment. It would not throw the bill back into conference. It is a privileged matter. When it arrives in the House it can be taken up forthwith and disposed of forthwith. If the House accepts it that would be the end of the matter. If the House rejects it, it would come back and then the question would be whether the Senate would recede from our position.

Mr. HUGHES. The distinguished Senator from Wisconsin has pointed out the two new programs were entered

into in this particular earmarking project. I am not sure the Senator made clear there was no asking for additional funds in earmarking this money. Is that correct?

Mr. NELSON. I did not make that point clear enough. The Senator is correct. In the OEO authorization bill, we did not increase the total budget authorization in earmarking the funds for the alcoholism program of the Senator from Iowa or the drug program of the Senator from Colorado.

We directed OEO to establish these new programs on alcoholism and drug abuse. Then, to make certain that these programs would be put into operation, we specifically ordered OEO to reserve funds to run these programs—\$10 million for alcoholism and \$5 million for drug abuse—out of its budget authorization. OEO would have preferred that we not do that, but we did it and that is the issue we are still debating here today—whether OEO shall carry out a legislative directive and establish these programs as we ordered them to do.

Mr. HUGHES. With the Senator's permission, I would like to inform the Senate on the particular reasons I made the request for earmarking the OEO funds in the field of alcoholism; and in the absence of the distinguished Senator from Colorado, I would also plead the case he made for earmarking funds for drug abuse and narcotic addiction.

Actually what we did in this particular bill was to request that about \$10 million be earmarked for fiscal year 1970. Is that correct?

Mr. NELSON. The Senator is correct.

Mr. HUGHES. And \$15 million for fiscal year 1971. Is that correct?

Mr. NELSON. That is correct.

Mr. HUGHES. In the field of narcotics addiction and drug abuse we asked for \$5 million for fiscal year 1970.

Mr. NELSON. That is correct.

Mr. HUGHES. We asked for \$15 million for fiscal year 1971. Is that correct?

Mr. NELSON. The Senator is correct.

Mr. HUGHES. The difference in asking for \$5 million for narcotics addiction and drug abuse as opposed to \$10 million in the field of alcoholism in 1970 was the fact that the Office of Economic Opportunity has been involved to quite some extent in alcoholism programs in the country, but they have not been heavily involved in programs of narcotics addiction or drug abuse. Is that correct?

Mr. NELSON. The Senator is correct.

Mr. HUGHES. We provided that the second-year funding be increased, because we believed this first year of preparation would place them in a position staffwise to utilize these additional funds in an efficient manner.

Mr. NELSON. The Senator is correct.

(At this point, Mr. BELLMON assumed the chair.)

Mr. HUGHES. As the Senator from Wisconsin knows, I am the chairman of the Special Subcommittee on Alcoholism and Narcotics created by the Committee on Labor and Public Welfare.

As the result of holding many hearings around this country, I came to the conclusion that we should request earmarking of funds in the Office of Economic Opportunity authorizations. The reason

for this can be found not only in the hearings that have been held on two occasions in Washington, in the California area, in the New York area, Denver, Colo., and many others planned in the future, but also from my own experience as Chief Executive of my State of Iowa. In that position, 4 years ago I requested funding from the Office of Economic Opportunity for a program in the field of alcoholism in the State of Iowa. This program was designed to utilize all of the existing Federal and State services, coordinating them to make an assault on alcoholism in the State, as a pilot and pioneer project for the country.

The result of that project has been reviewed many times by the Office of Economic Opportunity and by experts they hired to go over it. It has now passed through the initial phase; its Federal funding has been discontinued; and its cost is being picked up at the State and local level in Iowa.

However, what we discovered in the initial phase is extremely important. We discovered that in the State of Iowa 25 percent of all patients in mental health institutions were there for alcoholism. We discovered that up to 40 percent of all inmates of the prisons and reform schools in the State of Iowa were incarcerated because alcohol was involved in the crime for which they were convicted. We could not delineate very clearly the number of children on ADC programs as a result of families broken up by alcoholism, but it was very clear and evident to all of us that a high percentage of all children in ADC programs in Iowa were there because of alcohol problems related to the family, which not only brought them to the welfare rolls of the State, but very clearly placed them in emotional difficulties that impaired their ability to learn in school, and disclosed many other inadequacies in their family circumstances.

We found there was no program for training alcoholism counselors in the State and only one in the United States, and that was training very few people at that particular time. We could not identify at that time any medical school in the United States at all that was providing any specialized training for medical students in the field of alcoholism. And although alcoholism had been identified as a disease by the American Medical Association and the hospital association stated that they admit alcoholic patients, we could not find doctors or physicians who would treat alcoholics in almost any instance unless it was a special case—their own clientele or an alcoholic physician. We found very little research being done in the country. We found vocational rehabilitation officials were not considering the alcoholic as a man or woman who needed to be rehabilitated and that they were, in fact, not using rehabilitation funds authorized by Congress for alcoholism. In the field of employment services, we found that instead of being willing to place the alcoholic into a job, they were, in fact, prejudiced against the alcoholic and would not recommend him for a position, even though he had been sober a year or 2 years and even though he had

tried in every way to meet the competency necessary for this type ailment.

We discovered there were no facilities in my State for the way of halfway houses. Many have the opinion that the alcoholic is the bum in the street or the drunk in the alley, on the sidewalk, or in the gutter. The fact is that only 3 percent of the alcoholics in the country are in the bowery or skid row, whatever it might be, in any city. The vast majority are living very comfortably and holding down very good positions.

The average alcoholic is 31 years of age, the father of two children, a junior executive taking care of his family comfortably, but progressing into the disease of alcoholism more and more every day. Under OEO regulations, we were not able to help this type of alcoholic. There was nothing we could do until the man or woman had descended economically to the level of poverty—below the annual income level described in the OEO program.

As a result of this, we were not able to make an all-out assault on the disease of alcoholism through funding by the Office of Economic Opportunity or from the additional funding provided through vocational education.

We found during the pilot program that the recovery rate could be substantial when an alcoholic who recognized that he was a victim of the disease and a physician who recognized that this was a disease. Procedures adaptable to recovery and detoxification were relatively simple matters, and something could be done about it.

When I became interested in the study of alcoholism some 15 years ago, the National Council on Alcoholism estimated that there were 5½ million alcoholics in this Nation and that each one affected at least four other people around him very seriously. Now, I believe, that office says there are 6½ million alcoholics—some 15 years later—and that they each still affect at least four people around them.

I do not accept those figures. I believe the number of alcoholics in this country is easily double that number, or 13 million; and if each one of them affects four others, which would be 52 million, it would mean that a total 65 million Americans are affected by this vicious disease.

Dr. Roger Egeberg has said it is the No. 1 health problem in the United States of America; and yet we are doing practically nothing about it. The Congress of the United States, in 1968, amended the Community Health Centers Act to authorize some assistance for alcoholics. President Johnson recommended appropriations of only \$4 million to fulfill that act. When President Nixon took office and submitted his recommendations, he eliminated the \$4 million, and there was nothing. The Congress came along and reinstated the \$4 million. So back we are to \$4 million again, which, in my opinion, is less than 33 cents per alcoholic in the Nation.

Mr. TYDINGS. Mr. President, will the Senator from Iowa be kind enough to yield for a moment to let me make a comment that point?

Mr. HUGHES. I am glad to yield.

Mr. TYDINGS. Mr. President, first of all, let me say the efforts of the Senator from Iowa and the Senator from Wisconsin in endeavoring to provide funds for the treatment of alcoholics are tremendously important to the Nation. But the Senator from Iowa has mentioned the fact that the President of the United States, Mr. Nixon, completely withdrew or eliminated \$4 million to fund the Alcoholism Recovery Act of 1968.

If the Senator from Wisconsin will study the record, he will find that if arrests for traffic offenses are not considered, arrests for public alcoholism account for approximately 50 percent of the arrests in the country.

Mr. NELSON. Mr. President, I think we had better make clear what the percentages are that the Senator cited. Does the Senator mean to say that if we removed all matters involving traffic offenses, half of the rest of the time would be spent on activities involving alcoholics?

Mr. TYDINGS. The percentage I am referring to reflect the number of arrests for drunkenness in relationship to all arrests. The President's Crime Commission a few years ago reported that in 1965 51.8 percent of the arrests in Washington, D.C., and 62.5 in Atlanta, Ga. are drunk arrests. On the basis of these statistics it is clear that a great deal of valuable police time is spent handling drunkenness offenders. The inebriate must be arrested, taken to jail, booked, detained, clothed, fed, sheltered, and transported to court. Moreover, police must often wait hours to testify in court in connection with their cases.

Let me go to the next step. Recently, in the fourth circuit court of appeals and in the circuit court of appeals in the District of Columbia, the courts have recognized the fact that alcoholism is a disease and not a crime. They have held accordingly. So in States in the fourth circuit, such as Maryland, the manner of treating persons charged with normal drunkenness is different.

When the courts handed down those decisions, they, of course, could not provide for the funding of the Alcoholism Recovery Act of 1968. Let me tell the Senate about the consequences of the President's failure to implement the legislation on alcoholism.

Let us consider what happens in the eastern and western districts of Baltimore City, the two heaviest crime districts in the city. I spent 5 hours with the Baltimore Police Tactical Division 2 weeks ago. Because the act has not been funded, there are no health services and no detoxification units in Baltimore outside of a few in the hospitals. There is no funding for the program, so there is no place to take a derelict, even a reasonable businessman who might become inebriated in public. But the police are called upon to pick him up. In the old days, they may have taken him to the western district and kept him there overnight, but they do not do that now, and should not do it. The police officers in the western district—the heaviest crime district in Baltimore—first of all must try to find the person's home. Sometimes they are successful and sometimes not.

If they cannot do it, they have to go from hospital to hospital to hospital in Baltimore, trying to find a place to take that person for care, at least overnight. When that same person has been picked up by police in the western district three or four times in a month, the hospital become little shy of him. It refuses to take him in. Since the President has withdrawn the \$4 million and has not put 1 cent back into the fund, there are no funds available for detoxification, let alone halfway houses of rehabilitation for the alcoholic.

So the law enforcement officer now takes two or three times as much time trying to find a hospital that will take the person for treatment. Ultimately, many times, it cannot. After consuming three times as much time as normally, he has to take the person back and put him in the stationhouse in the western district.

The program for which the Senator from Iowa and the Senator from Wisconsin and other Members of this body have fought is vital to an effective war against crime.

Let me reiterate. Approximately 50 percent of arrests involve alcoholic arrests. This is wasting a tremendous amount of law enforcement man-hours. I think this is a tremendously important problem.

Talk to any captain or sergeant in any busy precinct or district in a crime-ridden city in the United States, and he will verify the figures I have given the Senate today.

If we really mean to do something about fighting crime, we must provide funds for alcoholic rehabilitation and for narcotic rehabilitation. This clearly cannot be done when the President still has \$4 million in critical funds from the program.

Mr. HUGHES. I should like to point out, in relationship with that matter, that the Senate Appropriations Committee recommended \$8 million. That was put back to \$4 million in the conference committee, but at least this body did the best it could to try to get some reasonable funding in this area.

To supplement what the Senator from Maryland has said, I do not have the statistical information with me because I was not expecting this extended discussion here today, but I think if we look at it, we will find, in relationship with crime, that a very high percentage of the crimes of violence in this country are carried out while under the influence of alcohol.

Further than that, it is making law enforcement and the problems of law enforcement more difficult. More than 25,000 people a year are killed in automobile accidents in which one of the drivers was involved with alcohol. What percentage of those are alcoholics I cannot tell, but it is said that, any given night, one out of 50 cars you meet has a driver under the influence of alcohol, as you are hurtling along 60 miles an hour in one direction, they are hurtling along 60 miles an hour in the other direction. And there are only 2 feet separating you over the median strip.

I want to state that we are talking about one of the greatest creators of poverty in America, a destroyer of security and the home, one that fills the mental institutions of this country, one of the greatest problems involving the Indians in this country. The Indian Affairs Subcommittee of this body found that, on one reservation, 80 percent of the Indian youths under 18 years old were in trouble with the law because of alcohol on the reservation.

The reason I am so concerned about getting this amount of money earmarked in the Office of Economic Opportunity is the fact that they are not making the initiative to go into these fields of alcoholism, narcotics addiction, and drug abuse, except simply to scratch the surface.

Mr. TYDINGS. I think slogans is what you call it. We are not being given the economic muscle to support critical law enforcement programs; we just have slogans.

Mr. HUGHES. I intend to go into a lengthy discussion of narcotics and drug abuse after I get down this road on alcoholism a bit further. I intend to go into it fully later. But while the Senator from Maryland is still here, I think he will recall that I came over and testified before the District Committee, because public health funds had been cut back in the District Committee. They were cutting back the Health Department to the point that, while we do have a detoxification center in the District of Columbia, it is so overloaded that they have been unable to keep patients more than 2 days. They send them out to a center with about 600 beds, but so many people have been running through the center that they have been unable to keep the patients, feed them back to health, give them assistance in finding employment, and keep them permanently removed from the alcoholic rolls.

Mr. TYDINGS. As the Senator points out, the hospital is so completely overloaded it cannot even handle the ordinary public health needs of the District of Columbia, and they are asked to take over full responsibility, not only for the Federal Alcoholic Rehabilitation Act program, but the District of Columbia program. A person is taken in, dried out overnight, with no rehabilitation, no halfway house, no effort to get him back into society; he is turned out, and the chances are that between 15 and 20 percent of the time, he is picked up again within a month.

This whole problem of alcoholism and of the funding of the Federal Alcoholic Recovery Act relates directly to the amount of time a police officer has to devote himself to protecting the public from dangerous crimes and crimes of violence. When you have, as in the District of Columbia and in other major cities, police officers tied up literally for days and weeks of man-hour time on work which should be handled by public health services or by a proper program funded as Congress conceived it would be funded—as long as that posture remains—we are not going to have the manpower necessary to protect the public from crime in Washington, D.C., or elsewhere.

Mr. HUGHES. Mr. President, will the Senator from Wisconsin yield further?

Mr. NELSON. Mr. President, I yield to the Senator from Iowa without relinquishing my right to the floor.

Mr. HUGHES. I should like to continue on this subject of alcoholism to the extent that I feel it is imperative that the need for earmarking of the funds for OEO be made very clear. I again do not have the statistical information with me, but I wish to concede, Mr. President, that we have checked with the Office of Economic Opportunity, and they contend that they cannot spend the \$10 million even if they get it in fiscal 1970, but it could be obligated. But that is not the issue we are debating here today. We are debating today the principle of earmarking funds to meet specific needs as they exist in this country. I recognize that it might be a little difficult to gear up this late in the year to utilize this total amount of funds. But I am objecting to the way it was handled, without any of us being aware of the fact that this earmarking had actually been knocked out after all of the legislative history which, as the Senator indicated, includes full committee and subcommittee support.

Mr. NELSON. If I may, I might say that the authorization bill we passed—the Economic Opportunity Amendments of 1969—give more flexibility to the Director of OEO to transfer funds from one program to another than the previous administration got in the authorization bills.

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

Mr. NELSON. I yield.

Mr. MONDALE. In response to the statement of the Senator from Iowa, I think it is appropriate to observe here that there was not a single word of opposition raised during the legislative process to his proposal establishing this program on alcoholism. Indeed, on both sides of the aisle, there was unanimous, enthusiastic support for this effort to provide research into and service for a vastly underrated social problem, namely, alcoholism.

There was no problem in the subcommittee; there was no problem in the full committee. There was no problem on the Senate floor, and, in terms of the objectives of this program, no problem in the conference committee. Everyone agreed it is a long overdue, desperately needed program.

What strikes me is that, after all of this consensus from everyone, we should have to stand here and defend the importance of a program because of a totally unscrupulous lobbying tactic by which a rider, which no one knew about, was slipped into an appropriation bill 3 minutes to midnight the night before this first session of the 91st Congress adjourned. No one knew about it—not the chairman of the legislative committee, not the chairman of the Poverty Subcommittee. I understand that not even the chief of staff of the Appropriations Subcommittee on the Senate side was told about the purpose and implications of this rider. But, due to what I regard to be unethical tactics by the Office of Economic Opportunity, this midnight rider was tacked onto the appro-

priations bill, completely gutting the efforts of the legislative committee and of the U.S. Senate. Now we find ourselves trying to argue for a program with which no one disagrees, simply because the whole procedure and proper functioning of the U.S. Senate has been undermined and eroded by a tactic which I think needs to be thoroughly condemned—a tactic which I think seriously undermines the relationship of the Congress, and particularly the Senate Committee on Labor and Public Welfare, with the Office of Economic Opportunity.

I am very proud of the fact that I worked hard on the OEO bill. I worked hard with Mr. Rumsfeld and with his representatives. We tried to develop a bill with which they could live and with which we could live. We put our cards on the table. We did not try to trick them. They did not try—we thought—to trick us. Now we find that, without telling anybody, they tried to undermine everything we did.

This alcoholism program, the drug abuse program, and the provision requiring that one-third of OEO research funds be devoted to research on rural poverty are now in jeopardy because this kind of cheap lobbying tactic was used. That tactic erodes and undermines the basic procedures of the U.S. Senate. It destroys the kind of dignity and respect with which Members of the Congress and members of the executive must treat one another, if this process is going to work. I deplore this tactic, oppose this rider, and ask my colleagues to join us in this effort to preserve the original intent of the Senate when it adopted the bill extending the Office of Economic Opportunity.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield for a unanimous-consent request?

Mr. MONDALE. The Senator from Wisconsin (Mr. NELSON) has the floor.

Mr. BYRD of West Virginia. I ask the able Senator from Wisconsin (Mr. NELSON) if he would permit the Senator from Minnesota to yield to me for a unanimous-consent request, with the understanding that he does not lose his right to the floor.

Mr. NELSON. I yield.

ORDER FOR RECESS TO 11 A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, in order that Senators may be put on notice as to when the vote will occur on the business before us, I am authorized by the majority leader to ask unanimous consent that when the Senate completes its business today, it stand in recess until 11 o'clock tomorrow morning.

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

TRANSACTION OF ROUTINE MORNING BUSINESS ON TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, immediately upon the conclusion of the prayer and the disposition of the reading of the Journal tomorrow morning, there be a period for the transaction of

routine morning business, not to extend beyond 30 minutes, with statements therein limited to 3 minutes.

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

APPROPRIATIONS FOR THE DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WELFARE, AND RELATED AGENCIES, 1970—CONFERENCE REPORT

The Senate continued with the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 13111) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies for the fiscal year ending June 30, 1970, and for other purposes.

UNANIMOUS-CONSENT REQUEST

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, at the conclusion of routine morning business on tomorrow, the pending business be laid before the Senate, and that the time on the pending business be limited to 1½ hours, the time to be equally divided between the distinguished author of the amendment to the House amendment to Senate amendment No. 83 to H.R. 13111 and the minority leader, or whomever he may designate.

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

The unanimous-consent request, subsequently reduced to writing, is as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That following the period for the transaction of routine morning business on Wednesday, January 21, 1970, further debate on the amendment of the Senator from Wisconsin (Mr. Nelson) to the House amendment to Senate Amendment No. 83 to H.R. 13111, be limited to 1½ hours, to be equally divided and controlled by the Senator from Wisconsin and the minority leader (Mr. Scott) or his designee.

Mr. BYRD of West Virginia. I thank the Senator from Wisconsin for yielding.

Mr. NELSON. Mr. President, I yield further to the Senator from Iowa.

Mr. HUGHES. Mr. President, as a matter of information—I regret that the Senator from Minnesota has left the floor, because he labored so hard on the Subcommittee on Indian Education—I wanted to make sure to get into the Record at this point some statements of interest.

There has been much publicity about poverty among the American Indians and education among the American Indians and what we are doing or not doing about it. Then we come upon this, in a report entitled "Indian Education: A National Tragedy—A National Challenge," a 1969 report, No. 91-501, on page 18:

The subcommittee found one tribe in western Oklahoma where practically every male between the ages of 18 to 30 has a serious drinking problem. Strangely enough, if they survive to age 30, a complete reversal often takes place. The subcommittee findings leave no doubt that alcoholism broadly defined is one of the most serious problems affecting the Indian population today, yet it has attracted little serious attention, and what

data that is available is generally inaccessible, unorganized, scattered, and unknown.

Excessive alcohol usage appears to be closely interrelated with other manifestations of social disorganization in Indian communities. Indian accident and arrest rates are notoriously high, and the majority of accidents as well as homicides, assaults, suicides, and suicide attempts are associated with alcohol. The vast majority of arrests, fines, and prison sentences in the Indian population are related to alcohol, and Indian arrest rates are also notoriously high. In one State penitentiary, Indians constitute 34 percent of the inmates whereas only 5 percent of the State's population is Indian. The majority of the crimes were committed while under the influence of alcohol.

On one central plains reservation, there were in 1 year 2,585 arrests for disorderly conduct and drunkenness in a population of 4,600 adults. Over a 3-year period, 44 percent of males and 21 percent of females had been arrested at least once for a drinking-connected offense. Of these, two-thirds had been arrested more than once, and 10 percent had been arrested more than 10 times. Thirteen percent of the entire population ages 15 to 17 had been booked at least once on a charge related to drinking. On another reservation with a total population of 3,500, in 1968, there were 1,769 arrests related to excessive drinking, 10 percent of them juveniles. In 1960, alcohol-related arrest rate for all Indians was 12.2 times that of the U.S. population generally. Drunkenness alone accounted for 71 percent of all Indian arrests.

In a study of high school students in a plains tribe, 84 percent of the boys and 76 percent of the girls claimed they drank. Thirty-seven percent claimed they drank frequently. Another survey of Indian high school students found 339 out of 350 who disliked their hometown because of excessive drinking. On this reservation, 70 percent of all juvenile offenses involved alcohol—a total of 420 in a recent year.

So we can understand that we are dealing with a disease that has practically crippled a fine group of American people. But we have not yet seen the job being done in the way it should be done unless the funds are earmarked, so that Congress can be sure that the money will be spent in this way.

Now I will read from page 114 of Report No. 91-501, item 11:

11. The subcommittee recommends—That a comprehensive attack upon alcoholism among Indians be begun at the earliest possible time, and that it include (a) coordinated medical, paramedical, educational, psychiatric, social, and rehabilitation services, both public and private, including non-medical and non-professional personnel as appropriate; (b) strong prevention programs, relying upon concerted public education efforts; and (c) concerted efforts to identify and deal with the causes of Indian alcoholism.

If I had the time to break this down further ethnically to show the effect on the American Negro in the ghetto, if I could, for example, go to Texas and deal with the ethnic groups there in relation to alcoholism and narcotics and the problems we face, we could see that we have done little except express our hope and chagrin and the fact that it is a mammoth problem.

In all the history of civilized mankind, alcoholics have been dying in the streets, the gutters, the alleys, condemned in the Bible. An alcoholic can fall over in the street in the District of Columbia, and people will walk around him, ignore him, and never stop to see what is wrong with

him. He may have died of a heart attack, but they would not stop to investigate. They would consider him a hopeless drunk, not a sick human being, entitled to the decency and treatment that we would give a crippled dog if a car hit it. Yet, we have abandoned many of the people in America and in the world.

I do not think I need to belabor the point of alcoholism any longer in relation to the earmarking of these funds. I think there is enough identity with the problem to demonstrate that alcoholism in America is one of the greatest contributors to poverty in our social structure. It has broken up homes. A very high percentage of children on welfare programs are there because of alcohol-related problems. Many emotionally disturbed mothers are there also.

Incidentally, the number of women suffering from alcoholism is increasing rapidly. We used to say about one alcoholic in five was a female. Now many of us believe that it is two in five, and the rate is growing rather steadily over the years. Thus, if we are going to do something about this program, if this Nation has any human compassion—I am not asking them to consider the problem of alcoholism to replace other programs—but certainly the day has arrived when we should do something to try to eliminate one of the greatest creators of poverty, one of the greatest contributors to delinquency. We should endeavor specifically to demand that funds are spent in these areas.

If not, God help us. We have too long overlooked these problems.

Now, with the permission of the Senator from Wisconsin, I am going to speak a little bit on the subject of narcotics addiction and drug abuse.

Mr. MAGNUSON. If the Senator from Wisconsin would yield to me at this point—for about half a minute, I shall not interrupt this interesting discourse further.

Mr. NELSON. I yield.

Mr. MAGNUSON. I want to say that I was well aware of this language in the conference report. It was offered by the House conferees.

I hope that there is no misunderstanding about this. I think the problem is one of interpretation. I assumed—I could be wrong and I know that you gentlemen want to make this certain—they would spend the money in these categories according to their justification and their authorization and that this conference amendment would provide them with some needed flexibility. I assumed that by the way the amendment was explained in conference. I want that made clear. I am sympathetic to what you are trying to do.

My only hesitation is because I do not want to hold up this whole matter. I know you do not, either. However, I want to be sure that you understood what the conference did, and the premise on which it acted.

Mr. NELSON. The Senator from Washington, at the time the motion was made, when the authorization bill was considered in the Senate, voted against the motion to eliminate earmarking for OEO programs.

Mr. MAGNUSON. I did.

tee's performance and promise and have consulted on the specific activities which might be undertaken over another year.

A sound understanding of our nation's problems and shortcomings is the first step toward effective solution. The Nutrition Committee, working within its jurisdiction on a non-partisan basis, can help provide such understanding.

I join the distinguished Senior Senator from New York in urging support for the continuation of the Select Committee on Nutrition and Human Needs.

Mr. JAVITS. Mr. President, I should like now to yield, if the chairman will permit me, to the Senator from Kentucky (Mr. Cook), then to the Senator from South Carolina (Mr. Hollings).

Mr. COOK. Mr. President, I would first like to say to the distinguished senior Senator from Vermont that as a member of the committee, I at no time felt, nor do I feel now, that a sufficient case has been made to take the food stamp program out of the Department of Agriculture and switch it to any other department. I think that if there are any real basic fears that this is the goal to which this committee is destined, I would like to let the Senator know that I doubt very seriously that that is the case.

I say with all fairness that I have been a member of the U.S. Senate for a little more than a year, and most of that time I was not only a member of the Special Committee on Nutrition and Human Needs, but also a member of the Committee on Agriculture and Forestry. I left that committee to go to the Commerce Committee.

While I was a member of the Select Committee on Nutrition and Human Needs, it held over 44 days of hearings and listened to more than 300 witnesses. We went all over the United States and found what we were looking for, although we wish that we had not found it to the extent that we did.

At no time when I was a member of the Committee on Agriculture and Forestry was there an effort to hold hearings or find out whether this situation existed.

This is the one committee that I have worked the hardest on and been made to work the hardest on. And in all fairness to the Senate and to those who oppose this, and to the Senator from Louisiana and the Senator from Vermont, the Senate did pass a food stamp program. However, it has been bogged down in the House ever since. Neither of the two Senators can say that the bill, as it would have come from the Committee on Agriculture and Forestry and gone to the House, would have been brought from the House committee and brought before the House.

If this were true, all the House had to do was to take the Senate bill as originally proposed and brought it before the House and passed it. So we are arguing about apples and peaches.

Mr. AIKEN. What bill is the House committee reporting? They do not meet on it until tomorrow.

Mr. COOK. The bill the House will come out with will look very little like the one that came from the Senate committee or from the Senate itself.

Mr. AIKEN. That would be helpful.

Mr. COOK. I can only say that by reason of the committee action a bill was passed that the House will not pass. The House committee was not willing to pass the bill as it came to them.

I want to make it very clear that I doubt seriously that the Committee on Agriculture and Forestry of the Senate has studied the report of the White House Conference on Nutrition. And yet no committee in the House or Senate wants to make use of the report of the White House Conference on Nutrition and the detailed studies made by this Committee on Nutrition.

I think that to end the committee now is to say that after the committee has held national hearings and gotten to the point of understanding the matter and has brought industry in to testify and industry has proceeded to do various research work on the matters of nutrition, the committee that is more responsible for the White House Study on Nutrition and Human Needs than any other body of Congress should be terminated and that by reason of the fact that we have had a White House conference and we have gotten a report, the committee work is finished and now is the time to call the committee work to an end.

I might suggest that this is the time the committee should be in existence. I think that for this committee to go out of existence because some Member of the Senate feels it might destroy another committee does not really make sense to me.

Mr. AIKEN. Mr. President, I did not say it would destroy another committee. I said they were attempting to destroy the Department of Agriculture and good programs which have been handled by the Department over the years. The committee will take care of itself under the Senator from Louisiana.

Mr. COOK. Mr. President, as a member of the committee, I would say that it would not be destroyed.

Mr. AIKEN. Mr. President, I think we have some members of the minority on that committee. And that is fortunate.

Mr. JAVITS. Mr. President, I yield to the Senator from South Carolina.

The PRESIDING OFFICER (Mr. Byrd of Virginia in the chair.) The Senator from South Carolina is recognized.

Mr. HOLLINGS. Mr. President, two things have been brought to our attention in this colloquy. One is the concern that we may develop into a welfare State. The other is the concern that we might destroy the Department of Agriculture.

The suggestion is made that somehow we have solved the hunger problem in America.

With respect to the matter of destroying the Department of Agriculture, I point out that I have no greater respect for any Senator than I have for the distinguished Senator from Louisiana, the chairman of that committee, under whom I had the pleasure of working.

I come from an agricultural State. I am interested in the agricultural programs. I voted for the subsidies. I worked with the Senator from Vermont on these programs. I am certainly not going to

recommend anything that will destroy the Department of Agriculture through a study committee.

I think there is a slight exaggeration in judgment. I think it is a slight exaggeration in judgment also to say that we will do away with the other systems and start a welfare State, simply because the Select Committee on Nutrition and Human Needs crosses the spectrum of all endeavors; especially, when the administration comes out with a basic family wage and a minimum family allowance.

I feel that we are making tremendous progress in the area of nutrition and human needs. I know that I differ with the views of some of the members of the Select Committee on Nutrition and Human Needs but I believe that we are making real progress. It is like Bossy, the cow, kicking over the pail of milk, when we are getting the program started, Mr. Moynihan starts across his street and kicks it over.

Congress will argue for the next 10 years before it ever adopts such a program. And the problem is that during that 10 years of debate—whether it finally be \$1,600 or \$3,600—we still will not have the hunger problem solved. The President has not adopted one. We passed a food stamp bill.

As the Senator from Louisiana knows, he started the commodity feeding program. That is one of the best programs we have to work in conjunction with the local administration with local participation. And the hungry and those crying for this particular program have had one particular committee to come to in Congress.

But this great country does not have a program that would solve their plight. Pollution, yes. We provide \$11 billion for that. We could not have passed a bill to provide even \$1 billion before. But now we get an \$11 billion program because everybody can smell it.

They still do not realize the great need involved in this program. We need to have the Senator from Louisiana work with the special committee for at least 1 more year to get the hunger program really established.

This would be the worst time of all to assume that we have a solution.

We still have hunger existing in South Carolina. We are still working on it. I am still trying to use the Beaufort experiment and extend it.

We have the advantage of having the background work and the experience that started first with the late Senator Robert Kennedy and the Senator from South Dakota (Mr. McGovern), the Senator from Louisiana (Mr. Ellender), and the Senator from New York (Mr. Javits)—all working on that committee, with the committee staff member, Bill Smith. All of us have come to understand the situation. To cut it off now would be an outright tragedy.

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

Mr. MONDALE. Mr. President, the distinguished chairman of the committee, the Senator from South Dakota (Mr. McGovern), could not be present today. I do not propose to deliver a speech on this matter. However, I think the work of the Select Committee on Nutrition and

respect completely his view as to the fact that the standing committees should handle it, I do not think there is any controversy about the fact that all of us—he and I and everybody else—have learned new things about the problem of hunger in the country which has appalled the conscience of America.

During our year of operation, the White House Conference on Food, Nutrition, and Health, was convened. Literally hundreds of recommendations resulted from that conference. For the Select Committee to quit, just at the moment when the country, Congress, and the administration are beginning to deal with the recommendations which have resulted from, as it were, this "people's conference," would really be aborting the work for which the Senate established the committee. As I stated above, this is one of the main reasons for continuing.

Now I should like to speak to what the Senator from Vermont (Mr. AIKEN)—whose judgment I always respect—pointed out as rather broad areas which the committee might look into.

I should like to tell him this: I give him my personal pledge, whatever may be my views—and he knows I hold views that most people consider liberal on many subjects—he knows I am a careful lawyer and that I do not make wild promises—that I can assure him we will certainly keep the committee, so far as I can humanly do it—and I think I can—faithful to its mandate. That mandate is hunger, the strict question of its impact upon our people, what can be done about it, and includes a deep understanding that it is the legislative committees that must be relied upon to take action.

As I have already stated, I made this pledge to the Committee on Rules and Administration. The Senator from South Dakota (Mr. McGOVERN) was before the Rules Committee also and I think he feels as keenly as I do about the scope of the select committee's jurisdiction.

Mr. President, I will be through in a minute but I should like to give my colleague an example. When we say that we will be concerned with the welfare payment, that sounds like, "What are we doing with that? There is the Finance Committee and the Committee on Labor and Public Welfare, and so forth, to handle that."

But, we have discovered as a technique that the inclusion of an allowance for food, or a plan for food, may have a lot to do with whether we can handle the welfare load without breaking the back of the country.

The wisdom, the art, in which that can be done is properly something which the committee can look into. It is still a recommendation. It is still a legislative committee, however, that will have to do what has to be done.

Thus, coupling the two points, one, that we found the ramifications of malnutrition; and second, the deep feeling I have as ranking minority member, in which the Senator from South Dakota (Mr. McGOVERN) joined, that the committee must be kept catholic to its purpose, are an assurance to the Senate that we will not wander all over the lot. I have

been here long enough to know that if we did wander, we would be speedily corrected by the Senate in ways which it knows expertly how to do.

Mr. AIKEN. Mr. President, the Senator from New York knows that I have great confidence in his purpose and his ability. I would like to remind him, however, that for at least 10 months he will be a minority member on that committee. What happens beyond that, I do not know, and I am not ready to predict at this time.

But the question I want to ask is: Is this resolution identical with the resolution or the authority under which the Committee on Nutrition is now operating? Is it identical?

Mr. JAVITS. It is not identical.

Mr. AIKEN. It has been broadened?

Mr. JAVITS. It has not been broadened. On the contrary, it has been contracted. The original resolution was broader than this one. This resolution zeros in, in my judgment, on—

Mr. AIKEN. I do not see how it could be much more.

Mr. JAVITS. I should like to be constructive as to the temper of the Senate at this particular time. I asked a constructive question as to the resolution, because I wanted to see for myself exactly what the Senator refers to. Senate Resolution 281, adopted April 26, 1968—the operative part of it reads, "to study the food, medical, and other related basic needs among the people of the United States."

Those are the only operative words, "to study the food, medical, and other related basic needs among the people of the United States."

The key words which appear on page 1, line 7, of the pending resolution are: "All matters pertaining to the lack of."

It seems to me that that is a channeling of the committee into a narrower path than even the original resolution.

I should like to make the legislative history clear on that to the Senator from Vermont, because I think the Senate should have that from me, and I hope from the majority as well, that we will concentrate in every aspect—even as it is named here: "pertaining to the lack of."

I should like to point out that that is the deficiency, what is regarded as the purpose of the Committee on Hunger and Malnutrition. I should also like to point out that that does represent a limitation from the previous words which were general and had no such limitation, "to study food, medical, and other related basic needs among the people of the United States."

Mr. AIKEN. Mr. President, we all lack some of the basic necessities or desires of life, but what I want to say is that apparently this has been broadened so much now that it does authorize a committee to study the feasibility or the possibility of setting up a complete, Federal welfare state.

I cannot vote for it, as it is written now. If the Senate sees fit to defeat it, and the committee sees fit to bring it in under the same authority under which the Committee on Nutrition is now operating, I shall be very glad to take another look at it.

I have talked to the Senator from New York. I have talked with others, too, and it is entirely possible that the time has come when the food stamp program should be transferred from the Department of Agriculture, although it has done as good a job as could possibly be done. It has been kept out of politics to the fullest extent. But I am afraid that if it gets into another agency of government, as is apparently desired by many, that we would become more seriously involved in politics and other things.

May I point out one thing that was done in Vermont a year ago. One of the Federal agencies used Government car pools to bring old people, from wherever they could get them, into a community where only a few old people reside. There they held a meeting to castigate and initiate a general attack against the present administration.

As I have said previously today, the OEO administration personnel have shown a great improvement in the past few months. I hope they continue to do so.

Of course, I am not opposed to giving food to anyone who needs it. If 10 percent of the people of this country are in need, that would be 20 million people. That is a lot of people. I am in favor of taking care of them. But we should not give a committee the authority to undertake to remake our Government in that manner.

Mr. JAVITS. I have already dealt with that question.

Mr. AIKEN. I know that the Senator from New York is sincere. He is a neighbor of mine. He has a lot of people affected by this who are in need, more perhaps than in almost any other State. We want to help them. In fact, I would like to get them out of the slums in New York and take them somewhere else, if I had my way. But I do not think that I will have my way—not this year.

Mr. JAVITS. I wish the Senator could help them in some way.

Mr. President, I ask unanimous consent that a statement by the Senator from Kansas (Mr. DOLE) on the subject of continuation of the Select Committee on Nutrition and Human Needs be printed in the RECORD; and also state to the Senate, on request of the Senator from Illinois (Mr. PERCY), that he supports both the extension and the appropriations for this committee.

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

STATEMENT BY SENATOR DOLE OF KANSAS

The Select Committee on Nutrition and Human Needs was established in 1968 to study the full dimensions of hunger, nutritional deficiencies and related aspects of American life. In its few months of operation the Committee has performed a valuable service in investigating, highlighting and clarifying many of the problems and issues in this field.

Although the Committee was established for only one year, a majority of the members have come to feel an additional year's operation is necessary to follow up on the work so far undertaken and to fully explore the areas of its responsibilities.

Both minority and majority members have conducted a thorough review of the Commit-

particularly to the areas of health, income maintenance and welfare reform. It is suggested that the long-term solution to the hunger problem, as was clearly the conclusion of the White House Conference on Nutrition, is adequate income. Food stamps and commodities, which the Committee focused on last year, are essential interim solutions, but the long-term solution is an adequate income maintenance program. Furthermore, in 1969, the Committee did not have time to look at nutrition problems in the context of medical care and health.

It would go into the purposes for which many of the subcommittees that have asked for funds today, and into many of the problems that have already been studied by various executive committees as well as our standing committees. The quotation continues:

It has not had time to examine the role of private medicine, the role of medical education or the role of public health in meeting nutrition and other needs.

I am reading from the conclusions reached by this special committee on January 20.

I point out, Mr. President, that these matters are the direct responsibilities of the regular standing committees, namely, the Committee on Labor and Public Welfare and the Committee on Finance which has jurisdiction over the income maintenance proposals now before the Congress. There are voluminous studies underway within the executive branch on the problem of nutrition and health and income needs. As the recently published study by the President's Commission on Income Maintenance Programs pointed out, "Thousands of pages of statistics about the poor have been labeled and published, the poor have been measured, surveyed, and sorted into numerous categories . . ." And so forth.

I am as concerned about those in need as any man in this Senate but it seems to me that we are quickly reaching a point of diminishing returns in piling studies on top of tabulations. This, in effect, is what the Select Committee proposes to do. There are a few of us on it who object to this but so far we are in the minority. In this connection, Mr. President, it always seemed to this Senator, as chairman of the Committee on Agriculture and Forestry, that what we needed was to get some more action in this field by improving the existing programs and by educating the people as to what constituted a proper diet in their areas.

And may I say, Mr. President, as shown by the hearings that we had, the Department of Agriculture has provided in excess of \$10 million, in order to obtain people to teach housewives how to balance their meals. All of this has been done. All of the programs that were suggested by the committee, I think, have been put into effect. Now that we have done all of that, the committee wants to sustain itself, wants to continue itself by going into other matters, far removed from the original purpose of the resolution.

Mr. President, I do not want to read all of the reasons given for the continuation of this committee, but I ask unanimous consent to have printed in the RECORD at this point the various proposals that the committee intends to look into, in addition to nutrition, which, as I recall, was the main purpose for the creation of the committee.

There being no objection, the proposals were ordered to be printed in the RECORD, as follows:

SELECT COMMITTEE ON NUTRITION AND HUMAN NEEDS

AGENDA

1. Extension of the committee and budget for 1970

A proposed resolution, budget and accompanying memorandum to the Rules Committee are attached. The resolution would extend the Committee through January 31, 1971, and authorize expenditures from the contingent fund of the Senate not to exceed \$246,000. The Committee budget for 1969 was \$250,000. The proposed 1970 budget would maintain the Committee staff at its present level but with the addition of one more minority professional staff member. Upon approval of a resolution and budget, it is anticipated that the resolution will be referred to the Committee on Rules and Administration.

2. Committee activities during 1970

The Committee's activities in 1969 focused largely, if not almost exclusively, upon the extent and effect of hunger and malnutrition, the effectiveness and need for reform of federal food assistance programs administered by the Department of Agriculture and on the role of private industry in meeting the nutritional needs of the American people.

It is proposed that in 1970 the Committee turn its attentions to a broader spectrum of human needs, placing the problems of hunger and malnutrition in the perspective of the other related basic needs of poor people and other Americans.

The Committee mandate under the resolution which established the Committee in the 90th Congress directs the Committee "to study the food, medical and other related basic needs among the people of the United States."

It is proposed that in 1970 in addition to completing its studies directly related to nutrition, the Committee turn its attention particularly to the areas of health, income maintenance and welfare reform. It is suggested that the long-term solution to the hunger problem, as was clearly the conclusion of the White House Conference on Nutrition, is adequate income. Food stamps and commodities, which the Committee focused upon last year, are essential interim solutions, but the long-term solution is an adequate income maintenance program. Furthermore, in 1969, the Committee did not have time to look at nutrition problems in the context of medical care and health. It has not had time to examine the role of private medicine, the role of medical education or the role of public health in meeting nutrition and other needs.

It is suggested, therefore, that the Committee begin a series of hearings in Washington on health and income maintenance—perhaps two days on each subject primarily directed toward problems in urban areas. These hearings would be followed by a field trip to Chicago and a second field trip to New York City. The Chicago hearing might emphasize health problems, the New York City hearing welfare reform. Further Washington hearings would be held on each of these subjects as they relate to rural areas, followed by one or two field trips to rural areas.

In addition, it is suggested that the Committee also follow up last year's activities with hearings on the following subjects:

a. *Child nutrition and school lunch*: The Committee began a series of hearings last

year but did not complete its activities on this subject.

b. *White House Conference on Nutrition*: As suggested by Dr. Jean Mayer, it is proposed that the Committee hold a series of hearings on the results of the White House Conference and on the implementation of its recommendations by state, local and private groups as well as by the federal government.

c. *National Nutrition Survey*: An up-to-date report on the results of the complete 10-state survey by Dr. Arnold Schaefer should be ready to be presented to the Committee in the near future.

Mr. ELLENDER. The staff has worked up many different programs for the committee to look into. There are approximately 30 subcommittees, as I recall, and many of them are concerned with the very matters that this committee wants to look into. I think the select committee should make its report—I believe it has been prepared—and the funds should be denied for the continuation of this committee.

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

Mr. ELLENDER. I yield.

Mr. AIKEN. I had not read this resolution until a few minutes ago. I intended to return to Washington yesterday, but the airport was closed and I could not make it.

I do not think I have ever read a resolution proposed to the Senate that goes to the extent that this one does. It appears to me as if it is instructing this committee to study ways and means of completely changing our Government over and setting up a complete Federal welfare state which would be responsible not only for food but also for clothing, shelter, recreation, education, and everything else that families in all walks of life like to have.

I am very much disturbed in reading this, because during the last few months I have run across plenty of evidence that there are those who are trying to destroy the Department of Agriculture and its work. I actually had a request to see what I could do toward getting money away from the Extension Service and handing it over to one of the OEO agencies. I want to say for the OEO that the administrative personnel there is considerably different from what it was a year ago, and they have some very capable people.

I well recall the food stamp bill which this body passed and which the House apparently will not pass, under which people—I do not know how many people qualify for food stamps—could use food stamps for practically anything necessary to make them happy besides food.

I do not like these attacks on the Department of Agriculture and the efforts that are being made to destroy it. I do not blame Secretary Finch for this. There is an organization around the country that certainly thinks the U.S. Government is set up all wrong and has to be made over.

I am going to vote with the chairman of the Committee on Agriculture and Forestry. I agree that we must not let people suffer from hardship, from disease, or from hunger, but I do not think it is necessary to change the Government

of the United States as radically as this proposes to do in order to do so.

Mr. ELLENDER. Mr. President, I wish to repeat that this resolution takes the same course as other resolutions in the past. They organized for a specific purpose. They said, "We can conclude this work in a year or two." As I have pointed out, we have had one going on for 20 years, and the work has not been completed. This resolution had for its purpose, as I stated earlier, the study of malnutrition, and I think the committee did a fine job in the investigation it conducted. But now that that work has more or less been completed and Congress has acted, the committee now desires to go into other phases of our every day life and take jurisdiction of many of the problems that are now being studied by the Government itself and by many subcommittees as well as standing committees.

Mr. President, I hope that the resolution will not be adopted and that the moneys requested will be denied.

Mr. JORDAN of North Carolina. Mr. President, the Senator from South Dakota (Mr. McGOVERN), who is the chairman of this committee, is out of town, and he has asked the Senator from Minnesota (Mr. MONDALE) to speak in reference to this matter.

Mr. MONDALE. I thank the Senator. I understand that the Senator from New York, the ranking minority member of the Select Committee on Nutrition, has a statement to make, and I yield the floor to him.

Mr. AIKEN. Mr. President, I should like to ask one question of someone who understands the bill thoroughly.

Mr. JORDAN of North Carolina. I suggest that the Senator ask the Senator from New York (Mr. JAVITS).

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

Mr. JAVITS. I yield.

Mr. AIKEN. I am not designating anyone in particular to answer.

I read from page 2 of the resolution:

For the purposes of this resolution the committee, from February 1, 1970, to January 31, 1971, inclusive, is authorized: (1) to make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants; *Provided*, That the minority is authorized to select one person for appointment.

If I recall correctly, there is a Senate rule which prohibits the dismissing of staff members as the control of Congress changes from one party to the other. We do not know what the minority party will be next January. It looks as though it will be different from what it was in times past. I think if the majority keeps proposing the remaking of our Government, there might be a change in the majority party. I do not know about that for sure, and I would not make any wagers.

Mr. JAVITS. Mr. President, I think this is standard, boilerplate.

Mr. AIKEN. Under this resolution all but one staff member must be of the party that has a majority in Congress, and that is not right, if you have any intention of doing good work.

Mr. JAVITS. I think the Senator's concern is proper, but I believe this is the standard boilerplate of such resolutions, just to assure the minority of exactly that situation. There shall be at least one professional staff member who is selected by them and to whom they can look.

Mr. JORDAN of North Carolina. That is correct.

Mr. AIKEN. Is that requirement in all these resolutions?

Mr. JORDAN of North Carolina. It is, where a staff is set up and new members of a staff are added. It is to protect the minority group.

Is that not correct?

Mr. JAVITS. That is my understanding.

Mr. JORDAN of North Carolina. That is known as the Curtis amendment.

Mr. JAVITS. Mr. President, if I may have the attention of the Senate, I promise not to speak for more than 3 minutes.

Mr. President, as the ranking Republican on the Select Committee on Nutrition and Human Needs, I support Senate Resolution 323 which would allow the Select Committee to continue its activities for an additional year through January 1971.

I supported extension of the Select Committee in executive sessions of the Select Committee and the Committee on Labor and Public Welfare, on which I am also the ranking minority member, and appeared before the Rules Committee with Senator McGOVERN in support of Senate Resolution 323.

The Select Committee has shown a good record over the past year. The committee has played a major role in arousing the conscience of this Nation to the intolerable conditions of hunger and malnutrition amidst affluence. Furthermore, I believe that this committee is regarded by the millions of the poor in this country as their advocate in alleviating such conditions.

The Select Committee's historic hearings helped to spur the passage of an expanded food stamp program and produced thousands of pages of testimony which made crystal clear this Nation's failure to meet its food and nutritional obligations to millions of hungry Americans.

Senate Resolution 281, under which the committee was established, clearly mandates the committee to study the food, medical and other nutrition-related basic needs among the American people. Thus far, the committee has dealt quite extensively with problems related to food and nutrition but has not yet had the opportunity to study fully health, welfare, and other basic needs as they relate to nutrition pursuant to its Senate mandate. Previously, I stated that I expected the committee would terminate this year. However, because of the developments I have just related, I support the committee's extension.

The committee has held many hearings, conducted staff research and studies relating to the operation and implementation of the food stamp commodity distribution, school lunch, supplemental food, nutrition aides, and other Federal

food and nutrition assistance programs. It has published an interim report, "The Food Gap: Poverty and Malnutrition in the United States," and has gathered data on child development and its relationship to malnutrition, and on the economic and social consequences of malnutrition.

But there is much left for the committee to do, including its follow-up on the recommendations of the recent White House Conference on Food Nutrition and Health. For this reason, Dr. Jean Mayer, who served as the President's Consultant on Nutrition and who coordinated the White House Conference, has publicly stated that the committee should be continued.

Mr. President, I have worked closely with Senator McGOVERN, the committee's chairman, and am very pleased with the close working relationship which has existed between Republican and Democratic members of the committee. Also, the administration has demonstrated its desire to cooperate and provide leadership in the development of programs and legislation to eliminate hunger and related problems. Secretary Hardin and Secretary Finch have been before our committee, demonstrating the spirit of cooperation which the administration has exhibited.

Mr. President, I am confident that my colleagues will agree that we cannot now tell the malnourished of this nation that we are going to discontinue that committee which they have come to regard as their spokesman. We cannot and should not tell them that we are going to stop before the job is completed. Hence I urge continuance of the committee for another year. Within that time I feel the necessary factual basis can be established and recommendations made to the appropriate legislative committees.

As I have stated, I had, myself, given assurance to the Rules Committee that we would treat the Select Committee as a temporary operation and that we would end it at the end of the first year. I will not go into the history of the formation of this committee, however, I will state that it came about because, in a sense, hunger was discovered in the United States. In fact, there was much opposition to the fact that there was any hunger in this country and there was much argument that it did not exist. I think some Members may recall a somewhat violent confrontation between former Secretary of Agriculture Orville Freeman and a number of us, Democrats and Republicans alike—the late, lamented Senator Robert Kennedy of New York; Senator GEORGE MURPHY of California; Senator Joseph Clark of Pennsylvania; myself and other members of the Subcommittee on Employment, Manpower, and Poverty.

The Senate established the Select Committee based upon a resolution submitted by Senator McGOVERN as sort of an act of conscience, and I think it was very proper.

There has been much evidence indicating that hunger and malnutrition affects millions of Americans. Senator ELLENDER has heard this evidence, and though I



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