

is seeking, continued military operations against the Bengalis would become economically unbearable for West Pakistan.

"The major economic demands," he said, "are for commodity assistance to keep industry afloat. They are geared to supplies from the West." He said the suggestion that China might meet these needs is false because "the Chinese are in no position" to supply Western materials.

"The U.S. has to make up its mind," he said, "whether it wants to underwrite a military adventure with no conceivable policy solution at the end of it." He suggested the government here tell the Pakistan government "If you want to do it, you foot the bill."

#### BUSINESS WEEK SAYS ADMINISTRATION FAILS IN EFFORT TO CONTROL PRICES AND PROFITS IN CONSTRUCTION INDUSTRY

Mr. EAGLETON. Mr. President, back on March 29, 1971, the White House very proudly announced that the suspension of the Davis-Bacon Act had been lifted and that a system had been worked out to control both wages and prices in the construction industry. That system entailed the setting up of two boards—one to control wage increases and the other to restrain increases in prices and product costs.

Two months have passed and there has been some opportunity to at least watch the progress that has been made. A report on the program appeared in the Washington Outlook column of Business Week of May 15, 1971, and states:

President Nixon's program for stabilizing wages and prices in the construction industry is going to be only half-size. The Administration appears to have given up any serious effort to rein in prices, profits, and executive salaries.

This statement shows that the fears some of us had when the program was announced were justified. It seemed then that there was one standard for employers and another for employees. I believe that this country must treat all of its citizens equally. Runaway inflation has hurt all of us, but to place the entire blame on the workers in one segment of the economy is to be blind to reality. If the President wants to control wages, he must also be willing to control prices and profits. It is not the construction workers that are causing the economic difficulties that this country is undergoing and it is wrong of the administration to try to make them the scapegoat.

Mr. President, I ask unanimous consent that the article referred to from Business Week magazine be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

#### WASHINGTON OUTLOOK

##### CONSTRUCTION PRICE CURBS GET STICKY

President Nixon's program for stabilizing wages and prices in the construction industry is going to be only half-size. The Administration appears to have given up any serious effort to rein in prices, profits, and executive salaries.

So far, the wage side of the machinery is still functioning. Unions are cooperating, reluctantly, with the Construction Industry Stabilization Committee.

But the price and profit side of the equation is giving trouble. Seven weeks ago, Nixon

handed the problem to an Interagency Committee for Stabilization of Construction Prices. A committee spokesman now concedes privately that there seems little the Administration can realistically do.

Nixon rejected outright wage-price controls. So there is no machinery to police contractors. Nor is there an excess profits tax to help restrain prices.

The best idea the committee has been able to come up with is a self-enforced contract certification program. Washington would issue price standards; contractors would certify that they were complying.

The main goal of the committee is simple: to lean on management hard enough so that labor leaders will continue to cooperate.

#### LATEST ADVICE ON WEAPONS: PROFITS CAN WAIT

A new approach to profits in negotiated contracts is bubbling up within the Pentagon: Forget about them for a while.

A career Navy procurement specialist, Gordon W. Rule, is urging his chiefs to stop trying to set profits in advance on major high-risk development contracts. Instead, he suggests, initial agreements should just cover costs. Profits—if any—could be fixed after weapons have been delivered and tested.

The idea will get serious consideration by a government-industry committee studying profit policies. The procedure has been used in a limited way by both the Navy and NASA, but never on a major weapons program.

The approach has potential snags. Evaluation boards that would determine profits would have to do so partly on a subjective basis. And troubles with complex defense equipment often do not crop up for two years or so.

#### CAPITAL WRAPUP: RAILROAD RATES, NIXON CAMPAIGN

The Administration is getting set to propose looser federal regulation of ground transportation. Legislation being drafted in the Transportation Dept. would give railroads more flexibility in setting rates and would make it easier for new operators to get into the trucking business.

Attorney General John N. Mitchell insists publicly that he doesn't want to leave the Cabinet to run Nixon's reelection campaign, but Justice Dept. officials say the transition already has begun: Mitchell is beginning to hand off departmental reins to Deputy Attorney General Richard G. Kleindienst.

Speech of the week: Representative Andrew Jacobs (D-Ind.) this week delivered in the House the following address, quoted in its entirety: "Mr. Speaker, after careful investigation I have concluded that the current Administration has not been soft on communism. However it has been hard on capitalism."

#### MRS. INGA QUIST: TEACHER

Mr. MONDALE. Mr. President, in taking the broad view of the Nation's needs, we sometimes overlook the importance of individual contribution to a particular effort. Such is the case in the field of education, where the individual teacher remains the unsung hero and heroine.

Anyone who has had good teachers much consider himself truly fortunate. Having had many, I certainly consider myself very lucky. One of the excellent teachers to whom I am especially grateful is Mrs. Inga Quist, my third grade teacher at Heron Lake in Minnesota.

Mrs. Quist is about to retire after teaching in Hopkins, Minn., for the last 29 years—a fact that prompted the Hopkins Sun and other Sun newspapers to pay tribute to her distinguished career. Because the newspaper article gives a

glimpse of this wonderful woman and because it illustrates that there can be no good education without dedicated teachers like Mrs. Quist, I ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

#### RETIRING TEACHER HAS 100 SICK DAYS COMING: SHE MAY SEE THE "SMOKIES" IN FALL

(By Virginia Moll)

Mrs. Inga Quist, fourth grade teacher at Katherine Curren Elementary School, has always wanted to go to the "Smokies" in October, but she has always been in school.

This year Mrs. Quist will have the opportunity to take the trip. This June, she retires after teaching 29 years in the Hopkins School District. She has taught at Katherine Curren since the school opened.

If kids were giving out the grades, they would probably give her a big, shiny "A" for a near perfect attendance record and for 45 years of dedication to the teaching profession.

As Mrs. Quist tells it, after she graduated from high school in Madison, Minn., she and five of her high school "gang" decided to teach country school in the Ortonville, Minn. area.

They taught for two years and then all went to St. Cloud Teachers' College. Mrs. Quist graduated from St. Cloud and began her teaching career in earnest.

"I've never really been out of the school room any year since I was in first grade," Mrs. Quist pointed out. "I never stopped teaching to raise a family, travel or such; I either went to school or taught."

From St. Cloud she went to Louisburg, Minn., where she taught the first four grades for two years and then on to Heron Lake, where she taught third and fourth grades for 12 years.

At Heron Lake, one of Mrs. Quist's third grade students was U.S. Senator Walter F. Mondale. "We called him Fritz," Mrs. Quist recalls. "I also had his brother Clarence—their father was a minister in Heron Lake at the time."

From Heron Lake Mrs. Quist came to Hopkins. "I've taught in Hopkins 29 years. I just can't believe it."

When Mrs. Quist arrived, the school district had a staff of 34 and two buildings. Kindergarten, the elementary grades and junior high were in what is now a much enlarged South Junior High. The senior high students were in the high school, known now as "The Annex."

Mrs. Quist is proud of her near perfect attendance record. When she taught in Heron Lake, she didn't miss a day of school for 11 years and then only missed one-half day for the funeral of a very close friend.

When she leaves Hopkins, she will still have over 100 days of sick leave coming. "I probably should have taken some days but I always felt I should be here," she said. "My sister says I am disgustingly healthy."

Looking back, Mrs. Quist recalls that she was paid \$85 per month to teach country school and that her room and board was \$16, even though she went home every weekend.

"In those days, you would never think of going far away, like Denver, Colo., to teach. You just didn't go and leave your family."

Mrs. Quist thinks the kids today aren't different in many ways but they are more hyperactive, more knowledgeable and certainly have traveled more.

Mrs. Quist believes children have gained much knowledge from television but she also thinks some stay up too late watching and some watch the wrong kind of show. "I usually try to suggest programs such as Wild Kingdom and Animal World. I can tell when they stay up too late—they are sleepy and yawn in class."

in 1947. Russia has edged close to India in recent years. China, for national rather than ideological reasons, is tied to Pakistan. Russia and China, of course, are at odds. America, worried over Soviet influence in India and Chinese influence in Pakistan, has tried to remain friendly with both.

What, then, are the politics of pragmatism of those nations involved with the Bangla Desh cause and of those that have sought to stay uninvolved?

For Pakistan there are several choices: To let democracy have its way, which would have meant a united Pakistan led, for the first time, by the Bengali majority rather than the Punjabi minority. To grant East Pakistan independence and seek good relations with the new sister state of Bangla Desh. To forcibly resubjugate East Pakistan, Pakistan opted for the third solution. Its army moved rapidly and ruthlessly, with tactics that included not only wanton slaughter but also systematic slaying of the Bengali middle class: politicians, professional men, students and civil servants. These are precisely the people needed to keep an administration and an economy functioning, in a conquered territory or a new nation.

In the short run the Pakistan army may well be able to maintain control of East Pakistan—now a hostile, occupied territory. But how to patch up the East Pakistan economy? How to support the cost of the occupation army? How, in the long run, to avoid being bled by a guerrilla war?

Perhaps even the Pakistanis are doubtful about their long-term prospects. But if they suspect that they will have to pull out of East Pakistan some year soon, why should they worry about killing off moderate Bengali leadership, about the Bangla Desh movement thus falling into militant leftist hands? Pakistan could then at least leave a chaotic, Communist-veering Bangla Desh as a permanent plague on neighboring India. Or so the Indians fear.

#### A SYMPATHETIC INDIA

For many reasons, India has been openly sympathetic with the Bangla Desh cause. Pakistan is an enemy, and half an enemy is better than a whole one. An independent Bengal nation, under moderate leadership, might even be friendly to India. As a democracy, India is subject to public pressures, and articulate segments of that public, particularly in West Bengal, have demanded intervention. The sooner India provides support—arms, training, border sanctuaries—for a Bangla Desh liberation army, the more likely it is that the Bangla Desh movement will remain under moderate leadership. Some such aid is already being given. And if a more active Indian role risks war with Pakistan, it would suit some aggressive Indian army commanders just fine.

Yet India failed to extend diplomatic recognition to Bangla Desh and has moved only slowly and cautiously in giving military assistance. Why? Bangla Desh would have had to have been recognized very quickly, because once the Pakistan army began moving the liberation army collapsed. Only a month after the civil war began, on March 25, the provisional government of Bangla Desh could venture no further into East Pakistan than a mango grove 300 meters from the India border. Indian policy makers, whatever their virtues, are not noted for quick decision-making. By late April India would have been recognizing what amounted to a government in exile. And no other countries would have followed suit.

The poor performance of the Bangla Desh leaders and their makeshift liberation movement was a disappointment even to strong Indian sympathizers. Some of them realized that channelling aid to this movement would be far from simple. Giving guns would not be enough. Training and organization are needed. And the Indian army is no great re-

pository of wisdom on the waging of guerrilla wars.

What even of the simple problems, like insuring that guns given to the liberation army don't end up in Communist hands?

Then too, the risk of a full-scale war with Pakistan, which large-scale Indian military assistance might entail, is not to be taken lightly. India probably would win such a war, but it would divert Indian resources from the monumental domestic problems that Prime Minister Indira Gandhi was just re-elected to try to solve. And then there's China, which might support Pakistan with more than words. India's mountain passes along the Chinese border may be much better defended now than at the time of the 1962 Sino-Indian border war, but few sane Indians seek a rematch. (Nor, probably, does domestic-oriented China.)

Finally, some Indians are concerned that a new ethnic state of Bangla Desh would provide a potent impetus for independence movements, among the many ethnic groups in the patchwork Indian nation.

Red China, the proponent and patron of liberation wars, chose to side verbally with West Pakistan's decidedly unrevolutionary military regime in its suppression of a popular revolution. An outrageous reversal of revolutionary doctrine, or is it? To Chairman Mao, liberation wars are not won by the likes of Sheikh Mujibur and the bourgeois bureaucrats of his Awami League who have led the Bangla Desh movement to date. Why not let the Pakistan army kill off these bourgeois nationalists, the sooner to see them replaced by leftist militants and a "people's war" that follows the gospel of Chairman Mao? That may be a long time coming, for East Pakistan's Communists are still a small force and Peking's policy is to let even approved revolutionaries help themselves. But China is nothing if not patient.

In the meantime China has cemented its friendship with West Pakistan, a valuable national ally as a counterbalance to India (with its Soviet ties) and as a solid link in Peking's chain of contacts with the rest of the noncommunist underdeveloped world. China has given Pakistan large amounts of economic and military assistance over the years, including a \$200 million loan late last year, and Peking, like other nations, does not lightly write off such investments.

So China, in the short run, has backed an old friend and picked a winner in the process. And China's longer run options are still open. By the time China is ready to commit itself to a Communist insurgency in East Pakistan the West Pakistanis may already have decided to abandon the area.

The Soviets were openly critical of West Pakistan's actions in East Pakistan and called for an end to the bloodshed. But the reasons probably have much more to do with Soviet friendship with India and hostility to China than with any sense of brotherhood with the Bengalis. And Soviet sympathies have not been so strongly expressed as to ruin relations with West Pakistan.

#### WHILE FROM THE UNITED STATES

From the United States, silence. And in a situation like this, silence naturally supports the status quo—which is not a Bengal nation. There are probably several reasons: the simple wish to avoid any new foreign entanglements, a fear of reducing U.S. influence in West Pakistan and thus increasing that of the Chinese, a tendency to stick with a country in which the U.S., too, has invested much military and economic aid. Perhaps there's also another, somewhat subliminal, reason. The West Pakistanis, in addition to being a known quantity, are a rather compatible one for U.S. policy makers. Military men with handlebar mustaches and Sandhurst accents run a superficially efficient regime with clear lines of authority.

It is a nation that can use American dol-

lars to build impressive dams, train its soldiers to use American weapons and teach its farmers to grow miracle wheat. It's not a mysterious corner of Asia teeming with little black people. When American VIPs go to Pakistan, it's to see parades in Islamabad (in the West), not to see poverty in Dacca (in the East). Lyndon Johnson invited a West Pakistan camel driver to the White House, not a Bengali rickshaw puller.

It's several years too soon to say whether or not America, China, Russia, India or Pakistan made the right moves in the spring of 1971. But it's at least a reasonable bet that some kind of new nation will evolve in the years to come. When that happens, ambassadors from Washington, Peking, Moscow and Delhi will be standing at attention in Dacca for the singing of the Bangla Desh national anthem, "My Golden Bangla Desh, I Love You." And some ambassadors, of course, will be in better favor than others.

[From the Baltimore Sun, May 13, 1971]

#### UNITED STATES ASKED NOT TO AID PAKISTAN

WASHINGTON.—Any American economic aid to Pakistan "will leave cash in their hands to pay their French arms bill and to step up arms purchases in the open market," a spokesman for the East Pakistani rebels charged today.

The United States should give no aid, except for relief to be dispensed by international agencies, according to Rahman Sobhan, the Bengali spokesman.

Mr. Sobhan, an adviser to the imprisoned Bengali leader, Sheikh Mujibur Rahman, said any other aid "would simply prolong the conflict at tremendous cost in direct deaths from military operations as well as deaths from the pending famine."

#### SEEKS SUPPORT

Mr. Sobhan, who fled East Pakistan in April after fighting began March 25, is in Washington seeking support on Capitol Hill and elsewhere for Bangla Desh, as he and other Bengalis call the independent state they have proclaimed. State Department personnel have been ordered not to see him.

In an interview, he challenged the claims of M. M. Ahmed, a senior Pakistan government official now in Washington on an aid-seeking mission, that central government control of East Pakistan has permitted the resumption of normal administration.

"The government simply does not have the administrative control over Bangla Desh to run an aid program," he said contending that in 16 out of 17 administrative districts higher local officials had sided with the independence movement and lesser officials were still in hiding.

#### POLITICAL TOOL

He charged that the central government wants to use relief as a political tool and for "coercion" not for humanitarian reasons. It is seeking boats, he said, not because there was any shortage of them in East Pakistan, but in order to provide assault landing craft for the Army. He said some of them had already been secured from Turkey—"U.S.-supplied, inevitably."

And while the Pakistan government is talking about seeking reconciliation and turning over power to a civilian regime, said Mr. Sobhan, this should not be taken seriously. "Murderers of 200,000 people do not know the meaning of good faith," he said.

#### OUTRIGHT LIE

He said Mr. Ahmed is telling officials here that about 70 officials of Sheikh Mujib's Awami League are ready to co-operate with the government. This is "an outright lie," he said, adding that only one elected official has thrown in with the central government.

The Dacca University economics professor said if Mr. Ahmed does not get the economic aid and postponement of debt payments he



close. Recovery was aided by normal internal supply activities, which had been unaffected by the war.

Today, in contrast, not only has the import of food been cut off, but the internal administrative and transport services have ceased to function normally. In addition, military action at planting time will reduce the coming harvest.

The regular import of food has been interrupted since February. Even if the conflict were to end today, the months required to return the system to normal would probably exceed the time during which the food reserves could sustain the population. The factors that determine mass famine are irreversible after a certain point.

When the first stories and photographs of starving families are published, it will be too late to protect thousands of others. International action, immediate and strong, is perhaps the only defense the people of East Bengal now have.

DANIEL C. DUNHAM.

NEW YORK, April 20, 1971.

[From the Washington Post, May 13, 1971]

(The following dispatch was filed from Bangkok, to avoid Pakistan censorship by Mort Rosenblum, an Associated Press reporter who was one of six correspondents admitted to East Pakistan after a five-week period during which foreign newsmen were barred from visiting the region.)

**DACCA, EAST PAKISTAN.**—A civil war of staggering butchery and hatred has left the 23-year-old nation of Pakistan on the brink of economic and political ruin.

Though broke, Pakistan, is spending more than \$2 million daily to support the army that shelled and machine-gunned this province of 75 million into submissive inactivity.

Some estimates of the number of deaths since the war started on March 25 go above the 400,000 killed in the cyclone that hit East Pakistan last November. This time, each death means a family's lasting bitterness.

Killing was indiscriminate. Bengalis bent on a separate East Pakistan nation slaughtered many of the region's 6 million non-Bengalis. When the army moved in, it settled the score, aided by non-Bengalis seeking revenge.

Markets were razed and flattened, towns were devastated, road and rail links were cut at a dozen major points.

#### LOSSES ENORMOUS

Losses to industry and to commerce between the two wings of Pakistan are enormous, as are the effects of stalled development. The 55 mills that turn out jute, East Pakistan's chief money-maker, are working at 15 to 20 per cent of capacity.

Reporters touring East Pakistan found that millions face starvation from famine and from halted relief distribution.

In many areas, food supply is a critical problem. The key port, Chittagong, is choked with 400,000 tons of goods, 100,000 tons more than it handles in a normal month.

Before, river craft carried only a fourth of Chittagong cargo into the interior. Now they must carry it all, perhaps for months. Even when roads and rail were open, shippers say, 10 river craft carried food stocks. Now, they say, the army allots to the food supply operation only four boats.

Politically, the problems are as great. In December, Bengalis voted 167 of the East Pakistan's 169 National Assembly seats to Sheikh Mujibur Rahman's Awami League. Now Mujibur is in jail and the party is banned.

President Yahya Kahn maintains that he wants politicians to take back the government.

But the betting is that Yahya won't last the year as President, and that the army won't find anyone who thinks their way and who can still walk unescorted through the streets of East Pakistan.

#### CONFIDENCE SHATTERED

Confidence is shattered among Bengalis, West Pakistanis and Indian migrants who settled here at partition in 1947.

At a Chittagong jute mill, where Bengalis evidently killed 180 women and children, only 20 of 7,500 workers have dared to return.

Non-Bengali officers and officials refuse to even admit that there are Bengali widows and orphans in need.

Hindu Bengalis make up 12 per cent of the population. They chose to remain here although West Bengal, in India, is largely Hindu and East Bengal in East Pakistan is mostly Moslem.

Radical Moslem students rejected the religion that bound them to West Pakistan, espousing instead Hinduism and "Calcutta culture." Hindus were widely blamed for fomenting the conditions leading to war.

As a result, the army singled out Hindus. Their shops and homes were smashed and burned. Undamaged shops in otherwise devastated Hindu areas sometimes bear signs in English and Urdu, the Western tongue, proclaiming the owner is a Moslem.

Often being a Moslem—or showing a Pakistani flag—didn't help.

#### EFFECTS FELT IN WEST

The effects are felt hard 1,000 miles across India in West Pakistan.

"After all," said one businessman, "we've lost a colony."

Sixty per cent of the goods made in West Pakistan were sold in East Pakistan. Not a single bale of West Pakistan cotton has come to the East since the crisis, stalling a normal year West Pakistan's total annual exports to the East have been about \$300 million.

The job of rebuilding what the army and rebels burned and battered down will take massive human and financial resources.

#### YAHYA TELLS THANT RELIEF AID IS NOT NEEDED NOW

(By Kathleen Teltsch)

**UNITED NATIONS, N.Y.**—President Agha Mohammad Yahya Khan has told Secretary General Thant that United Nations emergency help for East Pakistan is not needed now but he left open the possibility of accepting international aid in the future.

In a letter, the President also complained that news accounts of widespread casualties and destruction in East Pakistan were "highly exaggerated—if not no altogether tendentious."

Meanwhile, India charged that military forces from West Pakistan had carried out "wild destruction of life and property" in a drive to crush the East Pakistani movement. Pakistan in turn accused India of encouraging and aiding the separatists in hopes of breaking up Pakistan.

President Yahya's response to Mr. Thant's April 22 offer of humanitarian assistance was not regarded here as a refusal of all help in the future and United Nations authorities said that Mr. Thant was continuing to explore the possibilities of assistance.

The Pakistani President told Mr. Thant that there were adequate supplies of medicines and food in East Pakistan, that authorities there saw "no cause for concern" and that rehabilitation and reconstruction were moving ahead.

"As for international help," if and when required, "it will be administered by Pakistan's own relief agencies," the President said.

During the debate in the Economic and Social Council's Social Committee, touched off by India's charges, Mrs. Rita Hauser of the United States expressed hope that Pakistan would agree to make "early and full use" of the Secretary General's offer.

She said the United States and other governments were consulting Pakistan on the form of help. She added that Washington had allocated \$2.5-million to help East Pakistani refugees in India.

Samar Sen of India said there was a need for international aid for the refugees. He said they numbered 2,000,000 and warned of the danger of famine and epidemic.

Agha Shahi of Pakistan three times interrupted the Indian delegate and disputed his version of the causes and consequences of the East Pakistani conflict. He charged that India had taken every step short of war to help the secessionists.

[From the Wall Street Journal, May 12, 1971]

#### BANGLA DESH: A PRAGMATIC SILENCE

(By Peter R. Kann)

**CALCUTTA.**—Consider this scenario for an American intervention.

Our ally: the 75 million Bengalis of East Pakistan who, with considerable justification, consider themselves victims of two decades of political and economic exploitation by the Punjabs of West Pakistan. Bengali leader Sheikh Mujibur Rahman and his moderate, generally pro-Western Awami League recently won national elections in Pakistan. The Bengalis were then savagely attacked by the Punjabi controlled Pakistan army. Many Bengalis are now determined to fight for an independent Bengal nation (Bangla Desh), but they lack the military knowhow and means with which to fight.

Our enemy: the 70,000 or so West Pakistani troops seeking to suppress the Bengali freedom movement and reoccupy East Pakistan. They are fighting for an autocratic military regime that has close relations with China. They have virtually no support among the Bengalis they seek to rule. They are fighting more than 1,000 miles from home, dependent solely on sea and air supply routes, without the economic resources required for a long and costly war.

An interventionist's dream. First some strong words from Washington, then a few destroyers assigned to cruise the East Pakistan coast. Some dramatic overflights by American jets. If necessary, a naval blockade to cut off Pakistan army supplies. Perhaps some air-dropped American carbines for the Bengalis. Only as a last resort some air strikes on Pakistan army bases in East Pakistan. After that, it's only a matter of passing out miracle rice seed to the happy liberated peasants of Bangla Desh—that new pro-Western bastion astride the strategic crossroads where East and Central Asia meet.

If only Vietnam had been East Pakistan.

#### A NATURAL VICTIM

As it happened, of course, Bangla Desh did not even rate weak words of support or sympathy from Washington. Presumably the last thing America needs these days is another war, even a winnable one in a worthy cause. And even if Uncle Sam still considered himself the world's policeman, it's doubtful that he would arrest West Pakistan for assault and battery against the Bengalis. East Pakistan is simply one of those parts of the world that fails to provoke foreign passions. Overpopulated and impoverished, it encroaches on the world's consciousness only when stricken by a calamity of Biblical proportions, like last fall's fearful flood that claimed up to half a million lives. An East Pakistan earthquake that killed only 10,000 would probably rate less attention than a three-car collision on the Jersey Turnpike. East Pakistan is one of the world's natural victims.

All this is only to say the obvious: that American foreign policy doesn't follow moral imperatives. Neither does any other nation's. When the cause of Bangla Desh finally forced its way to the attention of the world's great powers they all reacted with what's called cynicism among men but passes for pragmatism among nations.

The politics of the Indian subcontinent were complicated enough before the cause of Bangla Desh came along. India and Pakistan have been enemies since they were carved out of the subcontinent's communal conflicts

carry out its civil disturbance mission. I suggest the following guidelines:

(1) Domestic intelligence should be defined as the acquisition of knowledge by any means, covert or overt, about the political, social, economic, educational, and personal affairs of non-military Americans and the groups to which they belong.

(2) The military should have the right, and indeed it has the responsibility, to maintain accurate information on the access routes to American cities and the physical geography of such cities. As Senator Ervin has stated, the military's business is to know about bivouac areas, airports, parks, bridges, tunnels, and similar structures and features.

(3) The military should have the right to receive information from other agencies when the information directly concerns members or employees of the Army or where a direct threat against the Army is evident.

(4) The military should be prohibited from gathering and maintaining information on the political and social, educational and economic affairs of civilians and the organizations to which they belong and the military should be prohibited from obtaining such information from any source.

(5) Because so many military intelligence activities in the past were initiated by junior officers and civilians misinterpreting, reinterpreting or exceeding the scope of directives, legislation should provide for strict accountability from those few who may violate its provisions.

(6) Training is a vital part of indoctrinating a new agent and I believe that legislation should direct that an expanded course in civil liberties and the Army's position in American life be presented at all service intelligence schools and that such courses be monitored by civilian attorneys from the Army and/or the Department of Justice. Such a course can hardly be classified and the presence of civilian attorneys will at once emphasize the seriousness and resolve of the government to maintain the traditional civil-military relationship.

(7) Present files must be purged, through legislative requirement, with the right of inspection granted to cleared members of Congress. I have encountered too many incidents of deliberate evasion, continuing right to the present day, to believe that by administrative decree all subordinate commands will comply. As of last November the Army still could not locate all the copies of the Compendium which it desired destroyed.

The need for Congressional supervision cannot be too strongly stressed if we are to safeguard our Constitution rights. Even when motivated by the best of intentions, the military will always view an issue more narrowly than the general populace of civilians and perceive threats where none exist. The military must protect itself from genuine threats to its security but too often it interprets every sign of dissent as a bugle call summoning enemies to destroy its structure and efficiency.

Although this committee is not meeting to discuss the plans for an all volunteer, professional Army, I am impelled to bring one point out which relates to this issue. Most of the individuals who have come forward to disclose military intelligence activities have been citizen-soldiers. The Army Intelligence Command is not happy about the revelations but I think most concerned Americans are glad the story has been told. In various units, first termers are being excluded from sensitive assignments. This trend probably cannot be continued indefinitely because of manpower shortage. In an all volunteer, professional Army, I fear that we will not have men of the caliber of Christopher Pyle and the many other agents, some of whom you will hear during the course of this hearing, all loyal Americans who profess and live by a higher creed and sense of duty than blind obedience with limited insight.

I am grateful to Senator Ervin for having shown such deep interest in this vital matter and for having pursued the issue to the point we have reached today. We now know what is wrong. We cannot stop until we have erected safeguards and effected remedies which will insure privacy for the individual and respect for his First Amendment rights, a renewed commitment to the concept of separation of civil-military relationships with the civil authorities firmly in control, and a paramount concern for the zealous preservation of First Amendment rights. Thank you.

#### CHILD DEVELOPMENT

Mr. MONDALE. Mr. President, the Minneapolis Tribune printed an editorial recently concerning the critical needs of children during the first few years of life. This editorial, entitled "To Help Children Get a Better Start," is a sensitive report on the need for better and more extensive child development services and day care centers throughout the Nation for both poor and non-poor children.

Mr. President, I ask unanimous consent that this editorial be printed at this point of my remarks.

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

[From the Minneapolis Tribune, Apr. 26, 1971]

#### TO HELP CHILDREN GET A BETTER START

Two years ago, Sen. Walter Mondale introduced a "Headstart Child Development Bill." He said then: "We know beyond doubt that unless infants and young children receive adequate nutrition, health care and intellectual stimulation, their potential is severely compromised and the cycle of poverty is perpetuated." That bill did not pass, but Mondale, still convinced of the need to do more for children, recently proposed a similar but broader program.

Much has been learned in recent years about the importance of assuring health services, proper food, education and a good environment for young children. About 80 percent of their intellectual development occurs by the age of 8, according to experts, and their physical condition in early years can affect health and mental capacity through much of their life. Experience with Headstart has shown the handicaps with which many children start life, the potentials for helping them to develop and the limitations of too-brief and fragmented compensatory programs. White House conferences last year on food and nutrition and on children and youth emphasized that America does have hungry children, neglected children, sick children and ill-educated children. The need for many more day-care centers—for educational and health advantages as well as custodial care—has become increasingly apparent as more women have entered employment.

The "Child Development Act of 1971," sponsored also by Sens. Humphrey and McGovern, puts this all together in a program of services for both poor and non-poor children up to the age of 14. The program would be administered by the Department of Health, Education and Welfare. The very existence of a new Senate subcommittee on children and youth, headed by Mondale, seems to offer encouragement for such a plan.

Many of the nation's children would be helped also by the administration's welfare reform bill, whose fate still has not been decided by Congress, and by the Nixon health plan. However, a comprehensive child-development program that could fill in gaps, co-

ordinate existing programs and work toward broader goals in services to children is also needed.

#### CATASTROPHE IN EAST PAKISTAN

Mr. MONDALE. Mr. President, the evidence of catastrophe in East Pakistan continues to gather.

First, there was the warning by a U.N. adviser in the New York Times of May 2—pointing to the disruption of transport and the historical precedent of mass starvation in similar conditions in 1943.

Now there is an eyewitness report by Mort Rosenblum of the Associated Press, telling us once more that "millions face starvation from famine and from halted relief distribution."

And there are other, equally alarming reports—the silence of the United States in the face of this tragedy, and the refusal of the West Pakistan authorities to accept badly needed emergency relief from the United Nations.

How much longer will our Government remain paralyzed?

Will the United States—with our economic aid supporting West Pakistan's occupation of the East—be a silent partner in the destruction of a people?

If the administration does not answer that question clearly and soon, the Congress must.

I ask unanimous consent that certain newspaper articles be printed at this point in the RECORD.

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

[From the New York Times, May 2, 1971]

#### BENGAL: A THREAT OF FAMINE

To the Editor:

The exclusion of the foreign press and observers from East Pakistan has meant the loss of vital information on the course of events there and will deprive us of the dramatic facts that rouse individuals and governments to action. But there is enough conclusive evidence from the past and recent history to predict the result of the present conflict on the food position of the province.

The food grains that sustain a large part of the Bengali population come from abroad. Their distribution depends on the effective functioning of the port of Chittagong and on internal transportation and administrative services.

East Pakistan, with a population of more than seventy million, expected 2.5 million tons of imported food grains this year. That is about one-sixth of the total food requirements for the province, enough to feed twelve million people. However, a far greater number is actually affected by an interruption in the steady flow of food. For the 50 per cent of the population, living barely at subsistence level, these supplies maintain the balance between life and death.

Bengal has always been extremely susceptible to famine. The last such disaster occurred in 1943 when food expected from Burma did not arrive because of the Japanese occupation of that country. At that time military demands on the Indian transportation system prevented the timely distribution of the food that was available. The food deficit that year was 6 per cent; this year it is 16 per cent. Deaths in 1943 numbered 1.5 million, and the famine left social problems from which Bengal has yet to recover fully.

A crisis was imminent in 1965 when the Indo-Pakistani war stopped imports. It was avoided when the great powers used their influence to bring that conflict to a speedy



whether individual family farmers will survive and prosper in the years ahead is the extent to which they will be able to obtain adequate financing.

Though it varies by the area and the type of farming, it is generally acknowledged that to achieve an efficient sized farming unit today requires a capital investment of about \$200,000. This would be the amount of money needed to purchase sufficient land, equipment, and livestock to return a reasonable income to the producer.

Obviously, a young man just does not walk up to a lender, borrow \$200,000 and go out and begin his career as a farmer. It does not work that way.

First, no commercial lender would advance the entire amount needed for a young farmer to get started. That would place all the risk on the lender and none on the farmer.

Second, today's farming is too complicated and sophisticated for an untrained individual to succeed. It takes several years of work as a hired man or in partnership with his father or another farmer for a young man to become knowledgeable enough to make good in today's agriculture with its low profit margins.

There are, nevertheless, a great many capable farmers—particularly young farmers—who are unable to obtain sufficient long-term credit to buy their own farm.

It is essential that we as a nation find ways to encourage these young men—and that we seek every possible avenue to keep agriculture in the hands of individual family farmers. Adequate financing of today's operators—and of the young farmers coming up—should therefore be a national goal. It would be a sad day indeed if we were to awaken to find that our family system of farming had been replaced by giant corporate entities.

Accordingly, I was encouraged recently to learn of a special, cooperative effort by the Federal land bank system and the Farmers Home Administration which adds another dimension to long-term financing of farm real estate.

Under the program, long-term loans for purchasing farm real estate can be made to the same borrower by both the Federal land bank and the FHA. The program would work like this:

The Federal land bank would make a long-range first mortgage farm real estate loan to a farmer. Simultaneously, the FHA would make an initial farm ownership loan to the same farmer. In doing so, the FHA would subordinate its mortgage to the Federal land bank lien.

There are a number of benefits which will flow from this program.

It should be noted that by law the Federal land banks are restricted to advancing not more than 65 percent of the normal value of a given piece of farm real estate. On the average this is about 50 percent of the present market price of the farm. Obviously, with such a restriction, a large downpayment is required on the part of the borrower.

But with the FHA financing a substantial share of the total, a far lesser amount of initial cash downpayment is required. This of course is crucial when

one considers the large amount of capital required in today's agriculture.

The net result of the program is that there will be more young, capable farmers on the land contributing to their rural community than would otherwise be possible.

A direct byproduct of the program is that with the land banks and FHA pooling their efforts, more funds are left available to FHA to serve other farmers. This is important because FHA is subject to a ceiling on the total amount of farm ownership loans it can make. Historically, there has been more demand for these insured loans than money made available.

The Federal land banks, on the other hand, are completely owned by their member-borrowers. Though the banks were initially capitalized by the Government, these funds have been repaid for more than 20 years. The banks received nearly all their loan funds by issuing their bonds on the Nation's money markets.

Both the Federal land banks and the Farmers Home Administration are to be commended for their efforts. It is a prime example of the Government, represented by the FHA, and the private sector, represented by the land banks, of cooperating in a common and worthwhile purpose.

As I stated earlier, the sheer magnitude of financing agriculture in the future is such that no opportunities can be overlooked if the family farming we know today is to survive.

In this regard I applaud the efforts by the entire Farm Credit System with its indepth look at the future of credit in agriculture as contained in the report of the Commission on Agricultural Credit. That document spells out the importance of the job ahead in agricultural lending and some of the changes which are needed if that job is to be successfully carried out.

I commend these and other efforts to improve upon the financing of today's agriculture—financing with the goal of improving the economic well-being of the family farm unit.

#### COMPREHENSIVE CHILD DEVELOPMENT ACT

HON. WALTER F. MONDALE

OF MINNESOTA

IN THE SENATE OF THE UNITED STATES

Monday, April 5, 1971

MR. MONDALE. Mr. President, today, I am introducing for myself and Senators JAVITS, NELSON, SCHWEIKER, BAYH, BROOKE, CASE, CRANSTON, EAGLETON, HARRIS, HART, HARTKE, HOLLINGS, HUMPHREY, INOUE, KENNEDY, MANSFIELD, MATHIAS, MCGEE, MCGOVERN, METCALF, MOSS, MUSKIE, PASTORE, PELL, RANDOLPH, RIBICOFF, STEVENSON, TUNNEY, and WILLIAMS, a bill entitled "The Comprehensive Child Development Act of 1971." This legislation builds upon the successful experience of Headstart. It provides a full range of quality health, education, nutrition, and

social services for American children, on a voluntary basis. It is designed to assure that every child has a fair opportunity to reach his full potential.

While maintaining Headstart's priority on economically disadvantaged children, our new bill also expands services to include children from families above the poverty level, especially children of working mothers and single parents. It provides the legislative framework for eventual universally available child development programs for all families who need and want them. Priority on pre-school programs continues, but services will be expanded to include infant care and before and after school services for children in school, as well as parental services and child development training for parents and prospective parents.

The legislation is designed to allow the greatest possible flexibility, within the priorities established, to provide whatever combination of full- or part-time day or night services, in-the-home services, neighborhood centers, schools, or work-based facilities will best meet locally determined needs. Planning, operation, and administration of programs will take place at the local level through the partnership of parents, community, and local government. It emphasizes participation of parents and older family members in the development and implementation of the programs which serve their children.

In February 1969, President Nixon called for "a national commitment to providing all American children an opportunity for healthful and stimulating development during the first 5 years of life" and pledged himself to that commitment. Last December, delegates to the White House Conference on Children voted as their top priority the provision of "comprehensive family-oriented child development programs including health services, day care, and early childhood education." Enactment and full funding of the Comprehensive Child Development Act will enable us to fulfill these commitments.

#### THE CRITICAL EARLY CHILDHOOD YEARS

The critical effect of the first 5 years of life has been well documented. We know that the beginning years of life are the most important for a child's intellectual growth, and for his social, emotional, physical, and motivational development. These early years are the formative years—they are the years in which permanent foundations are laid for a child's feelings of self-worth, his sense of self-respect, his motivation, his initiative, and his ability to learn and achieve.

We know, moreover, that a child's intelligence is not fixed, once and for all, at birth. We have learned that his intelligence is shaped by his experiences, and that his mental development is heavily determined by the conditions and the environment he encounters in the first few years of life.

We know, in addition, that children are most eager and often most able to learn during their early childhood years. As Dr. Benjamin Bloom concluded in "Stability and Change in Human Characteristics":

As time goes on . . . more and more powerful changes are required to produce a . . .

tion of already small pension benefits—\$75 and \$85 a month in the case of the ILGWU. Like the garment unions, the AFL-CIO maintains that the multi-employer plans, 25- or 30-year funding is unnecessary, for with many hundreds of employers putting up the money, the demise of any particular employer would not imperil the fund. The view has merit and, in at least one proposal, a multi-employer plan which is clearly not dominated by any one employer would be exempt.

Less controversial proposals involve stricter standards under which "self-dealing" would be outlawed. Pension fund trustees would be held to standards similar to those that apply to the trustees of an estate. Any deviation from such behavior would compel the trustees to make up losses suffered by a fund and, in the case of willful delinquency, criminal penalties could be imposed. Annual reports would have to be filed with the Labor Department providing far more detail on fund investments than is now required.

The Nixon Administration is strongly on record for a fiduciary standards and disclosure bill, and there will be an energetic push to pass reform legislation in the new Congress. But even now there are a few important steps you can take to protect your pension:

1. Study the details of your pension plan. Benefits have often been lost through ignorance. If the plan requires 15 years' service and attaining the age of 42 for vesting, don't make the mistake of leaving when you're 41.
  2. See if there are any hidden gimmicks in the plan. Sometimes an ex-employee is denied vested rights in a pension if he goes to work for a competitor.
  3. Check occasionally with the personnel office to make sure that there are no errors about your length of service. It is easier to correct mistakes soon after they occur than when you are on the brink of retirement.
  4. If you have a vested right in a pension, get a written statement from the pension fund as to your equity when you leave your job. Don't wait until you retire.
- Forethought can save a lot of woe. But in the end Congress will have to act if the pension rights of millions of Americans are to be protected.

#### TRUTH-IN-NEWS BROADCASTING

**HON. WILLIAM E. MINSHALL**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1971

Mr. MINSHALL. Mr. Speaker, in line with introduction of my truth-in-news broadcasting bill, H.R. 6935, there has been brought to my attention a press release issued by the International Association of Game, Fish, and Conservation Commissioners regarding NBC's production, "Say Goodbye."

I wish to make the release and letter from the association to Julian Goodman, president of NBC, a part of the RECORD:

NBC POLAR BEAR TV SEQUENCE IN ERROR  
COMMISSIONERS SAY

The International Association of Game, Fish and Conservation Commissioners today has written to Mr. Julian Goodman, President of the National Broadcasting Company to express serious concern regarding segments of the "Say Goodbye" production. Association President Chester F. Phelps told Goodman that "I am convinced that the sequence which purported to depict the killing of the female polar bear is a false depiction of the event actually filmed."

The International Association numbers among its government members the fish and wildlife agencies of the 50 states, 5 Canadian provinces, and the Commonwealth of Puerto Rico. The agencies have responsibilities for the protection and management of the fish and wildlife resources of much of the North American continent.

Phelps said he is "advised by officials of the Bureau of Sport Fisheries and Wildlife, U.S. Department of the Interior, and by officials of the Alaska Fish and Game Department that the female bear in the sequence, instead of undergoing a death agony as represented, was in fact succumbing to a tranquilizing drug administered by biologists employed by the State of Alaska and engaged in a scientific and humane project designed to improve knowledge of polar bear. I am advised that the female polar bear later rejoined her cubs which were not harmed..."

Phelps continued, "the program was presented in a documentary fashion leading viewers to believe that the incidents portrayed actually happened as presented. Would television viewers have had reason to believe they had witnessed a management project, humanely and scientifically conducted by biologists, in an effort to improve knowledge of polar bear? I believe not."

"In my view," Phelps continued, "manipulations such as this makes no contribution to wildlife conservation. They do succeed in unfairly undermining public faith in federal and statewide wildlife officials and as the true facts become available, as they inevitably do, such incidents serve also to undermine the public's faith in television broadcasting. I believe the networks have a responsibility to the public as well as to network affiliates to guard against occurrences such as this."

Phelps urged that NBC make a full investigation of the program and requested a report of the findings "so that I may notify federal and state agencies which must respond to the many critical letters received from the public as a result of the program. The wildlife official advised Goodman that "through the exposure provided by your network and affiliates, the public has been misled about this matter, and I submit that the National Broadcasting Company has duty to correct his false impression. I feel it should be done soon, and with sufficient exposure to bring to the public the true facts. Will you please advise me as to how you intend to accomplish this?"

INTERNATIONAL ASSOCIATION OF  
GAME FISH AND CONSERVATION  
COMMISSIONERS,

Richmond, Va., February 26, 1971.

Mr. JULIAN GOODMAN,  
President, National Broadcasting Co.  
RCA Building,  
New York, N.Y.

DEAR MR. GOODMAN: I am writing on behalf of the International Association of Game, Fish and Conservation Commissioners to express our serious concern regarding segments of the production "Say Goodbye" which was shown on the NBC television network on January 8, 1971. The International Association numbers among its government members the fish and game agencies of the fifty States, five Canadian provinces, and the Commonwealth of Puerto Rico. These agencies have responsibilities for the protection and management of the fish and wildlife resource of much of the North American continent.

Information has recently been brought to my attention which indicates that a segment of the production "Say Goodbye" was contrived to depict an incident, viz., the tracking and killing from a helicopter of a female polar bear accompanied by two cubs. I am advised that the sequence which purported to depict the killing of the female

polar bear is a false depiction of the event actually filmed.

I am advised by officials of the Bureau of Sport Fisheries and Wildlife, U.S. Department of the Interior, and by officials of the Alaska Fish and Game Department that the female bear in the sequence, instead of undergoing a death agony as represented, was in fact succumbing to a tranquilizing drug administered by biologists employed by the State of Alaska and engaged in a scientific and humane project designed to improve knowledge of polar bear. I am advised that the female polar bear later rejoined her cubs which were not harmed as you will note in the attached letter from James W. Brooks, Arctic research Biologist, Bureau of Sports Fisheries and Wildlife.

The program was presented in documentary fashion leading viewers to believe that the incidents portrayed actually happened as presented. Would television viewers have had reason to believe they had witnessed a management project, humanely and scientifically conducted by biologists, in an effort to improve knowledge of polar bear? I believe not.

In my view manipulations such as this makes no contribution to wildlife conservation. They do succeed in unfairly undermining public faith in federal and state wildlife officials and as the true facts become available, as inevitably they do, such incidents serve also to undermine the public's faith in television broadcasting. I believe the networks have a responsibility to the public as well as to network affiliates to guard against occurrences such as this.

I would urge that NBC make a full investigation. I would appreciate receiving a report of your findings so that I may notify federal and state agencies which must respond to the many critical letters received from the public as a result of the program. I would like to include, as a part of such notification, assurance from your network that every possible step will be taken to insure that future conservation programs are accurate and do not contain contrived, albeit sensational, segments.

Finally, I feel very keenly that your network has a responsibility to set the record straight with respect to "Say Goodbye." Through the exposure provided by your network and affiliates, the public has been misled about this matter, and I submit that the National Broadcasting Company has a duty to correct this false impression. I feel that it should be done soon, and with sufficient exposure to bring to the public the true facts. Will you please advise me as to how you intend to accomplish this?

I would appreciate your early reply.

Sincerely yours,

CHESTER F. PHELPS,  
President.

#### FAMILY FARMS NEED LONG-TERM CREDIT TO SUCCEED

**HON. FRANK E. EVANS**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1971

Mr. EVANS of Colorado. Mr. Speaker, probably the hardest fact facing an American farmer today is that he needs capital to be successful—and lots of it.

Recent figures show the farmers' use of borrowed capital has now risen to nearly \$60 billion, more than double the amount of 10 years ago. Within this decade, the figure is likely to double again.

It seems clear, therefore, that one of the most critical factors in determining



amount of change in a child's intelligence, . . . and the emotional cost it exacts is increasingly severe.

To a very great extent, a child's experiences at the beginning are critical determinants of his entire future life.

Yet, we have never adequately provided for those early childhood years; we have left things to chance; and we have particularly neglected those children with the greatest economic and social need.

Today, there are nearly 3½ million children under the age of 6 whose families have incomes below the poverty level, and probably an equal number from families living in near poverty. Regardless of the love and attention these children receive from their families, many of them are growing up without adequate nutrition and health care, and without the active mental and intellectual stimulation that is necessary during their early years.

As a result, many of these children are depressed, withdrawn, and listless. Child development specialists report that in the beginning it is difficult to get some of them to smile or show interest in anything around them. Young children in many of these homes are considered well behaved if they sit quietly in a corner during the day, instead of talking, playing, and exploring. The frequent moving and use of many different babysitters makes some of the children confused, insecure and, in extreme cases, results in emotional disturbances and hyperactivity. Sometimes there are no books or magazines in these homes, no clocks or radios, and what few toys there are usually have no educational value for the child.

In addition, many poor children—Mexican Americans, Indians, Eskimos, Puerto Ricans, and members of other minority groups—grow up learning English as a second language, or not at all. Besides being burdened with possible nutritional and intellectual deprivation in their early years, many of them are confronted with an alien language and an alien culture when they begin school.

Most American children are more fortunate. Their early childhood years are spent in a more secure and stimulating environment where they receive the physical and mental nourishment necessary for development. Some have the additional advantage of a private pre-school experience.

The child from a privileged family who enters school at the age of 6, even if his parents have made no conscious effort to teach him, has behind him a full and complex learning history.

The variety of skills this well-endowed 6-year-old brings to school with him are impressive. Yet the child was born with none of these specific abilities. He has learned them all from interactions with his environment. In short, his "cognitive development" is already well advanced. He also, as a rule, has had his medical and dental needs attended to. And he has never truly been hungry or undernourished.

Unfortunately, most poor and near poor children arrive at school without these same advantages and assets. Many

of them may have suffered irreparable damage in their early years. Many have not had the benefit of adequate physical and mental nourishment. Many have not received sufficient nutrition, health care, and intellectual stimulation. Many of them, as a result, appear listless and apathetic at early ages—in stark contrast to the curiosity-filled active youngster from the average middle-class home.

Research reveals quite clearly the costly and lasting effects of deprivation in these early years. It reveals, for example, that as early as 18 months of age, poor children start falling behind middle-class children in tests of language development, and general intelligence. It reveals, furthermore, that this intellectual gap between poor and nonpoor children that appears so early in life tends to grow larger over time.

The following passage from the Westinghouse Learning Corp. study of head-start summarizes the tragic conclusions of research in early childhood deprivation:

One theme which emerges with great clarity from all the related literature and research is that there exists significant and substantial differences between so-called lower-class and middle-class children. It is universally reported that the former typically enter school much below the level attained by the latter, on the average, and that schooling furthermore operates to increase these differences, so that the children of the poor suffer a "cumulative deficit" as they progress through school. Consequently, they drop out of school in large numbers, fail to develop saleable vocational competence, and thus continue the cycle of poverty throughout their own lives and throughout the lives of their own children, in turn.

The work of the Select Committee on Equal Educational Opportunity, which I chair, has underscored this tragic cycle of poverty and failure. Testimony before our committee has documented the way in which many of the underfunded schools in our large cities—often serving the poorest of the poor—are educational graveyards. Many of the children who enter their first grades have already had their minds stunted by malnutrition or inadequate educational stimulation in preschool years. And the schools often cannot reverse this trend of destruction.

Once they enter inner city schools, all too often this deterioration continues. In Hartford, Conn., the average IQ of fourth graders in ghetto schools was 94 in 1965. Two years later, when that class was in the sixth grade, its average IQ had dropped to 88. In another 2 years, in the eighth grade, it was 86—only 6 points above the IQ level at which children become candidates for institutionalization in Connecticut facilities for the retarded.

Similarly third graders in Washington test four-tenths of a year behind students in 11 other big cities. By the ninth grade they are 1.6 years behind other big city students, and of course even further behind—some 2.2 years behind—the national averages.

In short, damage is done in the crucial early years, and often our educational institutions are unable to repair it in later life. The cycle of deprivation rolls on.

Research and testimony like this demonstrate the critical nature of the early childhood years. But let us make sure we understand exactly what this means. It means that neglect, hunger, inadequate health care and lack of stimulation during this period can cripple a child's intellect for life, or at least make it exceedingly difficult and expensive to restore and recover what has been lost. But it does not mean—and this fact cannot be overemphasized—that quality preschool programs alone will guarantee that children reach their full potential.

Early childhood services are not an inoculation that lasts for life. There are no magic periods in childhood. Child development is continuous, and we must provide adequate support and services through childhood. That is why our bill authorizes services from prenatal period through age 14. We have placed a priority on the preschool years not because those are "magic years," but because they are the foundation years, and the years that are most neglected in our existing pattern of services for children.

#### NUTRITIONAL DEPRIVATION

Mr. President, I would like to underscore the role that inadequate nutrition plays in perpetuating this cycle of poverty. As a member of the Senate Select Committee on Nutrition and Human Needs, I have had an opportunity to hear expert testimony about the tragic and permanent effects of nutritional deficiency during pregnancy and the first few years of life. Presently, there is no government program that deals adequately with the critical nutrition needs of infants from the period before birth until they reach school age. Pediatricians have pleaded eloquently before the committee for national recognition of the disaster—mental as well as physical—which befalls undernourished infants. Besides the dangers of permanent physical impairment and increased susceptibility to illness which malnutrition brings during the preschool period, a child's capacity to learn can be seriously and permanently damaged by undernourishment.

Dr. Charles Lowe, chairman of the Committee on Nutrition of the American Academy of Pediatrics, testified before the Nutrition Committee:

Severe malnutrition suffered during childhood affects learning ability, body growth, rate of maturation, ultimate size, and if prolonged, productivity throughout life.

Dr. Lowe stated further that:

In effect, the quality and quantity of nutrition given during the first formative years of life may have the effect of programming the individual for all the years of his life. Malnutrition during the last trimester of pregnancy and certainly during the first months of life may seriously compromise ultimate intellectual achievement.

When I asked Dr. Lowe if Government food and nutrition programs had to be limited arbitrarily to only 6 years, which period of a person's life he would focus these programs on, he answered without hesitation, the last 3 months of pregnancy and the first 5½ years of a child's life.

Mr. President, the problems and the potentials I have been discussing are all too familiar to most of us. We have

known for some time that deprived children start school at a disadvantage; that most of them do not have the intellectual and verbal skills that their middle-class classmates developed at home. And we have learned in recent years some of the reasons for this inequality, and the importance of early childhood and preschool programs.

#### SOCIOECONOMIC DIVERSITY

I do not mean to suggest that middle-class children cannot benefit from child development programs and preschool experiences. Indeed, quality comprehensive programs can help all children and should be available in this country—on a voluntary basis—to all children as a matter of right, regardless of their economic, social, and family background. Many families whose income falls above the poverty level cannot afford child development programs for their children. Preschool in this country thus becomes a privilege for the very rich and, to the extent that public programs are currently provided, for the very poor.

But, by providing services only at the socioeconomic extremes, we are neglecting the majority of our children and, in a very real sense, we are assigning poor children to a track system even before they enter the public schools. Perhaps most tragically we are ignoring the enormous opportunity for children to learn from one another.

Dr. Edward Zigler, Director of the Office of Child Development, testified before the Senate Subcommittee on Employment, Manpower and Poverty in the 91st Congress, in his capacity then as a member of the National Planning Committee and the National Research Council of Headstart and of the Department of Psychology of Yale University specializing in child development programs. He strongly supported the need for expanded and improved programs of child development and argued most eloquently for expanded participation in Headstart by children "of middle socioeconomic class":

Another important reason for guaranteeing a good socioeconomic mix in Headstart centers is the growing body of evidence that children learn a great deal from one another. The middle-class child does have a number of attributes that the poor child could profitably model. By the same token we often find in poor children particular strength and characteristics worthy of emulation by the middle-class child. We must see to it that Headstart centers are institutions where our Nation's children, regardless of economic status, can enrich one another.

#### SERVICES FOR CHILDREN OF WORKING MOTHERS

The demand for quality child development services has grown, not only with the recognition of the vital importance of the early childhood years, but with the steady increase in the number of mothers who are working outside the home. Their infants and preschool children need care, affection, social stimulation and intellectual motivation, and their older children need supervision and support before and after school.

In 1965, the Women's Bureau of the U.S. Department of Labor conducted a survey of the 6.3 million mothers who worked, to determine the kind of care

provided for their 12.3 million children under the age of 14, and particularly for their 4.5 million children under the age of 6. That survey revealed that about 87 percent of the children required supplementary care—only 13 percent were in school during all the hours their mothers were outside the home. Forty-six percent were cared for at home by other family members, 15 percent by mothers on the job, and 16 percent by relatives outside the home or in small family day-care homes. Only 2 percent were enrolled in any type of day-care center or nursery school. Most shocking of all—8 percent, including 18,000 preschoolers, were left to take care of themselves.

Today's situation is unquestionably worse. Since 1965, the number of working mothers has nearly doubled. One-half of all mothers with children in school work today, and one-third of all mothers with preschool children, are working at least part-time. But we have increased the space available in licensed child-care centers to accommodate less than 40,000 more children than we accommodated in 1965.

In other words, while more and more mothers are working—most of them out of economic necessity—quality services for their children are simply not available. Too many mothers who are forced to work, or who chose to do so, must rely at best on custodial care, and all too often must utilize centers which cannot even provide for the basic health and safety of their children. Others must leave their "latch key" children on the streets, where they are subjected to drugs and delinquency, rather than constructive development programs which might supplement their school and home environment.

#### CUSTODIAL VS. COMPREHENSIVE SERVICES

Mr. President, the increasing demand for day-care services has been accompanied by a disturbing shift of focus from the development of the child to the convenience of the parents.

A Washington Post reporter in an excellent series reviewing day-care programs and prospects put it this way:

The focal point of government interest seems to be shifting—from the "develop the child" emphasis of the Great Society days to the "free the mother to work" emphasis of the Nixon Administration's proposed welfare reform bill.

I am deeply concerned about the current discussion of day care in the context of welfare and food stamp reform and forced work requirements, because the emphasis is being placed not on helping the child but on putting the mother to work.

If, under the guise of welfare reform, we take more and more disadvantaged children away from their mothers and condemn them to custodial care centers, then we are neglecting the potential of their early childhood years and denying them their greatest opportunity to move out of the cycle of poverty. We accomplish little toward real reform if, in the process of getting parents into jobs and off the welfare roles, we deny their children the comprehensive services they need to compete in the classroom and

become productive members of their society.

A recent series in the Washington Post described the kind of custodial care that is being offered in the Nation's Capital—"not the best of it, but some of it, and not the worst".

In one corner of the large, neat and very bare room 21 children, 3 to 6 years old, and two adults sit, watching "Captain Kangaroo" on a small-screen black-and-white television perched far above their heads on a room divider.

About half the children seem attentive, a handful are squinting or glassy-eyed and five have their heads down on the table either resting or sleeping. . . .

There is no talk, either during commercials or after the program ends. The images flitting across the small screen are the only movement, their mechanically jolly banter the only sound.

According to the reporter, there are few books in the center, no educational toys, little if anything to stimulate creative play. The children spend up to 11 hours in the sparsely equipped room with a schedule which includes an hour of television, 3 hours of naptime, morning and afternoon devotions, an hour and 15 minutes "getting ready to go home," and an hour and a half for "going home." Only 1 hour is set aside for "class."

Such a center is all too typical, not just in the District of Columbia, but throughout the Nation. And as the demand for such services increases, these typical centers, and others even less adequate, will proliferate—unless we provide the financial resources, the technical assistance, and the delivery mechanism to provide quality care for every child who needs it.

#### FEDERAL ROLE IN CHILD DEVELOPMENT

Mr. President, quality child development programs are expensive. Several years ago, the Office of Child Development prepared estimates of national costs, based on three levels of services: "minimum" custodial care, "acceptable" basic programs of developmental activities, and "desirable" programs with a full range of general and specialized activities suitable to individualized development.

Group day care for 3- to 5-year-olds, OCD estimated, would cost \$1,245 a child at a "minimum" level, \$1,862 at an "acceptable" level, and \$2,320 at a "desirable" level. "Minimum" programs for children under 3 would cost \$1,423, "acceptable" programs, \$2,032, and "desirable" programs, \$2,372. Services for children in school would be \$310 at a "minimum," and \$653 at an "acceptable" or "desirable" level. Limiting the total costs to 4 million children of families with incomes under \$5,000 who were identified as "needing day care," OCD calculated that such programs would require a "minimum" national expenditure of \$2.5 billion, \$4.2 billion at an "acceptable" level, and \$4.6 billion at a "desirable" level. The study pointed out, however, that for children from disadvantaged homes, only the "desirable" level would be appropriate.

Since that study was published, inflation has pushed the cost of child development programs upward, and more mothers are working. Thus, the \$4.6 bil-



lion is an outdated, conservative "desirable" cost, and does not take into consideration any children from families above the \$5,000 cutoff who might need and benefit from such programs or the other poor children who may not "need" day care but who could benefit from it.

Mr. President, our States and cities are already being bankrupted by the costs of elementary and secondary education. They have no resources to undertake a massive program of this kind. Parents of the poor cannot pay for the services their children need, and indeed, the 2 million working mothers of preschool children with family incomes between \$5,000 and \$10,000 can contribute little if anything toward the cost of child development programs.

The Federal Government must assume the responsibility. The President has already expressed his commitment to that responsibility, although the administration's budget requests do not reflect it.

The major, in fact the only, Federal investment in quality comprehensive child development programs has been Headstart—a program designed to give poor young children the kind of foundation that makes it possible for them to succeed in life, based on the understanding that a child's development involves not only the child but also his parents, other family members, and the community. The results of Headstart have been notable, but one of the clearest lessons we have learned from our experience thus far is that, if we are to accomplish our objective, then Headstart must be expanded downward toward infancy and upward through the elementary and secondary schools. In addition, we must reach more than the 425,000 children who will be served in the coming year. Even if we limit Headstart to 3- to 5-year-olds below the poverty level, there are 1,598,000 children eligible for the program. Yet the administration has requested only those funds necessary to keep the program going at its present level. In testimony before the House Education and Labor Committee recently, Dr. Zigler, the Director of the Office of Child Development, conceded that the request for \$376.5 million was only a "maintenance budget" and that it would require an additional \$1.126 billion to reach all of the eligible children. This does not include the expansion to include a broader socio-economic diversity in programs, which Dr. Zigler has supported in his testimony and I agree is so important.

The other major Federal expenditures for day care services are provided through the Social Security Act and the State welfare agencies. The President has requested \$78 million to provide day care services for 200,000 children of welfare recipients in training, for the most part under the work incentive program, and has proposed an additional \$400 million under the new family assistance plan, to provide day care services for children whose mothers will be required to work if the program is enacted. I question whether any of this money will be spent for quality comprehensive programs, rather than custodial care, in the

absence of legislation such as we are introducing today.

Mr. President, the national need for child development is obvious and irreversible. Only the Federal Government has the financial ability to meet that need. The question before us today, therefore, is not whether we are going to have Federal involvement in day care, but rather how it is going to be structured and what kind of services we are going to provide for our children and their families.

#### THE COMPREHENSIVE CHILD DEVELOPMENT ACT OF 1971

We have examined all of the proposals for child development and day care which have been introduced in this and earlier Congresses, including the administration's proposals for the family assistance plan and the Federal Child Care Corporation which was proposed in this body last year. We have studied the testimony of expert witnesses before both the House and Senate Committees. We have benefited from some of the community decisionmaking emphases in bill introduced by Senator JAVITS and Senator BAYH. And we have consulted with a broad coalition of organizations interested in child development including the: Amalgamated Clothing Workers; AFL-CIO; Americans for Democratic Action; Americans for Indian Opportunity Action Council; Black Child Development Institute; Committee for Community Affairs; Common Cause; Day Care and Child Development Council of America, Inc.; Friends Committee on National Legislation; Interstate Research Associates; International Ladies Garment Workers Union; League of Women Voters; Leadership Conference on Civil Rights; National Council of Churches; National Council of Negro Women; National Education Association; National League of Cities and U.S. Conference of Mayors; National Organization of Women, president and vice president for Legislation; National Welfare Rights Organization; United Auto Workers; U.S. Catholic Conference, Family Life Division and Washington Research Project Action Council.

A companion bill which is very similar in many ways to the one we introduce today was introduced recently in the House of Representatives by Representative BRADEMAS, Representative REND and a large number of cosponsors from both parties. I am delighted that these bills are so similar. Both versions have benefited from the gifted leadership of JOHN BRADEMAS in particular, who has been a pioneer in this field and whose subcommittee held extensive hearings on child development last session.

The Comprehensive Child Development Act of 1971 which we are introducing today is the result of that exhaustive study and consultation, and embodies the following components which we have determined to be essential to any national effort in this field:

First. **Comprehensiveness:** Our bill assures comprehensive educational, nutritional, social and health services to provide for the cognitive, physical, and psychological development of each participating child; including prenatal services, infant care, preschool programs, and

before and after school programs for children in school.

Second. **Local flexibility:** Within the priorities established, programs may be full or part time, day or night services, in child development facilities, neighborhood centers, homes, work-based facilities, or mobile units, according to locally determined needs and priorities for child development services.

Third. **Priorities for economically disadvantaged:** Priority will be given to children from families with an annual income below the lower living standard budget determined by the Bureau of Labor Statistics—currently \$6,900 for an urban family of four—by reserving 65 percent of all Federal funds for such children and by assuring that services will be provided free for children in this category.

Fourth. **Socioeconomic diversity:** To the extent possible, each program will include children from a broad range of socioeconomic backgrounds. Up to 35 percent of the available funds may be spent to include children whose families have an income above the lower living standard budget, with fees charged on a sliding scale according to ability to pay. Until funds are available for all children in this income category, priority will be given to those with the greatest need, especially children of working mothers and single parents.

Fifth. **Needs of minority, Indian, migrant, and bilingual children:** Funds are provided for year-round mobile programs for migrant children, and for programs on Indian reservations. In addition, each local program must provide equitably for the needs of all minority group, Indian, and migrant children in the area served, with particular emphasis on the needs of children from bilingual families for the development of skills in English and the other language spoken in the home.

Sixth. **Administration by local governmental units:** The success of child development programs depends upon their relevance to local needs—needs which vary from one community to another. Most of the programs which do exist today, with or without public funds, are operated locally; few States have become involved in early childhood development programs in any significant manner, and none have the resources to undertake a program of the scope we intend in this legislation. For their reasons, our bill provides for administration by local governmental units—cities or counties in most cases, or combinations of cities or counties if local officials decide such cooperation will provide more efficient administration. Local governments will prepare comprehensive child development plans to serve their own communities, and once these plans are approved by the Secretary, local authorities may directly fund program applications from private and public organizations, including parent groups, headstart and community action agencies, labor unions and employed groups.

We have provided the authority and the funds for the States to sponsor programs in those areas where no other sponsor has been designated. In those

cases where the local government refuses to act, fails to meet the requirements of the law, or does not meet the needs of economically disadvantaged or minority group children, the Secretary may fund public or private nonprofit groups directly.

Seventh. Parent, family, and community participation: Parents will determine needs and priorities for child development services within their communities, assist in developing project proposals, recommend projects to the local governmental unit for funding, and serve equally with locally appointed officials in the overall administration of the city's or county's program.

In addition, parents and older family members will participate directly in programs in which their children are enrolled, as volunteers and as paid personnel with opportunities for in-service training and career advancement. Local programs will include in-home services for children and their parents, with training in the fundamental of child development for parents, older family members, and prospective parents.

Eighth. Protection of current Headstart programs: Our bill builds heavily on the experience with comprehensive programs under Headstart. To assure coordination and efficient administration of all child development programs, Headstart will be incorporated into the comprehensive legislation. However, funds will be set aside to assure continuation of such programs for the Headstart target group at no less than the 1972 level. Local sponsors will be required to fund on-going Headstart programs unless there is a community determination that such programs are no longer providing adequate services. In addition, community action and Headstart agencies will be given an opportunity to comment on the comprehensive child development plan in their area before it is approved by the Secretary. Authority is also provided for the coordination of other child development programs operated by Federal, State, and local governments, and by private organizations.

Ninth. Training and technical assistance: Assistance is provided for local community groups and governmental agencies to develop comprehensive child development programs and to train the professional and paraprofessional personnel, especially members of the community necessary to conduct quality programs.

Tenth. Adequate funds: Appropriations are authorized at a level adequate to assure an effective comprehensive national program, not a token response to the overwhelming need: \$2 billion for fiscal year 1973, \$4 billion for fiscal year 1974, and \$7 billion for fiscal year 1975.

Federal funds will pay for 80 percent of individual program costs, with discretion to fund up to 100 percent where it may be necessary to do so in order to meet the needs of economically disadvantaged, Indian, and migrant children.

Mr. President, the Forum on Development Child Care Services of the 1970

White House Conference on Children identified the challenge before us:

There are two clear issues in developmental child care for American children: the comprehensive and quality of care which all children deserve; and the responsiveness and flexibility of social institutions to the changing needs and desires of American parents. The best care, with stimulating and nurturing personnel, will be wasted if offered in programs which will not be used by families as they adjust their own special, economic, and personal needs. Simply keeping the child during parents' working hours without applying our utmost expertise and common sense for his sound development is as cruel and absurd as feeding him only minimal nutrition required to sustain life and expecting a vigorous and healthy body. We need not just day care centers so mothers can work, nor just preschools. Rather, we must respond as a nation to the changes that we as individuals are living, changes in our views of family roles and in the needs of our families with children. Our lives are changing more rapidly than our institutions. We must develop a network of voluntary supplementary child care, flexible enough to be part of family life, able to promote the full development of our children, and readily available to all families with children. We must commit our heads, our hearts, and our pocketbooks.

The Comprehensive Child Development Act of 1971, which we are introducing today, provides the mechanism and the resources to meet that challenge, and to assure that every child and every family in this Nation has an equal opportunity to reach its full potential.

I ask unanimous consent that a complete section-by-section analysis and the text of the bill be printed in the Record.

There being no objection, the section-by-section analysis and text of the bill were ordered to be printed in the Record, as follows:

#### SECTION-BY-SECTION ANALYSIS OF THE COMPREHENSIVE CHILD DEVELOPMENT ACT

##### Sec. 2—Amendment

The bill technically amends title V of the Economic Opportunity Act (but places administrative responsibility in the Office of Child Development in the Department of HEW).

##### Sec. 501—Statement of findings and purpose

States (a) the finding of Congress that (1) children are suffering unnecessarily from the lack of adequate child development services, particularly during their early childhood years; (2) comprehensive child development programs should be available as a matter of right to all children, (3) until such programs are available to all children, priority should be given to preschool children with the greatest economic and social need, (4) such programs are essential to allow many parents to accept work, (5) such programs should be undertaken as a partnership of parents, community and local government.

(b) the purpose of the Act to provide a fair and full opportunity to each child to reach his full potential by establishing and expanding comprehensive child development programs, building on the Headstart experience, with emphasis on economically and socially disadvantaged and preschool children and including children of working mothers and single parents, involving parents and community groups in the decision-making process, and establishing the legislative framework for eventual universally available child development programs.

#### PART A—COMPREHENSIVE CHILD DEVELOPMENT PROGRAMS

##### Sec. 511

Authorizes Secretary of HEW to direct programs.

##### Sec. 512—Appropriations

Funding levels established at \$2 billion for FY 73, \$4 billion FY 74, \$7 billion FY 75.

##### Sec. 513—Allotments among prime sponsors

Reserves for Secretary funds for migrant and Indian programs at a ratio equal to the ratio of such children in the nation; 5% for Secretary's discretion, with the remainder apportioned among the States as follows: (1) 50% according to the ratio of economically disadvantaged children in the State, (2) 25% according to the ratio of children through age 5; (3) 25% according to the ratio of children of working mothers and single parents. Apportions a State's allotment among prime sponsors within the State according to same formula as used for apportioning money among States. Provides for reallocation of unused funds among States and prime sponsors.

##### Sec. 514—Use of Federal Funds

Lists activities for which funds can be provided, including: planning and development of programs; establishing, maintaining, and operating comprehensive fulltime, parttime, family, day, night, intermittent and home and group programs for children through 14 with a broad range of activities; design, acquisition, construction, alteration, renovation or remodeling of facilities including mobile facilities; programs to meet special needs of minority children, with emphasis on bilingual skills; training programs for professionals, paraprofessionals, parents, older family members and prospective parents; public information activities; child advocates; assistance to enable community organizations to participate in programs; monitoring and evaluation.

##### Sec. 515—Prime sponsors

Authorizes any city, county, combination of units of local government, or federally recognized Indian reservation to serve as prime sponsor, upon approval of application by Secretary of HEW.

Authorizes a public or private non-profit agency or organization to become a prime sponsor if the appropriate unit of local government has not submitted an application or is out of compliance, or if Secretary determines such prime sponsor is necessary to meet the needs of minority or economically disadvantaged children.

Authorizes public or private non-profit agency or organization to become a prime sponsor for year-round programs for migrant children.

Authorizes States as residual prime sponsor for those areas where no other prime sponsor has been designated.

Provides opportunity for State to comment on all applications for designation; notice and hearing before Secretary makes adverse decision on designation, and judicial review of Secretary's final action.

##### Sec. 516—Child development councils and local policy councils

Requires that each prime sponsor which is a local governmental unit (or the State as residual prime sponsor) establish: 1.) a Child Development Council to submit a Comprehensive Child Development Plan and to conduct, coordinate, and monitor programs in the prime sponsorship areas; one-half of its members to be elected representatives of Local Policy Councils, one-half selected by the mayor or chief executive officer of the prime sponsor unit, one-third of the total membership to be parents of economically disadvantaged children; chairman selected



by members; and 2.) Local Policy Councils elected by parents of eligible children to serve appropriate subdivisions within the prime sponsor area, including nongeographic groupings of parents working or training for employment in a common area; each Local Policy Council to determine needs and priorities for its own area and to recommend project applicants to the Child Development Council for funding.

Requires that each prime sponsor which is a public or private nonprofit organization funded directly by the Secretary establish a Local Policy Council elected by parents of eligible children to serve the appropriate functions of Local Policy Council and Child Development Council in the area served by such prime sponsor.

#### Sec. 517—Comprehensive child development plans

Requires submission by CDC and Secretary's approval of a Comprehensive Child Development Plan before a governmental prime sponsor may receive financial assistance. Such plan (1) identifies needs and goals and describes purposes for which funds will be used; (2) provides for needs of eligible children with priority to programs for children through age 5; (3) gives priority to economically disadvantaged children by reserving for them funds equal to 1972 Headstart and 65% of the remaining federal allotment to the prime sponsor; (4) gives priority thereafter to children of single parents and working mothers; (5) provides free services for economically disadvantaged and fees on a sliding scale for others; (6) provides for coordination and cooperative funding among prime sponsors in metropolitan areas; (7) provides in so far as possible for socio-economic mix in centers; (8) provides for special needs of minority, bilingual, migrant and Indian children in the area; (9) provides equitably for children from all minority groups; (10) coordinates programs so family members relate to each other during the day; (11) assures benefits for children in nonpublic preschool and school programs; (12) provides for parental participation in plans and programs; (13) provides for paraprofessional and volunteers, including parents, older Americans, students, other children, and those preparing for child development careers; (14) provides jobs in so far as possible for unemployed and low-income residents of the community; (15) assures dissemination of information on child development programs to parents of eligible children; (16) eliminates barrier of State teacher certification standards; (17) assures coordination with schools and with other child development programs in the community; (18) assures payment of the non-Federal share; (19) provides for fiscal control and fund accounting procedures; (20) provides for continuing evaluation, analysis of needs and reports to the Secretary; (21) gives emphasis to on-going programs; (22) adequately provides for staff and administrative expenses of Local Policy Councils.

#### Sec. 518—Project applications

Authorizes funding by CDC, on recommendation of LPC after open hearing, of a qualified public or private agency which submits an application to run a child development program, which provides comprehensive services for children served, assures adequate personnel, provides for parent participation, and otherwise satisfies appropriate provisions of the Comprehensive Child Development Plan.

Authorizes funding by Secretary of a non-governmental prime sponsor designated under Section 518 which submits a project application on which the LPC has held open hearings.

#### Sec. 519

Provides for promulgation of *Federal Standards of Child Development Services*, applicable to all programs receiving assistance under this Act.

#### Sec. 520

Provides for promulgation of *Uniform Minimum Code for Facilities* for all facilities which receive assistance under this Act or in which programs which receive assistance under this Act are operated.

#### Sec. 521—Additional conditions for programs including construction

Allows construction only of facilities essential to provide child development services, where use of existing facilities is shown to be not practicable. Limits construction to 15% of a State's or prime sponsor area's total apportionment. Provides for 20-year use of facility for child development programs or return of proportionate value of facility to the Federal government. Requires that prevailing wage rate be paid by contractors and subcontractors. Authorizes Secretary to establish interest rates of construction loans. Limits federal share of cost to other than private nonprofit organizations, to 50% of total cost and requires that it be in the form of loans; authorizes grants up to total cost of construction for private nonprofit organizations.

#### Sec. 522

Provides for maximum utilization of existing Federal, state, and local public facilities, including school buildings, for child development programs.

#### Sec. 523—Payments

Provides 80% Federal share (with allowance for Secretary to pay up to 100% if necessary to provide services for economically disadvantaged) of costs; 100% Federal share of migrant and Indian programs. Provides that non-Federal share may be in cash or kind. Fees paid by parents, returned to prime sponsor to create additional lots.

#### PART B—TRAINING, PLANNING AND TECHNICAL ASSISTANCE, AND EVALUATION

Authorizes training grants to individuals working or preparing to work in programs assisted under this Act, and to prime sponsors to carry out preservice and inservice training of professional and paraprofessional personnel, including volunteers.

Authorizes Office of Child Development (OCD) to evaluate Federal involvement in child development and to provide technical assistance to prime sponsors and project applicants including funds for initial planning and staffing of prime sponsors and Local Policy Councils.

Authorizes \$25,000,000 annual appropriation to carry out purposes of this title

#### PART C—FEDERAL GOVERNMENT CHILD DEVELOPMENT PROGRAMS

Authorizes federal grants for child development programs for children of employees of the Federal Government, with a \$5,000,000 appropriation.

#### PART D—NATIONAL CENTER FOR CHILD DEVELOPMENT

Establishes National Center within OCD to conduct, coordinate, and disseminate research on child development.

#### PART E—GENERAL PROVISIONS

#### Sec. 561

Defines the terms used in the Act to insure accurate interpretation of its intent. Defines "economically disadvantaged" as the Lower Living Standard Budget determined by the Bureau of Labor Statistics (currently \$6960 for an urban family of four).

#### Sec. 562

Establishes Office of Child Development (OCD) to be principal agency in HEW to administer this Act.

#### Sec. 563

Provides that economically disadvantaged children and families eligible for programs under this Act would be eligible for supplemental food programs including Section 32 of P. L. 74320, and full authority under Section 32 and that other federally assisted commodity distribution programs would be utilized to provide economically disadvantaged persons participating in programs under this Act with well balanced nutritionally adequate diets.

#### Sec. 564

Provides for advance appropriations and advance funding of programs.

#### Sec. 565

Establishes procedure for withholding grants to prime sponsors for noncompliance with provisions of this Act, or with a Comprehensive Child Development Plan or a project application submitted by the prime sponsor.

#### Sec. 566

Assures public information, without charge.

#### Sec. 567

Prohibits federal control.

#### Sec. 568

Repeals, consolidates, and coordinates existing child development programs, effective July 1, 1973.

#### S. 1512

A bill to amend the Economic Opportunity Act of 1964 to provide for a comprehensive child development program in the Department of Health, Education, and Welfare

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

#### AMENDMENT

Sec. 2. Title V of the Economic Opportunity Act of 1964, as amended, is amended to read as follows:

#### "TITLE V—COMPREHENSIVE CHILD DEVELOPMENT PROGRAM

##### "STATEMENT OF FINDINGS AND PURPOSE

"SEC. 501. (a) The Congress finds that—

"(1) millions of American children are suffering unnecessary harm from the lack of adequate child development services, particularly during early childhood years;

"(2) comprehensive child development programs, including a full range of health, education and social services, are essential to the achievement of the full potential of America's children and should be available as a matter of right to all children, regardless of economic, social and family background;

"(3) children with special needs must receive full and special consideration in planning any child development programs and, pending the availability of such programs for all children, priority must be given to preschool children with the greatest economic and social need;

"(4) while no mother may be forced to work outside the home as a condition for using child development programs, such programs are essential to allow many parents to undertake or continue full- or part-time employment, training, or education; and

"(5) it is essential that the planning and operation of such programs be undertaken as a partnership of parents, community, and local government.

"(b) It is the purpose of this Act to pro-

vide every child with a fair and full opportunity to reach his full potential by establishing and expanding comprehensive child development programs and services designed to assure the sound and coordinated development of these programs, to recognize and build upon the experience and success gained through the Headstart program and similar efforts, to furnish child development services for those children who need them most, with special emphasis on preschool programs for economically disadvantaged children, and for children of working mothers and single parent families, to provide that decisions on the nature and funding of such programs be made at the community level with the full involvement of parents and other individuals and organizations in the community interested in child development, and to establish the legislative framework for the future expansion of such programs to universally available child development services.

**"PART A—COMPREHENSIVE CHILD DEVELOPMENT PROGRAMS**

**"PROGRAM AUTHORIZED**

"SEC. 511. The Secretary of Health, Education, and Welfare is authorized and directed to provide financial assistance for child development programs in accordance with the provisions of this title.

**"AUTHORIZATION OF APPROPRIATIONS**

"SEC. 512. For the purpose of carrying out this part, there is hereby authorized to be appropriated the sum of \$2,000,000,000 for the fiscal year ending June 30, 1973; the sum of \$4,000,000,000 for the fiscal year ending June 30, 1974; and the sum of \$7,000,000,000 for the fiscal year ending June 30, 1975.

**"ALLOTMENTS AMONG PRIME SPONSORS**

"SEC. 513. (a) From the amounts appropriated for carrying out this part the Secretary shall first reserve the following:

"(1) not less than that proportion of the total amount available for carrying out this part as is equivalent to that proportion which the total number of children of migrant agricultural workers bears to the total number of economically disadvantaged children in the United States, which shall be made available to prime sponsors designated pursuant to section 515(a) (5) (C);

"(2) not less than that proportion of the total amount available for carrying out this part as is equivalent to that proportion which the total number of children on Indian reservations bears to the total number of economically disadvantaged children in the United States, which shall be apportioned among federally recognized Indian reservations for programs serving such reservations so that the amount apportioned to each such reservation bears the same relationship to the total amounts reserved pursuant to this paragraph that the number of children residing in such reservation bears to the total number of children residing in all such reservations;

"(3) not to exceed 5 per centum of the total amount available under Sec. 502, which shall be made available under section 515 (a) (5) (D); and

"(b) The Secretary shall allot the remainder of the amount appropriated for carrying out this part among the States in the following manner—

"(1) 50 per centum of such remainder so that the amount allotted to each State bears the same ratio to such 50 per centum as the number of economically disadvantaged children in the State, excluding those children in the State who are counted under paragraphs (1) and (2) of subsection (a) of this section, bears to the number of economically disadvantaged children in all the States, excluding those children in all the States who are counted under paragraphs (1) and (2) of subsection (a) of this section;

"(2) 25 per centum of such remainder so that the amount to each State bears the same ratio to such 25 per centum as the number of children who have not attained 6 years of age through age 5 in the State, excluding those children in the State who are counted under paragraphs (1) and (2) of subsection (a) of this section, bears to the number of children who have not attained 6 years of age in all the States, excluding those children in all the States who are counted under paragraphs (1) and (2) of subsection (a) of this section;

"(3) 25 per centum of such remainder so that the amount allotted to each State bears the same ratio to such 25 per centum as the number of children of working mothers and single parents in the State, excluding those children in the State who are counted under paragraphs (1) and (2) of subsection (a) of this section, bears to the total number of children of working mothers and single parents in all the States, excluding those children in all the States who are counted under paragraphs (1) and (2) of subsection (a) of this section.

"(c) The Secretary shall apportion the amount allotted to each State among the localities within such State in the following manner:

"(1) 50 per centum thereof so that the amount apportioned to each locality bears the same ratio to such 50 per centum as the number of economically disadvantaged children in the area of the locality bears to the total number of such children in the State;

"(2) 25 per centum thereof so that the amount apportioned to each locality bears the same ratio to such 25 per centum as the number of children who have not attained 6 years of age in the area of the locality bears to the total number of such children in the State;

"(3) 25 per centum thereof so that the amount apportioned to each locality bears the same ratio to such 25 per centum as the number of children of working mothers and single parents in the area served by the locality bears to the number of children of working mothers and single parents in the State;

"(d) The number of children who have not attained 6 years of age, the number of economically disadvantaged children, and the number of children of working mothers and single parents in the area of a locality in a State, and in all the States, shall be determined by the Secretary on the basis of the most recent satisfactory date available to him.

"(e) The portion of any allotment or apportionment under subsection (b) or (c) for a fiscal year which the Secretary determines will not be required, for the period such allotment is available, for carrying out programs under this part, shall be available for reallocation or reapportionment from time to time, on such dates during such period as the Secretary shall fix, to other States in the case of allotments under subsection (b), or to other localities in the case of apportionments under subsection (c), in proportion to the original allotments to such States under subsection (b), or apportionments to such localities under subsection (c), for such year, but with such proportionate amount for any of such States, or localities, being reduced to the extent it exceeds the needs of such State, or locality, for carrying out activities approved under this part, and the total of such reduction shall be similarly reallocated among the States, or reapportioned among localities, whose proportionate amounts are not so reduced. Any amount reallocated to a State or reapportioned to a locality under this subsection during a year shall be deemed part of its allotment under subsection (b) or apportionment under subsection (c) for such year.

**"USES OF FEDERAL FUNDS**

"SEC. 514. Funds appropriated under section 512 may be used (in accordance with approved applications) for the following services and activities—

"(1) planning and developing child development programs, including the operation of pilot programs to test the effectiveness of new concepts, programs, and delivery systems;

"(2) establishing, maintaining, and operating child development programs, which may include—

"(A) comprehensive physical and mental health, social, and cognitive development services necessary for children participating in the program to profit fully from their educational opportunities and to attain their maximum potential;

"(B) food and nutritional services (including family consultation);

"(C) rental, remodeling, renovation, alteration, construction, or acquisition of facilities, including mobile facilities, and the acquisition of necessary equipment and supplies;

"(D) programs designed (i) to meet the special needs of minority group, Indian and migrant children with particular emphasis on the needs of children from bilingual families for the development of skills in English and the other language spoken in the home and (ii) to meet the needs of all children to understand the history and cultural backgrounds of minority groups which belong to their communities and the role of members of such minority groups in the history and cultural development of the nation and of the region in which they reside;

"(E) a program of daily activities designed to develop fully each child's potential;

"(F) other specially designed health, social and educational programs (including after school, summer, weekend, vacation, and overnight programs);

"(G) medical, psychological, educational, and other appropriate diagnosis and identification of visual, hearing, speech, nutritional and other physical, mental, and emotional barriers to full participation in child development programs;

"(H) prenatal services to expectant mothers designed to help reduce malnutrition, infant and maternal mortality and the incidence of mental retardation and other handicapping conditions;

"(I) incorporation within child development programs of special activities designed to identify and ameliorate identified handicaps, and special learning disabilities, and, where necessary or desirable because of the severity of such handicaps, establishing, maintaining, and operating separate child development programs designed primarily to meet the needs of handicapped children;

"(J) preservice and inservice education and other training for professional and paraprofessional personnel;

"(K) dissemination of information in the functional language of those to be served to assure that parents are well informed of child development programs available to them and may become directly involved in such programs;

"(L) services, including in-home services, and training in the fundamentals of child development, for parents, older family members functioning in the capacity of parents, youth and prospective parents;

"(M) use of child advocates to assist children and parents in securing full access to other services, programs or activities intended for the benefit of children; and

"(N) such other services and activities as the Secretary deems appropriate in furtherance of the purposes of this title; and

"(3) personnel and administrative expenses of Local Policy Councils and Child Development Councils established and operated in accordance with this part.



## PRIME SPONSORS

"Sec. 515. (a) The following shall be eligible to be prime sponsors of a comprehensive child development program in accordance with the provisions of this section—

"(1) any State;

"(2) any locality—

"(A) which is a city; or

"(B) which is a county or other unit of general local government and which the Secretary determines has general powers substantially similar to those of a city;

"(3) any combination of localities;

"(4) a federally recognized Indian reservation; or

"(5) any public or private nonprofit agency or organization, including but not limited to community action agencies, single-purpose Headstart agencies, community corporations, parent cooperatives, organizations of migrant workers, labor unions, organizations of Indians, employers of working mothers, and public and private educational agencies and institutions, serving or applying to serve children in a neighborhood or other area possessing a commonality of interest under the jurisdiction of any locality referred to in subsection (a) in the event that—

"(A) such locality either has not submitted an application pursuant to this section within 120 days of the date of implementation of this title by the promulgation of regulations by the Secretary, or has not submitted a plan pursuant to section 517 within 240 days of such date during the first fiscal year after such date or earlier than 90 days before the start of each succeeding fiscal year, or, although serving as a prime sponsor, is found, in accordance with the procedures contained in subsection (f) of this section, not to be satisfactorily implementing a child development plan which adequately meets the purpose of this part; or

"(B) the Secretary determines such sponsorship necessary to meet the needs of economically disadvantaged or preschool children residing in the area served by a prime sponsor designated pursuant to paragraphs (1) through (4) of this subsection; or

"(C) such sponsorship is for the purpose of providing comprehensive child development programs on a year-round basis to children of migrant workers and their families; or

"(D) with respect to funds reserved pursuant to section 513(a)(3), the Secretary determines that sponsorship by such agency or organization will result in the establishment of a model project responsive to the needs of economically disadvantaged, minority group, or bilingual preschool children.

"(b) Any State, locality or Indian reservation that is eligible to be a prime sponsor under subsection (a) and which desires to be so designated in order to enter into arrangements with the Secretary under this part shall submit to the Secretary an application for designation as prime sponsor which, in addition to describing the area to be served, shall provide for—

"(1) the establishment of a Child Development Council which shall be responsible for submission of a comprehensive child development plan, pursuant to section 107, and for planning, conducting, coordinating, and monitoring child development programs in the prime sponsorship area organized in accordance with section 516(a);

"(2) the establishment of Local Policy Councils organized in accordance with section 516(b);

"(3) the delegation by the Child Development Council to an appropriate agency (existing or newly created) of the State, locality, or Indian reservation of the administrative responsibility for developing a Comprehensive Child Development Plan pursuant to section 517, for evaluating applications for such assistance submitted to it by other agencies or

organizations, for delivering services, activities, and programs for which financial assistance is provided under this part, and for continuously evaluating and overseeing the implementation of programs assisted under this part, provided that such delegate agency will cooperate with the appropriate Local Policy Councils, and will be ultimately responsible for its actions to the Child Development Council.

"(c) Any public or private nonprofit agency or organization that desires to be designated a prime sponsor pursuant to paragraph (5) of subsection (a) of this section in order to enter into arrangements with the Secretary under this title shall submit to the Secretary an application for designation as prime sponsor which, in addition to describing the area to be served, shall—

"(1) demonstrate that such agency or organization qualifies as eligible prime sponsor pursuant to paragraph (5) of subsection (a) of this section;

"(2) evidence the capability of such agency or organization for effectively planning, conducting, coordinating, and monitoring child development programs in the area to be served; and

"(3) provide for the establishment of a Child Development Council and Local Policy Councils organized in accordance with section 516(a)(2)(B).

"(d) (1) In the event that a State has submitted an application for designation as prime sponsor to serve or is acting as a prime sponsor serving a geographical area within the jurisdiction of a locality or an Indian reservation which is eligible under paragraphs (2), (3), or (4) of subsection (a) of this section and which has submitted an application for designation as prime sponsor that meets the requirements of subsection (b), the Secretary shall tentatively approve the latter application, subject to review of the Comprehensive Child Development Plan.

"(2) When a locality has submitted an application for designation as prime sponsor or is acting as prime sponsor serving a geographical area within the jurisdiction of another such locality which is eligible under paragraph (2) or (3) of subsection (a) and which has submitted an application for designation as prime sponsor that meets the requirements of subsection (b), the Secretary, in accordance with such regulations as he shall prescribe, shall approve for that geographical area the application of the locality which he determines will most effectively carry out the purposes of this part.

"(3) When a locality has submitted an application for designation as prime sponsor to serve or is acting as a prime sponsor serving a geographical area under the jurisdiction of an Indian reservation that has submitted an application for designation as prime sponsor that meets the requirements of subsection (b), the Secretary shall tentatively approve the latter application, subject to review of the appropriate Comprehensive Child Development Plan.

"(e) The Governor or appropriate State agency shall be given a reasonable opportunity to review applications for designation filed by other than the State, offer recommendations to the applicant, and submit comments to the Secretary.

"(f) Except as provided in subsection (d), an application submitted under this section may be disapproved or a prior designation of a prime sponsor may be withdrawn only if the Secretary, in accordance with regulations which he shall prescribe, has provided—

"(1) written notice of intention to disapprove such application including a statement of the reasons therefor;

"(2) a reasonable time in which to submit corrective amendments to such application or undertake other necessary corrective action; and

"(3) an opportunity for a public hearing

upon which basis an appeal to the Secretary may be taken as of right.

"(g) (1) If any party is dissatisfied with the Secretary's final action under subsection (f) with respect to the disapproval of its application submitted under this section or the withdrawal of its designation, such party may, within sixty days after notice of such action, file with the United States court of appeals for the circuit in which such party is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Secretary. The Secretary thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code.

"(2) The Court shall have jurisdiction to affirm the action of the Secretary or as to set aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

## CHILD DEVELOPMENT COUNCILS AND LOCAL POLICY COUNCILS

"Sec. 516. (a) (1) Each prime sponsor designated under section 105(b) shall establish and maintain a Child Development Council, which shall be responsible for the submission to the Secretary of a comprehensive child development plan pursuant to section 107, and for planning, conducting, coordinating, and monitoring child development programs in the prime sponsorship area.

"(2) Each Child Development Council shall be selected in the following manner: At least half of the members of such Council shall be elected representatives of Local Policy Councils, and each Local Policy Council located in the area to be served by the prime sponsor shall elect at least one representative to the Child Development Council. The remaining members of the Council shall be appointed by the chief executive officer or officers of the prime sponsor and shall be broadly representative of the government of the prime sponsor, the public and private economic opportunity, health, education, welfare, employment, training and child service agencies in the prime sponsorship area; minority groups and organizations; public and private child development organizations; employers of working mothers; and labor unions. At least one-third of the total members of the Child Development Council shall be parents who are economically disadvantaged, and at least one appointed member shall be a child development specialist. Each council shall select its own chairman, and establish procedures for its operation.

"(b) (1) A Local Policy Council shall be established for each neighborhood, or sub-area possessing a commonality of interest, within the area served by a prime sponsor designated under section 105(b). Where the prime sponsor finds it appropriate, pursuant to criteria established by regulation by the Secretary, to provide child development services for a grouping of children eligible to participate under this part, whose parents work or participate in training in a common area, or otherwise possess a particular common interest in the establishment of one or more projects under this part in an area other than the area of their residence, a local policy council shall be established for such grouping. Each local policy council shall be responsible for determining the child development needs and priorities of the neighborhood, community, or other grouping which it serves, encouraging project applications pursuant to section 518, and recommending such applications for funding by the Child Development Council.

"(2) Each Local Policy Council shall be composed of parents of children eligible under this part, or their representatives, who reside in the neighborhood or sub-area, or

the case of a grouping not based on residence, who are members of the grouping, and who are chosen by such parents in accordance with democratic election procedures established by the Secretary.

#### COMPREHENSIVE CHILD DEVELOPMENT PLANS

"Sec. 517. (a) Financial assistance under this part may be provided by the Secretary for any fiscal year to a prime sponsor designated pursuant to section 515(b) only pursuant to a Comprehensive Child Development Plan which is submitted by such prime sponsor and approved by the Secretary in accordance with the provisions of this part. Any such plan shall set forth a comprehensive program for providing child development services in the prime sponsorship area which—

"(1) identifies child development needs and goals within the area and describes the purposes for which the financial assistance will be used;

"(2) meets the needs of children in the prime sponsorship area, within the limits of available funds, including infant care and before and after school programs for children in school with priority to children who have not attained 6 years of age;

"(3) gives priority to providing child development programs and services to economically disadvantaged children by reserving for such children from such funds as are received under section 513 in any fiscal year an amount at least equal to the aggregate amount received by public or private agencies or organizations within the prime sponsorship area for programs during fiscal year 1972 under section 222(a)(1) of the Economic Opportunity Act of 1964; and by reserving no less than 65 per centum of the remainder of its apportionment under section 513 for child development programs and services for economically disadvantaged children;

"(4) gives priority thereafter to providing child development programs and services to children of single parents and working mothers;

"(5) provides that (A) no charge for services provided under a child development program assisted under the plan will be made with respect to any child who is economically disadvantaged, except to the extent that payment will be made by a third party (including a Government agency) which is authorized or required to pay for such services; and (B) such charges will be made with respect to a child who is not economically disadvantaged in accordance with an appropriate fee schedule which shall be established by the Secretary by regulation and which is based upon the ability of the family to pay for such services, including the extent to which any third party (including a Government agency) is authorized or required to make payment for such services;

"(6) provides, in the case of a prime sponsor located within or adjacent to a metropolitan area, for coordination with other prime sponsors located within such metropolitan area, and arrangements for cooperative funding where appropriate, and particularly for such coordination where appropriate to meet the needs for child development services of children of parents working or participating in training or otherwise occupied during the day within a prime sponsorship area other than that in which they reside;

"(7) provides that, to the extent feasible, the enrollment of children in each program within the prime sponsorship area will include children from a range of socioeconomic backgrounds;

"(8) provides comprehensive services (A) to meet the special needs of minority group and migrant children, with particular emphasis on the needs of children from bilingual families for development of skills in English and in the other language spoken in

the home, and (B) to meet the need of all children to understand the history and cultural background of minority groups which belong to the communities and the role of members of such minority groups in the history and cultural development of the nation and the region in which they reside;

"(9) provides equitably for the child development needs for children from each minority group residing within the area served;

"(10) provides that children in the area served will in no case be excluded from the programs operated pursuant to this part because of their participation in nonpublic preschool or school programs or because of the intention of their parents to enroll them in nonpublic schools when they attain school age;

"(11) provides, insofar as possible, for coordination of child development programs so as to keep family units intact or in close proximity during the day;

"(12) provides for direct parent participation in the preparation of project applications pursuant to section 518 and in the conduct, overall direction and evaluation of programs;

"(13) provides that, to the extent appropriate, programs will include participation by paid paraprofessional aides and by volunteers, especially parents and older children, and including senior citizens, students, and persons preparing for employment in child development programs;

"(14) provides that, insofar as possible, unemployed or low income persons residing in communities served by such projects will receive jobs providing career ladder opportunities, including in home and part-time jobs and opportunities for training in programs to be assisted under part B of this title;

"(15) provides for the regular and frequent dissemination of information in the functional language of those to be served, to assure that parents and interested persons in the community are fully informed of the activities of the Child Development Council and its delegate agency;

"(16) provides that no person will be denied employment in any program solely on the ground that he fails to meet State teacher certification standards;

"(17) assures that procedures and mechanisms for coordination have been developed by preschool program administrators and administrators of local educational agencies and nonpublic schools, at a local level, to provide continuity between programs for preschool and elementary school children, and to coordinate programs conducted under this title and programs conducted pursuant to section 222(a)(2) of the Economic Opportunity Act of 1964 and the Elementary and Secondary Education Act of 1965;

"(18) assures coordination of child development programs for which financial assistance is provided under the authority of other laws;

"(19) establishes arrangements in the area served for the coordination of programs conducted under the auspices of or with the support of business, industry, labor, employee and labor-management organizations and other community groups;

"(20) provides assurances satisfactory to the Secretary that the non-Federal share requirements will be met;

"(21) provides for such fiscal control and fund accounting procedures as the Secretary may prescribe to assure proper disbursement of and accounting for Federal funds paid to the prime sponsor;

"(22) sets forth plans for regularly conducting surveys and analyses of needs for child development programs in the prime sponsorship area and for submitting to the Secretary a comprehensive annual report and evaluation in such form and containing such

information as the Secretary shall establish by regulation.

"(23) provides that emphasis will be given to continued funding of on-going projects, and that applications submitted by projects which received assistance during the previous year under section 221(a)(1) of the Economic Opportunity Act of 1964 shall be denied continued assistance only upon determination by the Child Development Council, based upon the recommendation of the Local Policy Council, after opportunity for hearing before such Child Development Council, that the applicant no longer provides effective services;

"(24) provides for mid-year termination by the Child Development Council of assistance to programs which no longer provide effective services, or which fail to meet the requirements of the project application or of this part, upon the recommendation of the appropriate Local Policy Council, after opportunity for hearing before such Local Policy Council; and

"(25) makes adequate provision for staff and administrative expenses of the Local Policy Councils.

"(c) No Comprehensive Child Development Plan or modification or amendment thereof submitted by a prime sponsor under this section shall be approved by the Secretary unless he determines that—

"(1) each community action agency or single-purpose Headstart agency in the area to be served, previously responsible for the administration of programs under this part or under section 222(a)(1) of the Economic Opportunity Act of 1964, has had an opportunity to submit comments to the prime sponsor and to the Secretary;

"(2) any educational agency or institution in the area to be served responsible for the administration of programs under section 222(a)(2) of the Economic Opportunity Act of 1964 has had an opportunity to submit comments to the prime sponsor and to the Secretary;

"(3) the Governor or appropriate State agency has, in the case of a prime sponsor that is a locality or an Indian reservation, had an opportunity to submit comments to the prime sponsor and to the Secretary.

"(d) A Comprehensive Child Development Plan submitted under this section may be disapproved or a prior approval withdrawn only if the Secretary provides written notice of intention to disapprove such plan, including a statement of the reasons, a reasonable time to submit corrective amendments, and an opportunity for a public hearing upon which basis an appeal to the Secretary may be taken as of right.

#### PROJECT APPLICATIONS

"Sec. 518. (a) Upon the recommendation of the appropriate Local Policy Council, a prime sponsor designated under section 515 (b) may provide financial assistance, by grant, loan, or contract, pursuant to a Comprehensive Child Development Plan, to any qualified public or private agency or organization, including but not limited to a parent cooperative, community action agency, single-purpose Headstart agency, community development corporation, organization of migrant workers, Indian organization, private organization interested in child development, labor union, or employee and labor-management organization, which submits an application meeting the requirements of subsection (b).

"(b) A project application submitted for approval under this section shall—

"(1) provide such comprehensive health, nutritional, education, social and other services as are necessary for the full cognitive, emotional and physical development of each participating child;

"(2) provide for the utilization of personnel, including paraprofessional and volunteer personnel adequate to meet the



specialized needs of each participating child;

"(3) provide for the regular and frequent dissemination of information in the functional language of those to be served, to assure that parents and interested persons are fully informed of project activities; and

"(4) otherwise further the objectives and satisfy the appropriate provisions of the Comprehensive Child Development Plan in force pursuant to section 517.

"(c) The appropriate Local Policy Council shall conduct public hearings on applications submitted to the prime sponsor under this section prior to making its recommendation for funding.

"(d) (1) The Secretary may provide financial assistance, by grant, loan, or contract, to a prime sponsor designated under section 515(a) (5), which submits a project application meeting the requirements of subsection (b);

"(2) Such financial assistance may be provided from the funds allotted under section 513 to the prime sponsorship area in which the section 515(a) (5) prime sponsor will be conducting programs, and in the case of prime sponsors designated pursuant to section 515(a) (5) (C), such financial assistance may be provided from the funds reserved pursuant to section 513(a) (1);

"(3) The Local Policy Council of such prime sponsor shall conduct public hearings on such project application prior to its submission to the prime sponsor and shall submit the record of such hearings to the prime sponsor with the project application.

#### "FEDERAL STANDARDS FOR CHILD DEVELOPMENT SERVICES

"SEC. 519. (a) Within six months of the enactment of this title, the Secretary shall, after consultation with other Federal agencies, and with the approval of a committee established pursuant to subsection (b), promulgate a common set of program standards which shall be applicable to all programs providing child development services with Federal assistance, to be known as the Federal Standards for Child Development Services.

"(b) The Secretary shall, within sixty days after enactment of this title, appoint a special committee on Federal Standards for Child Development Services, which shall include parents of children enrolled in child development programs, public and private agencies or specialists, and national agencies or organizations interested in the development of children. Not less than one-half of the membership of the committee shall consist of parents of children enrolled in programs conducted under this part, section 222(a) (1) of the Economic Opportunity Act of 1964, and title IV of the Social Security Act. Such committee shall participate in the development of Federal Standards for Child Development Services.

#### "DEVELOPMENT OF UNIFORM CODE FOR FACILITIES

"SEC. 520. (a) The Secretary shall, within sixty days after enactment of this title, appoint a special committee to develop a uniform minimum code for facilities, to be used in licensing child development facilities. Such standards shall deal principally with those matters essential to the health, safety, and physical comfort of the children and the relationship of such matters to the Federal standards for Child Development Services under section 519.

"(b) The special committee appointed under this section shall include parents of children enrolled in child development programs and representatives of State and local licensing agencies, public health officials, fire prevention officials, the construction industry and unions, public and private agencies or organizations administering child development programs, and national agencies or organizations interested in the development of children. Not less than one-half of the

membership of the committee shall consist of parents of children enrolled in programs conducted under this part, section 22 (a) (1) of the Economic Opportunity Act of 1964, and title IV of the Social Security Act.

"(c) Within six months of its appointment, the special committee shall complete a proposed uniform code and shall hold public hearings on the proposed code prior to submitting its final recommendation to the Secretary for his approval.

"(d) The Secretary must approve the code as a whole or secure the concurrence of the special committee to changes therein, and, upon approval, such standards shall be applicable to all facilities receiving Federal financial assistance or in which programs receiving Federal financial assistance are operated; and the Secretary shall also distribute such standards and urge their adoption by States and local governments. The Secretary may from time to time modify the uniform code for facilities in accordance with the procedures set forth in this section.

#### "ADDITIONAL CONDITIONS FOR PROGRAMS INCLUDING CONSTRUCTION

"SEC. 521. (a) Applications including construction may be approved only upon a showing that construction of such facilities is essential to the provision of adequate child development services, and that rental renovation, remodeling, or leasing of adequate facilities is not practicable.

"(b) If within twenty years after completion of any construction for which Federal funds have been paid under this part the facility shall cease to be used for the purposes for which it was constructed, unless the Secretary determines in accordance with regulations that there is good cause for releasing the applicant or other owner from the obligation to do so, the United States shall be entitled to recover from the applicant or other owner of the facility an amount which bears to the then value of the facility (or so much thereof as constituted an approved project or projects) the same ratio as the amount of such Federal funds bore to the cost of the facility financed with the aid of such funds. Such value shall be determined by agreement of the parties or by action brought in the United States district court for the district in which the facility is situated."

"(c) All laborers and mechanics employed by contractors or subcontractors on all construction remodeling, renovation, or alteration projects assisted under this part shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a-276a-5). The Secretary of Labor shall have with respect to the labor standards specified in this section the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

"(d) In the case of loans for construction, the Secretary shall prescribe the interest rate and the period within such loan shall be repaid, but such interest rates shall not be less than 3 per centum per annum and the period within which such loan is repaid shall not be less than 25 years.

"(e) The Federal assistance for construction may be in the form of grants or loans, provided that total Federal funds to be paid to other than private nonprofit agencies and organizations will not exceed 50 per centum of the construction cost, and will be in the form of loans. Repayment of loans shall, to the extent required by the Secretary, be returned to the prime sponsor from whose financial assistance the loan was made, or used for additional loans or grants under this title. Not more than 15 per centum of the total financial assistance provided to a prime sponsor pursuant to section 524 shall be used

for construction of facilities, with no more than 7½ per centum of such assistance usable for grants for construction.

#### "USE OF PUBLIC FACILITIES FOR CHILD DEVELOPMENT PROGRAMS

"SEC. 522. (a) The Secretary, after consultation with other appropriate officials of the Federal Government, shall within sixteen months of enactment of this title report to the Congress in respect to the extent to which facilities owned or leased by Federal departments, agencies, and independent authorities could be made available to public and private nonprofit agencies and organizations if appropriate services were provided, as facilities for child development programs under this title during times and periods when not utilized fully for their usual purposes, together with his recommendations (including recommendations for changes in legislation) or proposed actions for such utilization.

"(b) The Secretary may require as a condition to the receipt of assistance under this title, that any prime sponsor that is a public agency of a State, locality or that is a local educational agency agree to conduct a review and provide the Secretary with a report as to the extent to which facilities owned or leased by such prime sponsor could be available, if appropriate services were provided, as facilities for child development programs under this title during times and periods when not used fully for usual purposes, together with the prime sponsor's proposed actions for such use.

#### "PAYMENTS

"SEC. 523. (a) The Secretary shall pay from the applicable apportionment under section 103 the Federal share of the costs of programs which have been approved as provided in this part.

"(b) (1) Except as provided in subparagraphs (2) and (3), the Secretary shall pay to each prime sponsor an amount not in excess of 80 per centum of the cost to such prime sponsor of such programs. The Secretary may in accordance with regulations establishing objective criteria, approve assistance in excess of such percentage if he determines that such action is required to provide adequately for the child development needs of economically disadvantaged persons;

"(2) The Secretary shall pay to each prime sponsor approved under section 515(a) (5) (C) an amount equal to 100 per centum of the costs of providing child development programs for children of migrant agricultural workers and their families.

"(3) The Secretary shall pay to each prime sponsor approved under section 515(a) (4) an amount equal to 100 per centum of the costs of providing child development programs for children on federally recognized Indian reservations.

"(c) The non-Federal share of the costs of programs assisted under this part may be provided through public or private funds and may be in the form of goods, services, or facilities (or portions thereof that are used for program purposes), reasonably evaluated, or employee and employer contributions; provided that fees collected for services provided pursuant to Section 517(a) (5) shall be deemed assistance under section 103 for purposes of section 517(a) (3);

"(d) If, in any fiscal year, a prime sponsor provides non-Federal contributions exceeding its requirements, such excess may be applied toward meeting the requirements for such contributions for the subsequent fiscal year under this part.

"(e) Payments under this part may be made in installments, and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.

"(f) No State or locality shall reduce its expenditures for child development and day

care programs by reason of assistance under this part.

**"PART B—TRAINING, PLANNING AND TECHNICAL ASSISTANCE AND EVALUATION**  
**"INSERVICE TRAINING**

"Sec. 531. The Secretary is authorized to make payments to individuals preparing for employment or employed in child development programs assisted under part A of this title and to the prime sponsors of such programs for the purposes of meeting the costs of ongoing inservice training for professional and nonprofessional personnel including volunteers, to be conducted by any agency carrying out a child development program, or any institution of higher education, including a community college, or by any combination thereof.

**"PLANNING AND TECHNICAL ASSISTANCE**

"Sec. 532. (a) The Secretary shall, directly or through grant or contract, make technical assistance available to prime sponsors and to project applicants participating or seeking to participate in programs assisted under this title on a continuing basis.

"(b) The Secretary may provide financial assistance to prime sponsors for use by the prime sponsors and Local Policy Councils to obtain staff and other technical assistance relating to development and submission of child development plans and project applications.

"(c) Payments under this section may be made (after necessary adjustment, in the case of grants, on account of previously made overpayments or underpayments) in advance or by way of reimbursement, and in such installments and on such conditions, as the Secretary may determine.

**"EVALUATION**

"Sec. 533. (a) The Secretary shall, through the Office of Child Development, make an evaluation of Federal involvement in child development which shall include—

"(1) enumeration and description of all Federal activities which affect child development;

"(2) analysis of expenditures of Federal funds for such activities;

"(3) determination of effectiveness and results of such expenditures and activities;

"(4) the extent to which preschool, minority group economically disadvantaged children have participated in programs under this title; and

"(5) such recommendations to Congress as the Secretary may deem appropriate.

"(b) The results of this evaluation shall be reported to Congress no later than eighteen months after enactment of this title.

"(c) The Secretary shall establish such procedures as may be necessary to conduct an annual evaluation of Federal involvement in child development programs, and shall report the results of that evaluation to Congress.

"(d) Prime sponsors assisted under part A of this title and departments and agencies of the Federal Government shall upon request by the Secretary make available, consistent with other provisions of law, such information as the Secretary determines is necessary for purposes of making the evaluation required under subsection (c) of this section.

"(e) The Secretary may enter into contracts with public or private nonprofit or profit agencies, organizations, or individuals to carry out the provisions of this section.

**"APPROPRIATIONS AUTHORIZED**

"Sec. 534. There are authorized to be appropriated for the fiscal year ending June 30, 1972, and for each succeeding year, \$25,000,000.

**"PART C—FEDERAL GOVERNMENT CHILD DEVELOPMENT PROGRAM**

**"PROGRAM AUTHORIZED**

"Sec. 541. (a) The Secretary is authorized to make grants for the purpose of establishing and operating child development programs (including the lease, rental, or construction of necessary facilities and the acquisition of necessary equipment and supplies) for the children of employees of the Federal Government.

"(b) Employees of any Federal agency or group of such agencies employing eighty working parents of young children who desire to participate in the grant program under this part shall—

"(1) designate or create for the purpose an agency committee, the membership of which shall be broadly representative of the working parents employed by the agency or agencies; and

"(2) submit to the Secretary a plan approved by the official in charge of such agency or agencies, which:

"(A) provides that the child development program shall be administered under the direction of the agency committee;

"(B) provides that the program will meet the Federal Standards for Child Development;

"(C) provides a means of determining priority of eligibility among parents wishing to use the services of the program;

"(D) provides for a scale of fees based upon the parents' financial status; and

"(E) provides for competent management, staffing, and facilities for such program.

"(c) The Secretary shall not make payments under this section unless he has received approval of the plan from the official in charge of the agency whose employees will be served by the child development program.

**"PAYMENTS**

"Sec. 542. (a) No more than 80 per centum of the total cost of child development programs under this part shall be paid from Federal funds available under this title.

"(b) The share of the total cost not available under paragraph (a) may be provided through public or private funds and may be in the form of cash, goods, services, facilities reasonably evaluated, fees collected from parents, and union and employer contributions.

"(c) If in any fiscal year, a program under this part provides non-Federal contributions exceeding its requirements under this section, such excess may be used to meet the requirements for such contributions of other programs applying for grants under the same part, for the same fiscal year.

"(d) In making grants under this part, the Secretary shall, insofar as is feasible, distribute funds among the States according to the same ratio as the number of children of Federal employees in that State bears to the total number of children of Federal employees in the United States.

**"APPROPRIATIONS AUTHORIZED**

"Sec. 543. There are authorized to be appropriated for the fiscal year ending June 30, 1973, and for each succeeding year, \$25,000,000.

**"PART D—NATIONAL CENTER FOR CHILD DEVELOPMENT**

**"DECLARATION OF PURPOSE**

"Sec. 551. It is the purpose of this part to focus national research efforts to attain a fuller understanding of the processes of child development and the effects of organized programs upon these processes; to develop effective programs from research into child development and to assure that the result of research and development efforts are reflected in the conduct of programs affecting children.

**"NATIONAL CENTER FOR CHILD DEVELOPMENT**

"Sec. 552. (a) There is established in the Office of Child Development in the Department of Health, Education and Welfare an agency to be known as the National Center for Child Development.

"(b) The activities of the Center shall include—

"(1) research to determine the nature of child development processes and the impact of various influences upon them; research to develop techniques to measure and evaluate child development; research to develop standards to evaluate professional and paraprofessional personnel; and research to determine how child development programs conducted in either home or institutional settings positively affect child development processes;

"(2) evaluation of research findings and the development of these findings into effective products for application;

"(3) dissemination of research and development efforts into general practice of childhood programs, using regional demonstration centers and advisory services where feasible;

"(4) production of informational systems and other resources necessary to support the activities of the Center; and

"(5) integration of national child development research efforts into a focused national research program, including the coordination of research and development conducted by other agencies, organizations and individuals.

**"GENERAL AUTHORITY OF THE CENTER**

"Sec. 553. The Center shall have the authority, within the limits of available appropriations, to do all things necessary to carry out the provisions of this part, including but not limited to, the authority—

"(1) to prescribe such rules and regulations as it deems necessary governing the manner of its operations and its organization and personnel;

"(2) to make such expenditures as may be necessary for administering the provisions of this part;

"(3) to enter into contracts or other arrangements or modifications thereof, for the carrying on, by organizations or individuals in the United States, including other Government agencies, of such research, development, dissemination or evaluation efforts as the Center deems necessary to carry out the purposes of this part, and also to make grants for such purposes to individuals, universities, colleges, and other public or private nonprofit organizations or institutions;

"(4) to acquire by purchase, lease, loan, or gift and to hold and dispose of by grants, sale, lease, or loan, real and personal property of all kinds necessary for, or resulting from, the exercise of authority granted by this part;

"(5) to receive and use funds donated by others, if such funds are donated without restriction other than that they be used in furtherance of one or more of the general purposes of the Center set forth in section 551;

"(6) to accept and utilize the services of voluntary and uncompensated personnel and to provide travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

**"ANNUAL REPORT**

"Sec. 554. The Center shall make an annual report to Congress summarizing its activities and accomplishments during the preceding year, reviewing the financial condition of the Center and the grants, contracts, or other arrangements entered into during the preceding year, and making such recommendations as it may deem appropriate. Sup-



plemental or dissenting views and recommendations, if any, shall be included in this report.

#### "COORDINATION OF RESEARCH"

"Sec. 555. (a) Funds available to any department or agency of the Government for the purposes stated in section 551 or the activities stated in section 552(b) shall be available for transfer, with the approval of the head of the department or agency involved, in whole or in part; to the Center for such use as is consistent with the purposes for which such funds were provided, and the funds so transferred shall be expendable by the Center for the purposes for which the transfer was made.

"(b) The Secretary shall coordinate all child development research, training, and development efforts including those conducted by the Office of Child Development and by other agencies, organizations, and individuals.

"(c) A Child Development Research Council consisting of a representative of the Office of Child Development (who shall serve as chairman), and representatives from the agencies administering the Social Security Act, Elementary and Secondary Education Act of 1965, the National Institute of Mental Health, the National Institute of Child Health and Human Development, and the Office of Economic Opportunity, shall meet annually and from time to time as they may deem necessary in order to assure coordination of activities under their jurisdiction and to carry out the provisions of this part in such a manner as to assure—

"(1) maximum utilization of available resources through the prevention of duplication of activities;

"(2) a division of labor, insofar as is compatible with the purposes of each of the agencies or authorities specified in this paragraph, to assure maximum progress toward the purposes of this part;

"(3) a setting of priorities for federally funded research and development activities related to the purposes stated in section 501.

#### "AUTHORIZATION OF APPROPRIATIONS"

"Sec. 556. There are authorized to be appropriated \$15,000,000 for fiscal year 1972, \$20,000,000 for fiscal year 1973, and for each succeeding fiscal year thereafter such sums as may be necessary to carry out the provisions of this part.

#### "PART E—GENERAL PROVISIONS"

##### "DEFINITIONS"

"Sec. 561. As used in this title, the term—

"(1) 'child development programs' means those programs which provide the educational, nutritional, social, medical, and physical services needed for children to attain their full potential;

"(2) 'children' means children who have not attained the age of 15;

"(3) 'Center' means the National Center for Child Development;

"(4) 'economically disadvantaged children' means any children of a family having an annual income below the cost of family consumption of the Lower Living Standard Budget as determined annually by the Bureau of Labor Statistics of the Department of Labor;

"(5) 'handicapped children' means mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, crippled, or other health impaired children who by reason thereof require special education and related services;

"(6) 'program' means any mechanism which provides full- or part-day or night services conducted in child development facilities, in schools, in neighborhood centers, or in homes, or provides child development services for children whose parents are working or receiving education or training, and includes other special arrangements under which child development activities may be provided;

"(7) 'locality' means any city or other municipality (or two or more municipalities acting jointly) or any county or other political subdivision of a State (or two or more acting jointly) having general governmental powers;

"(8) 'parent' means any person who has day-to-day responsibility for a child or children;

"(9) 'single parents' means any person who has sole day-to-day parental responsibility for a child or children;

"(10) 'working mother' means any mother who requires child development services under this title in order to undertake or continue full or part-time work, training, or education outside the home;

"(11) 'minority group' describes any person who is Negro, Spanish-surnamed American, American Indian, Portuguese, or Oriental; and the term 'Spanish-surnamed American' includes any person of Mexican, Puerto Rican, Cuban, or Spanish origin and ancestry;

"(12) 'bilingual' refers to persons who are Spanish-surnamed, American Indian, Oriental, or Portuguese and who have learned during childhood to speak the language of the minority group of which they are members; the term 'bilingual family' means a family in which one or both parents is bilingual;

"(13) 'local educational agency' means any such agency as defined in section 801(f) of the Elementary and Secondary Education Act of 1965;

"(14) 'institution of higher education' means any such institution as defined in section 1201(a) of the Higher Education Act of 1965;

"(15) 'Secretary' means the Secretary of Health, Education, and Welfare;

"(16) 'State' includes the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

#### "OFFICE OF CHILD DEVELOPMENT"

"Sec. 562. The Secretary shall take all necessary action to coordinate child development programs under his jurisdiction and such programs under other Federal departments and agencies. To this end, he shall establish within the Department of Health, Education and Welfare an Office of Child Development which shall be the principal agency of the Department for the administration of this Act and for the coordination of programs and other activities relating to child development. The President shall take appropriate steps to establish, insofar as possible, procedures and practices for coordination at the State and local level of federally assisted programs providing child development services.

#### "NUTRITIOUS COMMODITIES"

"Sec. 563. The Secretary of Agriculture, in consultation with the Secretary of Health, Education and Welfare, shall utilize the full authority granted to him under section 32 of Public Law 320 of the Seventy-fourth Congress, section 416 of the Agricultural Act of 1949, as amended, section 709 of the Food and Agriculture Act of 1965, and all other federally assisted commodity distribution programs to provide children of low-income families participating in child development programs under this Act with well-balanced, nutritionally adequate diets. Notwithstanding any other provision of law, funds available to the Secretary of Agriculture under section 32 of Public Law 320, Seventy-fourth Congress, shall be expended in carrying out the provisions of this section to purchase agricultural and other suitable products without regard to whether such products are in surplus supply. Children and expectant or nursing mothers who are members of low-income families and who are served by any project receiving assistance under this Title shall be deemed eligible for certification to

receive food assistance under the supplemental food program for low-income vulnerable groups administered by the Department of Agriculture pursuant to the authorities of section 32 of the Act of August 24, 1935 (7 U.S.C. 612c) and Public Law 90-463, 82 Stat. 645, 646, August 8, 1968.

#### "ADVANCE FUNDING"

"Sec. 564. (a) For the purpose of affording adequate notice of funding available under this title such funding for grants, contracts, or other payments under this title is authorized to be included in the Appropriations Act for the fiscal year preceding the fiscal year for which they are available for obligation.

"(b) In order to effect a transition to the advance funding method of timing appropriation action, subsection (a) shall apply notwithstanding that its initial application will result in the enactment in the same year (whether in the same appropriation act or otherwise) of two separate appropriations, one for the then current fiscal year and one for the succeeding fiscal year.

#### "WITHHOLDING OF GRANTS"

"Sec. 565. Whenever the Secretary, after reasonable notice and opportunity for a hearing to any prime sponsor, finds—

"(1) that there has been a failure to comply substantially with any requirement set forth in the plan of that sponsor approved under section 517; or

"(2) that there has been a failure to comply substantially with any requirement set forth in the application of a project applicant approved pursuant to section 518; or

"(3) that in the operation of any program or project assisted under part A of this title there is a failure to comply substantially with any applicable provision of this Act;

the Secretary shall notify such prime sponsor of his findings and that no further payments may be made to such sponsor under this title (or in his discretion that the prime sponsor shall not make further payments under part A of this title to specified project applicants affected by the failure) until he is satisfied that there is no longer any such failure to comply, or the noncompliance will be promptly corrected. The Secretary may authorize the continuance of payments with respect to any program or project assisted under this title which is being carried out pursuant to such plan and which is not involved in the noncompliance.

#### "PUBLIC INFORMATION"

"Sec. 566. Applications for designation as prime sponsors, Comprehensive Child Development Plans, project applications, and all written material pertaining thereto shall be made readily available without charge to the public by the prime sponsor, the applicant, and the Secretary.

#### "FEDERAL CONTROL NOT AUTHORIZED"

"Sec. 567. No department, agency, officer, or employee of the United States shall, under authority of this title, exercise any direction, supervision, or control over, or impose any requirements or conditions with respect to, the personnel, curriculum, methods of instruction, or administration of any educational institution.

#### "REPEAL, CONSOLIDATION, AND COORDINATION"

"Sec. 507. (a) In order to achieve to the greatest degree feasible, the consolidation and coordination of programs providing child development services, while assuring continuity of existing programs during transition to the programs authorized under this title, the following statutes are amended, effective July 1, 1973:

"(1) Section 222(a)(1) of the Economic Opportunity Act of 1964 is repealed.

"(2) Part B of title V of the Economic Opportunity Act of 1964 is repealed.

"(3) Section 162(b) of the Economic Opportunity Act of 1964 is amended by striking out 'day care for children' and inserting in

lieu thereof 'assistance in securing child development services for children, but not operation of child development programs for children.'

"(4) Section 123(a)(6) of the Economic Opportunity Act of 1964 is amended by striking out 'day care for children' and inserting in lieu thereof 'assistance in securing child development services for children', and adding after the word 'employment' the phrase 'but not including the direct operation of child development programs for children.'

"(5) Section 312(b)(1) of the Economic Opportunity Act of 1964 is amended by striking out 'day care for children'.

"(b) The Secretary shall by regulation insure that to the extent consistent with other provisions of law, all federally assisted child development programs and related programs will be administered in a manner consistent with the provisions of this title."

Mr. JAVITS. Mr. President, I am pleased to join with Senator MONDALE, the chairman of the Subcommittee on Children and Youth; Senator NELSON, the chairman of the Subcommittee on Employment, Manpower and Poverty, and Senator SCHWEIKER, the ranking minority member of that subcommittee in this effort to achieve a breakthrough in child development throughout the Nation.

The Comprehensive Child Development Act builds upon previously submitted proposals—including the Headstart Child Development Act introduced in the last Congress by Senator MONDALE, and S. 706, the Comprehensive Community Child Development Act, which I introduced with Senators HARRIS, CASE, HUMPHREY, and SAXBE early this year.

We have combined these efforts both to underscore the high importance which we feel should be attached to the matter of child development and to emphasize that we have reached a bipartisan consensus as to the kind of legislative framework in which that priority may best be honored.

We shall submit this legislation as our response to the goal stated in the call of the White House Conference on Children, held last December—for the establishment of "effective procedures for implementation and administration of child development programs by which all available or committed resources can be identified, coordinated, and harmonized into a national effort having as its goal the enhanced development of the American child through the remaining years of the 20th century."

We propose—as did the Comprehensive Community Child Development Act—that the essential decisions in regard to child development programs be made at the community level with the States, the cities, counties, Indian reservations—and portions thereof—participating in efforts to translate the national commitment into meaningful programs throughout the country.

In that basic framework, this bill emphasizes the comprehensiveness of services—in terms of educational, health, nutritional elements, as well as services to meet the particular needs of children—for example by providing for programs in the functional language of the child. Parental involvement is also stressed as an essential ingredient of the programs

contemplated under the act, not only in terms of participation in ongoing programs, but in their initial formulation.

To breathe life into this legislative structure, the bill would authorize \$2 billion in its first year of operation, reaching \$7 billion in its third, a total authorization of \$13 billion over a period of 3 years.

These are large amounts in comparison with our current commitment—which is less than \$1 billion per year—but they are scant in terms of the universe of need.

There are 26,129,000 preschool children—that is children under 6 years of age—in the Nation, including more than 3 million preschool children of low-income families. While there are more than 23.6 million preschool and school age children under 13 whose mothers work, there are less than 700,000 licensed child care center slots in the country.

Were all of the funds authorized for the third year applied to preschool programs alone, we would even then be reaching less than one-sixth of the children who could benefit.

The message of the effort which we propose today is that child development should hereafter be viewed as a universal right of the family which this Nation must begin to honor.

It is time to discard the limited perspectives that view child development only as a means of getting parents off the welfare rolls, solely as compensatory education for the disadvantaged, or solely as a means of permitting the fulfillment of women's rights.

These are important rationales that have brought child development to the threshold of universal expansion; they are important considerations to society and to parents alike; and they should continue, as our priorities—but they must give way to a more comprehensive and far-reaching effort and commitment that focuses on the universal needs of the child.

The child welfare movement has freed children from the factories and mines of the early industrial revolution; it has pinned down our society's affirmative obligation to provide children with a basic general education and it has brought us to the verge of enactment of legislation establishing a basic level of Federal support across the Nation.

I submit that the moment is at hand to assert the affirmative obligation to children for child development. As President Nixon stated in his February 19, 1969 message to the Congress:

So crucial is the matter of early growth that we must make a national commitment to providing all American children an opportunity for healthful and stimulating development during the first 5 years of life.

I hope that the administration will work with us to architect legislation which will weave a legislative framework and substantial funds into the fabric of existing efforts, to bring about a truly comprehensive system designed for the child and directed from the community level. Its commitment to child care programs in the context of its proposed Fam-

ily Assistance Act is commendable, but it is a limited effort having as its prime purpose the elimination of welfare dependency in the short term, it runs the risk, therefore, of the child being delivered into a new servitude—like that of the industrial revolution—subordinating the developmental needs of the child once again to the economic needs of parents and society.

I take this occasion to suggest to President Nixon that he make the Federal Government a "model employer" for child development, just as President Johnson instituted efforts to make the Federal Government a "model employer" for equal employment policies. Such an action—which would expand the limited projects now carried on for employees of the Department of Labor and the Office of Education—would not only provide an example of comprehensive care, but evidence further the commitment of the Administration to child development programs.

We are in the infancy of child development. I hope that Members of both parties, and the administration itself will join with us and others in the Congress in establishing a framework in which our efforts can mature into a national effort which will ensure to the future benefit of our children and therefore to the Nation.

Mr. SCHWEIKER. Mr. President, today, I am pleased to join an important bipartisan effort with Senators JAVITS, MONDALE, and NELSON in introducing, with a number of other Senators, the Comprehensive Child Development Act. This legislation is designed to meet the needs of millions of American children for a full opportunity in preschool education, health care, nutrition and other child development services. Along with the preschool years, which have definite priority in this bill, this legislation would also strive to meet similar needs of older children through age 14 whose mothers are working.

Professional day-time child care is no longer just a luxury for a select few. We must face facts, one-third of the American labor force is composed of women. Who is to care for preschool children of working parents? Relatives, or neighbors, if they are willing and available, might do the job. But our communities, in addition, need child care and child development resources that can offer comprehensive services to the preschool child. The importance of early experience in child development is an established fact and during the past 5 years, research has reinforced the belief that day care cannot and should not be separated from education, health care, and nutrition.

I believe that proper child development should be one of our Nation's social priorities for the 1970's. The time has come for a major thrust, building on the excellent work of Project Headstart and going well beyond it to embrace not only more children of low-income families but more children of the middle class, as well, whose mothers work.

Many private organizations have begun to work for greater efforts in day care. The labor movement, no doubt be-



cause of its direct day-to-day connection with the needs of working families, has pioneered in day care, particularly in those industries with large numbers of women workers. In 1969 Congress passed, and President Nixon signed a bill that allowed joint administration of day care center funds by labor and management. I was, incidentally, a cosponsor of this bill. As a direct result of this legislation, the Amalgamated Clothing Workers has opened a \$750,000 child care center in Chambersburg, Pa., for the preschool children of clothing workers in that area. This center is the third child care center built under an agreement between the Baltimore regional joint board of the ACWA and the 70 clothing manufacturers falling within its geographical boundaries. A fourth center is near completion in Hanover, Pa., and will open soon. To date, this joint board alone has spent more than \$3 million on day care facilities and programs, making it the largest such activity in the country. This is just one example of the potential of private groups to work for better day care. If the Federal Government will assume its share of the responsibility, the job can be done throughout the Nation. The comprehensive child care bill is a step toward just this very thing.

Currently there are 249,000 children in Federal day care programs funded in fiscal year 1970 at \$222.1 million. This is a notable increase from just 3 years ago when the Federal Government spent only \$73.4 million for child care. The bill we are introducing today sets an authorization of \$2 billion for fiscal year 1973 rising to \$7 billion in fiscal year 1975. The basic delivery system provided in the bill for child care services will be child development councils set up in local communities or regions, sponsored by governmental units. The comprehensive child care bill would authorize the Secretary of Health, Education, and Welfare to direct all comprehensive child development programs and would designate the Office of Child Development to be the principal agency in HEW to administer this act.

I think it is significant, Mr. President, that a broad coalition of groups has been involved with this legislation thus far. These organizations include church groups such as the National Council of Churches and the U.S. Catholic Conference; labor groups such as the AFL-CIO, the United Auto Workers, the Amalgamated Clothing Workers, and the International Ladies Garment Workers; civil rights groups such as the Leadership Conference on Civil Rights, the Washington Research Project Action Council and the National Education Association, the U.S. Conference of Mayors, the National League of Cities, and Common Cause.

These organizations are pointing the way, by their input on this bill, for a true priority in the 1970's on comprehensive child development. It is now up to us in Congress to move ahead on this vital legislation.

## GEORGE WASHINGTON'S BIRTHDAY

### HON. ROBERT MCCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. MCCLORY. Mr. Speaker, the celebration of George Washington's Birthday for the first time this year on the third Monday in February suggests the importance of recalling that, according to the Julian calendar observed at that time, George Washington was born on February 11, 1731.

The 1970 annual report of the Mount Vernon Ladies' Association of the Union—which owns, maintains, and administers the historic home of George and Martha Washington at Mount Vernon—announces that its annual "Open House" hereafter will be held on the third Monday in February.

In connection with the announcement, the association compiled an historic account of George Washington's birth record and several birthday celebrations which were held during his lifetime. This interesting article is contained in the report and is as follows:

#### A MOVABLE OCCASION

By act of Congress George Washington's birthday in 1971 and thereafter will be observed as a legal public holiday on the third Monday in February. Literally, the act identifies the third Monday as the birthday—a legal action which contradicts the historical record. As traditionalists we may deplore this arbitrary revision, but we are relieved that the annual observance of the birthday of our principal founding father was not legally obscured by designating the third Monday in February "Presidents' Day," as was proposed.

In considering the rescheduling of the George Washington birthday observance Congress may have been aware that in his own lifetime the British Parliament decreed a calendar change which effected a revision in the date of his birth. According to the family Bible at Mount Vernon, . . . George Washington, son to Augustine Washington, and Mary, his wife, was born ye 11th day of February, 1731, about ten in the morning and was baptized ye 3d of April following. Mr. Beverley Whiting and Captain Christopher Brookes, godfathers, and Mrs. Mildred Gregory, godmother. . . . For the first twenty years of his life his birthday was the eleventh, but in 1752 by act of Parliament, the eleventh of September became the twenty second and all earlier dates were revised by the addition of eleven days to accord with the Gregorian calendar, which had been established by Pope Gregory XIII in 1582 to correct the ancient church calendar. Thus George Washington's birthday became February twenty-second. To the end of the century his neighbors in Alexandria clung to the unrevised date in observing his birthday, but the General himself accepted the revised dating, as did the majority of his contemporaries.

The surviving domestic records contain no mention of family birthday observances at Mount Vernon during the years of felicitous obscurity before the Revolution; they seem to have passed unnoticed. Fame and the high admiration of his fellow citizens inspired observances of General Washington's birthday throughout the new nation, even before its independence had been secured. In February, 1779, the twenty-second was celebrated at the

Raleigh Tavern in Williamsburg by the inhabitants of the town and the students of the College of William and Mary. In 1781 the French forces at Newport recognized their allied commander by declaring a cessation of labor on February twelfth (the eleventh was Sunday) and performing military exercises in the manner of the times. From the close of the Revolution, public celebration of Washington's birthday prevailed in the larger American towns. In 1796 a young English traveller, Isaac Weld, observed, . . . Not one town of importance was there in the whole Union where some meeting did not take place in honor of this day. . . .

In Philadelphia by 1796 Washington's birthday had become quite a festive occasion. Members of Congress, state officials, members of the Society of the Cincinnati, clergymen, diplomats, members of the faculty of the University of Pennsylvania and a throng of other well wishers waited on the President to congratulate him on his anniversary. There were artillery salutes; the bells of Christ Church rang out every half hour. At night the City Dancing Assembly held a birthday ball, a brilliant affair, attended by the most respectable inhabitants and honored by the company of the President and his lady.

There were those who looked upon these festivities with deep misgivings. They were too reminiscent of the honors accorded their recently renounced ruler, George III; they constituted, in the words of the anti-Federalist National Gazette, . . . a monarchical farce. . . . They may well have caused pique in some Federalist circles also. In 1798, when President Adams was invited to the Dancing Assembly's birthday ball on February twenty-second, he bluntly declined, sensing a slight to his office. The George Washington birthday balls continued through the years, honoring not the office, but the man who, in his own words, . . . had rather be at Mount Vernon with a friend or two about me, than to be attended at the seat of government by the officers of State and the representatives of every power in Europe. . . .

In 1798 and 1799 the master of Mount Vernon, at last in longed-for retirement, attended celebrations of his birthday (old style) by his Alexandria neighbors. Of the later occasion he noted in his diary, . . . Many Maneuvers were performed by the Uniform Corps, and an elegant Ball and Supper at Night. . . . February twenty-second, 1799, his last birthday, was spent at home. The full diary entry for the day reads: Morning raining Mer at 30. Wind a little more to the Northward. Afterwards very strong from the No. Wt. and turning clear and cold. The Revd. Mr. Davis and Mr Geo Calvert came to dinner and Miss Custis was married abt. Candle light to Mr. Lawe. Lewis. It is recorded elsewhere that the retired general wore his old Continental buff and blue uniform, no doubt to please the bride. Mrs. Washington's youngest granddaughter, and the groom, his nephew. No doubt he was pleased that the bride elected to be married on his birthday. He may well have found this recognition of his natal day more congenial than the more splendid observances of recent memory.

#### STATEMENT OF INCOME

### HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. HUNGATE. Mr. Speaker, in accord with my regular practice since

coming to Congress, I again disclose my income as shown by my most recent income tax return for the year 1970, due and filed in the year 1971.

My joint personal income tax return, form 1040, line 12, shows my congressional salary of \$42,500. Lines 14 and 15 list other income of \$2,891.82 for a total income on line 16 of \$45,391.82. Less line 17, adjustment for allowed congressional living expenses attending Congress in Washington, D.C., \$3,000, adjusted gross income, line 18, is \$42,391.82.

Itemized deductions, form 1040, part IV, line 47, are \$5,142.38, consisting primarily of State and local taxes, real estate, and personal property taxes of \$2,408.16 and interest payments of \$1,707.02.

The total income tax and surtax, form 1040, line 21, is \$10,329.19, plus a self-employment tax of \$153.78 from line 24, form 1040. The total tax, form 1040, line 25, is \$10,482.97. The total Federal income tax withheld, line 26, form 1040, is \$10,208.51, plus 1970 estimated tax payments, line 27, \$400.

Total tax payments are \$10,608.51 as indicated on line 29, form 1040. This constitutes an overpayment of \$125.54 elected to be credited to my 1971 estimated tax.

The principal sources of income, aside from congressional salary, were interest on savings and loan deposits, U.S. Treasury note, executor commission, and lecturer fees in excess of expenses incurred in connection therewith.

Neither my wife nor I own any stocks or bonds.

Campaign funds raised for me are handled by committees and held in trust so that I have no direct control over such funds.

#### MARYLAND'S SIXTH DISTRICT QUESTIONNAIRE RESULTS

**HON. GOODLOE E. BYRON**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. BYRON. Mr. Speaker, in February I polled my district on a variety of local and national issues and priorities. I had an excellent response to this questionnaire and feel that the results of the survey would be of general interest since the Sixth District represents a typical cross-section of rural and urban America.

Approximately 6,500 citizens responded to the 10-question February survey from Garrett, 3 percent; Allegany, 12 percent; Washington, 31 percent; Frederick, 18 percent, and Carroll Counties, 10 percent, and the portions of Howard, 11 percent, and Baltimore Counties, 15 percent, which comprise the district.

The three top national problems cited by district-wide respondents were "taxes and spending", "state of the economy" and the "war in Vietnam" in that order. County tabulations show that Garrett, Allegany and Washington County respondents reflect this exact same ranking, with opinions differing sharply outside of Western Maryland. Frederick County respondents ranked the "war in Vietnam" first, followed by "state of the economy" and "control of air and water pollution." Carroll County residents named "crime" as the No. 1 problem, "taxes and spending" was second, with "drugs" and "control of air and water pollution" tied for third. Howard County placed "control of air and water pollution" at the top of the list, followed by "state of the economy" and "war in Vietnam." Baltimore County gave the nod to "crime" with the "war in Vietnam" second and "taxes and spending" third.

Question No. 2 asked constituents to write the most pressing problem currently facing the Sixth District, and overall results showed 42 percent of all respondents naming unemployment, 33 percent inflation and 18 percent air and water pollution. Answers again differed markedly among counties, however, with unemployment being ranked the No. 1 district problem by only Washington, 71 percent; Allegany 60 percent; and Frederick County, 37 percent respondents. In contradiction, a scant 10 percent of those from Howard County, 11 percent from Baltimore County, 16 percent from Carroll County and 32 percent from Garrett County cited unemployment as a problem area. Inflation was seen as the most pressing problem by individuals responding from these four latter counties.

Question No. 3 asked for remedies to deal with inflation, and wage and price controls were cited by 49 percent of those who answered the questionnaire. This specific reply was the overwhelming answer by respondents from all counties, ranging from 59 percent in Allegany County to 45 percent in Frederick County.

Question No. 4 dealt with actions to combat pollution and 63 percent of all respondents named stricter enforcement of laws to deal with all forms of pollution, with respondents from each county in agreement.

Question No. 5 concerned the status of the Selective Service and 42 percent of all respondents preferred universal national service at age 18. Abolishment of the draft and dependence on an all-volunteer military force was chosen by 33 percent and continuation of the present system was cited by 25 percent. This same order was reflected by respondents in all counties with the exception of Frederick County who were deadlocked at 39 percent for universal na-

tional service and an all-volunteer military force.

The last five questions in the survey required "yes" or "no" answers. In question No. 6, 43 percent of the districtwide respondent favor a guaranteed minimum family income for families on welfare with adults who receive training and accept employment. Forty percent do not favor such a move and 17 percent are undecided. A county-by-county analysis indicates a divergence of opinion with those from Garrett, Washington, and Frederick Counties turning thumbs down to a guaranteed income.

In question No. 7, 52 percent of the 6,500 respondents do not favor Congress allocating additional funds for the Super Sonic Transport (SST). Twenty-eight percent in favor of such a move and 20 percent are undecided. The majority of the respondents from Washington County, however, replied in the affirmative for SST funding.

In question No. 8, 50 percent of all respondents said they are not satisfied with present Vietnam policy, 37 percent are satisfied and 13 percent are undecided. Carroll County citizens differ in reverse though, with 49 percent expressing satisfaction with Vietnam policy and 40 percent dissatisfaction.

Question No. 9 asked constituents whether they thought law and order has broken down in the country, and a whopping 70 percent of all respondents answered in the affirmative. The range was from 78 percent in Garrett County to 56 percent in Howard County.

In the final question, an overwhelming 63 percent of all respondents favored reducing the farm subsidy ceiling below the current amount of \$55,000. Approximately 9 percent were not in favor and 28 percent were undecided, with a county by county analysis revealing similar percentages.

Representative BYRON noted that Dr. Kenneth Kerle, associate professor of political science at Hagerstown Junior College, and his State and local government class at the Maryland Correctional Training Center in Breathedsville, tabulated the bulk of questionnaires as part of their studies. He said that without their help the results would have not been known for another month, and that the recording of answers by the students was "an accurate job in all respects."

#### FEBRUARY 1971 SIXTH DISTRICT QUESTIONNAIRE RESULTS

[Total number of questionnaires received: 6,500]

Respondents by County:	Percent
Garrett	3
Allegany	12
Washington	31
Frederick	18
Carroll	10
Howard	11
Baltimore	15





# MINNESOTA HISTORICAL SOCIETY

Copyright in the Walter F. Mondale Papers belongs to the Minnesota Historical Society and its content may not be copied without the copyright holder's express written permission. Users may print, download, link to, or email content, however, for individual use.

To request permission for commercial or educational use, please contact the Minnesota Historical Society.



[www.mnhs.org](http://www.mnhs.org)