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PROCEEDINGS AND DEBATES OF THE 94th CONGRESS, FIRST SESSION

Vol. 121 WASHINGTON, TUESDAY, SEPTEMBER 23, 1975 No. 140

Senate

By Mr. MONDALE (for himself and Mr. CRANSTON):

S. 2392. A bill to amend title X of Public Law 93-344, the Congressional Budget and Impoundment Control Act, to improve procedures with respect to rescission of budget authority. Referred to the Committee on Government Operations.

IMPROVING PROCEDURES WITH RESPECT TO IMPOUNDMENT

Mr. MONDALE. Mr. President, today on behalf of myself and the distinguished senior Senator from California (Mr. CRANSTON), who serves with me on the Committee on the Budget, I am introducing legislation to amend title X of Public Law 93-344, the Congressional Budget Reform and Impoundment Control Act of 1974, to close a loophole which has become apparent as we have attempted to deal with the practice of Presidential impoundment of congressional appropriations under the act.

Title X of the act—known as the Impoundment Control Act—was intended to provide a well-defined, efficient procedure under which Congress could make timely and reasonable judgments about the merits of Presidential requests to retract or delay expenditures previously authorized and appropriated by the Congress.

Title X was an attempt to restore to Congress, along with the new responsibilities that the budget process imposes, the constitutional power of the purse, which had gradually been eroded by executive encroachment and congressional default.

Title X hoped to provide, for the first time, a method under which Congress could say "yea" or "nay" to impoundments, without need for potential recipients of funds to pursue complex, expensive, and time-consuming litigation to the point of constitutional confrontation.

The Congressional Budget Act attempted to create a procedure requiring complete, prompt, and lucid reporting of impoundments by the executive branch to the Congress in every instance where the President desired to impound funds the Congress had made available.

It also required the President to spell out in detail his reasons or justification for the proposed impoundment.

The quality of reporting under these procedures has not been uniformly good, but there is evidence that an attempt has been made to comply with the terms of the act, and I am hopeful that as both branches become more familiar with the processes and requirements, the reports will reflect the letter and the spirit of the Budget Act.

Today, I am concerned not with the reporting aspects of the new impoundment procedures, but with the more basic question of when the President may withhold funds from obligation—funds that under law he would seem to be required to spend.

Since our Government of three co-equal branches was created, there has nearly always been debate and conflict over the exact point at which the congressional power of the purse stops, and the legitimate discretion of the President to withhold appropriated funds from obligation begins.

Clearly, however, the Constitution gives to Congress the power to determine when, how much, and for what purpose federal expenditures should be made.

By the same token, it is clear that Congress has granted the President executive power to exercise the discretion to withhold funds, when, as a result of efficiency of operation, changes in requirements, or other similar reasons, the purpose which the Congress has defined can be accomplished for less money than anticipated.

The first impoundment on record was by President Thomas Jefferson and well illustrates the legitimate exercise of executive discretion to withhold funds in the face of changed requirements:

Congress appropriated $50,000 for construction and maintenance of gunboats to patrol the Mississippi River, which was then our western boundary. When, during the Jefferson administration, the Louisiana Purchase gave the United States both banks of the river, the President impounded the unexpended funds because the patrol was no longer necessary.

Clearly, this is a sensible and legitimate exercise of Presidential power.

But, it is a far cry from this modest exercise of executive discretion to the claim of President Nixon to constitutional power to withhold spending mandated by law when the President disagrees with the policy that the law was designed to effectuate.

Title X does not attempt to resolve the age-old conflict between the branches by pinpointing a line between legitimate legislative and executive functions.

Rather, it offers procedures to facilitate an appropriate response by the Congress after it receives the newly required notice of Presidential impoundments.

Title X specifically disclaims any intention to assert or concede the constitutional powers or limitations of either the President or the Congress.

Instead, as my colleagues are aware, it divides impoundments into two categories—rescissions and deferrals—and delineates a procedure for dealing with each.

It is important to recognize the distinction between the two categories, and the differences in the two procedures, to understand the amendment which Senator CRANSTON and I are proposing today.

"Deferrals" involve a temporary withholding or delaying of the obligation of funds provided for projects or activities, under express statutory authority contained in the Antideficiency Act (31 U.S.C. 665), specific appropriation acts, or other laws—of which the Library Services Act (70 Stat. 293), which authorizes withholding Federal funds for noncompliance—is an example.

"Recissions" seek the cancellation, total or partial, of funds previously provided, or involve the temporary or permanent refusal to obligate or spend funds for any executive policy reason except the temporary creation of reserves for contingencies or to effect savings made possible by changed requirements or program efficiencies.

Even when funds have been properly reserved under the deferral procedure, if it afterwards becomes apparent that they will not be subsequently used to carry out the full objectives and scope of the appropriation concerned, the President is required to propose a rescission of the amount withheld.

This difference between rescissions and deferrals is critical:

Since a deferral involves only a temporary delay in the obligation of funds to accomplish the purposes for which the funds were provided, the immediate obligation and expenditure of deferred funds is required if either House of Congress passes a resolution disapproving the proposed deferral, under section 1013 of the Budget Act. The act requires the President to specify the period of time during which the funds are proposed to be deferred, and the Congress may act at any time after the deferral has been proposed to disapprove the proposal, and release the funds.

The procedure for a rescission is exactly converse:

Here, the President has made a judgment that the funds that the Congress has appropriated for a given purpose should not be used for that purpose.

Under the procedure provided in section 1012 of the Budget Act, after the President proposes a rescission, the funds involved must nevertheless be made available for obligation after 45 days of continuous session of the Congress, unless within that period both Houses have completed action on a bill approving the proposed rescission.

If the Congress does not act at all, the proposal to rescind is thereby rejected, and the funds must be obligated when the time limit has expired.

The act, however, makes no provision for Congress to disapprove a proposed rescission within the 45-day waiting period. Thus, in all cases in which Congress wishes to disapprove a rescission proposal, it has been given no alternative but to wait out the 45-day period, during all of which the funds involved are presumably under executive impoundment.

Because of the way that the act prescribes that the 45-day period be counted, the actual time involved can and often will be considerably longer.

Sine die adjournment of the Congress during the 45-day period, as happens at the end of each year, causes the count to start again on the day following the first day of the new Congress.

During any recess of more than 3 days' duration, the recess time is not counted.

Cleverly timed rescission proposals, then, can take full advantage of these rules, especially in those cases where the President expects the Congress to reject his rescission request.

President Ford proposed five rescissions totaling $182 million on October 4, 1974, and another 39 rescissions totaling $864 million on November 26, 1974.

When the 93d Congress adjourned sine die on December 20, 1974, the 45-day period, counted as I have described, had not run on any of these rescission requests affecting more than $1 billion in funds for congressionally approved programs.

Congressional recesses had stopped the count between October 17 and November 18, and between November 26 and December 2.

As a result, the 45-day count started again on January 15, 1975, the day following the convening of the 94th Congress, and finally ran out on March 1, 1975.

During all of this period—in the case of the October rescission requests, a period of nearly 5 months—the funds in question were subjected to Presidential impoundment, and the existing title X procedures left Congress unable to do anything about it, since the act provides no means of disapproving a rescission request within the 45-day time limit.

One consequence was a serious setback for some desperately needed HUD housing programs, which are dependent upon a continuing flow of funds, not forthcoming because of the pending Presidential impoundment.

These housing programs had been the subject of continuous attack by both the Nixon and Ford administrations, which had requested their termination—a re-

quest which had been repeatedly rejected by the overwhelming majority of the Congress, which felt that meeting the housing needs of the poor and disadvantaged was, indeed, a proper role of the Federal Government.

The proposal we are making today closes the loophole which now permits Presidential policy impoundments to cripple programs the Congress desires to fund, by taking advantage of the 45-day waiting period of section 1013.

This amendment does not affect deferrals at all.

Instead, it simply makes clear that the Budget Act does not provide authority under section 1013 to impound funds during the pendency of a rescission request.

This amendment does not, on the other hand, absolutely require the President to spend money during the pendency of a rescission request.

Under our amendment, if the President desires to impound the funds which are the subject of a rescission request during the period when Congress is considering that proposal, he may do so by simultaneously reporting a deferral of the same funds, giving the pendency of the rescission request as the reason for so doing.

Either House of the Congress is then in a position to pass an impoundment resolution disapproving the deferral, and releasing the funds, if that is the pleasure of that House, or to leave the impoundment in place if there is reason to believe that the rescission request may be approved.

I believe that this amendment, without altering the substance of the title X procedures, closes an unfortunate loophole in the procedures established by the original Budget Act, and will, if adopted, enable us to accomplish more efficiently the intent of that act. I urge its speedy adoption.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD.

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

S. 2392

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That P.L. 93-344, the Budget and Impoundment Control Act of 1974, is hereby amended as follows:

Strike out paragraph (b) of section 1012 of P.L. 93-344, the Congressional Budget and Impoundment Act of 1974, and insert in lieu thereof:

"(b) REQUIREMENT TO MAKE AVAILABLE FOR OBLIGATION.—No amount of budget authority proposed to be rescinded or to be reserved as set forth in such special message may be reserved or withheld from obligations (except pursuant to section 1013 or by operation of other Law) unless and until, within the prescribed 45-day waiting period, the Congress has completed action on a rescission bill rescinding all or part of the amount prepared to be rescinded or that is to be reserved."

Senator Walter Mondale on LIFETIME LEARNING

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PROCEEDINGS AND DEBATES OF THE 94th CONGRESS, FIRST SESSION

Vol. 121 WASHINGTON, WEDNESDAY, OCTOBER 8, 1975 No. 151

Senate

By Mr. MONDALE:

S. 2497. A bill to amend the Higher Education Act of 1965 to encourage the establishment of lifetime learning programs, and for other purposes. Referred to the Committee on Labor and Public Welfare.

LIFETIME LEARNING

Mr. MONDALE. Mr. President, I am very pleased to have the privilege today of introducing the "Lifetime Learning Act," which is designed to meet the changing educational needs of Americans at all stages of life.

In the past our educational programs have focused primarily on the young. We have considered education to be a preparation for life more than a tool for continuing development and enrichment. In these times of rapid change and swiftly advancing technology, this narrow view of educational potential is being questioned and challenged. In my home State of Minnesota, for example, a group of dedicated and creative individuals have been working to establish what they call the "Minnesota Learning Society." The Learning Society, which has received both State and national recognition, would draw on a variety of educational resources throughout the community in an effort to provide meaningful learning experiences to people of all ages, social and economic backgrounds, and educational levels.

The legislation I am introducing today would support and encourage these and other efforts to expand educational opportunity for a wide variety of individuals. There are many groups in our society who could receive particular benefit from a new focus on lifetime learning.

Senior citizens, for example, have often been excluded from the academic community in the past. They would be offered exciting new alternatives through participation in educational programs. In a society with a population of 23 million over the age of 65, and increasing life expectancy, the significance of providing productive options for the elderly cannot be overestimated.

Another group which would benefit immensely from greater emphasis on continuing, whole-life education is women. Although they comprise 39 percent of the labor force, women are still concentrated in lower paying, less prestigious jobs. The Civil Rights Act and other anti-job discrimination legislation can never be truly effective until we offer women the training and educational background necessary for advancement in the work force. Many women whose education or career have been interrupted by marriage and child rearing, are, whether by necessity or by choice, returning to the work force. Because of limited or out-of-date skills, they often find themselves poorly equipped to launch a new career. Lifetime learning programs could provide them with the training or retraining needed for reentry into the job market.

Third, lifetime learning programs could help solve the unemployment and underemployment problems of millions of Americans. These programs could provide training, which would assist the unemployed in securing jobs; as well as retraining for those whose education has prepared them for fields in which there are an excess of trained personnel. This lateral mobility would not only help the individuals involved, but would help to meet the fast changing demands for expertise in our society.

Finally, lifetime learning programs could offer much-needed assistance to the growing number of part-time students in this country. According to an American Council on Education report, the number of part-time postsecondary students increased 20.4 percent between 1969 and 1972, while the increase in full-time students was only 8.8 percent. The National Advisory Council on Extension and Continuing Education reported last year that since 1971 the number of part-time students in higher education institutions has exceeded the number of full-time students. Despite this increase, educational programs in too many cases fail to meet the special needs of the part-time student. Often educational expenses are proportionately higher for part-time students than for full-time.

And although the majority of part-time students are working adults, classroom techniques and materials are still frequently geared to younger students. Similarly, course selections for part-time students who attend night classes are more limited than for day-time students, and Federal student assistance programs are still strongly biased in favor of full-time enrollees.

Lifetime learning can offer great opportunities in human terms, but there are also pragmatic reasons for encouraging this movement. For the first time in many years we seem to have educational resources—teachers, dormitories, laboratories which are not being fully used. According to a recent National Institute of Education report, for example—

> Community colleges have resources and are looking, for both financial and philosophical reasons, to serve new groups.

Such resources could be used to meet a variety of diversified educational needs.

While these needs are already being recognized and addressed by a number of promising projects throughout the country, we need to coordinate these efforts and learn from our broad national experience in this field.

At the State University of New York, for example, courses are offered free of charge to students over 60, and on some of the campuses dormitory space is being occupied by elderly enrollees. Special noncredit courses are also being offered to senior citizens at greatly reduced fees.

The Minnesota Learning Society has also been active in education for the elderly. This movement, headed by Dan Ferber, former vice president and dean of Gustavus Adolphus College, includes a consortium of several education institutions whose activities are as follows:

The University of Minnesota is training a corps of personnel in geriatrics and adult education for older persons.

Mankato State College has trained volunteers to identify older people in the community and—in cooperation with other community resources—help provide them with services and activities they seek.

The College of St. Benedict is moving older adults right into dormitories with younger students.

The St. Paul Area Technical Vocational Institute is training geriatric assistants for work in nursing homes.

The North Hennepin Community College has a "seniors on campus" program.

The Minneapolis Public Schools have provided facilities and helped organize 33 clubs providing education and other programs for senior citizens.

The New England Center for Continuing Education has developed a regional approach for coordinating lifetime learning programs of New England's six land-grant universities. Among other things, it has provided program support to a task force which has initiated efforts including the cooperative development of nonresidential programs; research into the characteristics of existing nontraditional programs; exploration of cooperative relationships with television broadcasters; and planning of initial steps toward increasing awareness and understanding of nontraditional postsecondary education by faculty and administrators.

Community colleges are being recognized more and more as effective vehicles for meeting a wide variety of educational needs. The College of Marin in Kentfield, Calif., in addition to its regular courses, has established the "Emeritus College" especially designed for students 55 and older. In addition to being eligible for all the resources of Marin College, Emeritus students are provided with special courses for older adults. Among other benefits, Emeritus students are entitled to reduced basic fees for all classes listed in the adult education schedule; reduced admission to concerts and lectures, and parking permits at half price.

I am extremely impressed by these efforts, as I am by the growing interest of abroad and respected segment of the education community in lifetime learning. Numerous reports and studies are being prepared and circulated in the field, including a study into educational entitlements—educational subsidies for students of all ages—by Norman Kurland of the State University of New York; research into recurrent education by Warren Ziegler sponsored by the Syracuse University Research Corp.; a paper

exploring the use of community-based guidance programs to put students in touch with available educational resources, by Nancy Schlossberg, director of the Office of Women in Higher Education of the American Council of Education; and a commentary on community colleges and the educational needs of older adults by Joseph M. Stetar, director of continuing education at the State University College at Buffalo, to mention only a few.

These important research projects along with a wide variety of similar efforts will provide a valuable input into the development of the legislation I am introducing today. The "Lifetime Learning Act," which I hope to incorporate into the Education Amendments of 1975, now under consideration by the Education Subcommittee, would seek to provide new educational options in the following ways:

By coordinating eixsting efforts in the area of lifetime learning by all Federal agencies;

Providing support for training teachers to work with adults; curriculum development; conversion of facilities to accommodate adults; and development and dissemination of television, cassettes, and other media appropriate for adult education;

Conducting a study of the existing barriers to lifetime learning and how they might be eliminated;

Evaluating existing programs—including methods of financing—in this country and abroad and determining whether they can be used as models.

As the famous philosopher, John Dewey, once said:

Education is not preparation for life. It is life itself.

This legislation represents a modest attempt to establish a major national commitment toward this important goal.

I am introducing this bill as an amendment to title I of the Higher Education Act. It is my intention, however, to further explore with my colleagues and with experts in the field the best administrative vehicle for this new Federal initiative; and to make such adjustments as may be necessary to coordinate this new program with existing efforts and with any new proposals recommended by the Senate Education Subcommittee. I ask unanimous consent that the Lifetime Learning Act be printed in the RECORD.

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

S. 2497

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 "Lifetime Learning Act".

SEC. 2. (a) Title I of the Higher Education Act of 1965 is amended by inserting

"PART A—COMMUNITY SERVICE AND CONTINUING EDUCATION PROGRAMS"

immediately before the section heading of section 101, by striking out "this title" whenever it appears in sections 101 through 113 and inserting in lieu thereof "this part", and by adding at the end of such title the following new part:

"PART B—LIFETIME LEARNING

"STATEMENT OF FINDINGS AND PURPOSE

"SEC. 151. (a) The Congress recognizes—

"(1) the impact of accelerating social and technological change on the duration and quality of life,

"(2) the increasing opportunities for continued personal, vocational and professional development, and

"(3) the growing interest of governmental agencies, educational institutions, labor, business and industry to provide formal and informal education to assist individuals to meet the changing demands of life.

(b) It is the purpose of this part to establish an office of lifetime learning programs in the Office of Education in order to encourage the initiation and expansion of such programs.

"APPROPRIATIONS AUTHORIZED

"SEC. 152. For the purpose of carrying out the provisions of this part there are authorized to be appropriated $10 million for the fiscal year 1976, $2.5 million for the period beginning July 1, 1976 and ending September 30, 1976, $20 million for the fiscal year 1977 and for each of the four succeeding fiscal years.

"DEFINITION OF LIFETIME LEARNING PROGRAM

"SEC. 153. For the purpose of this part 'lifetime learning' means any program, project, activity, or service designed to meet the changing educational needs of Americans throughout their lives, and includes, but is not limited to, adult basic education, post-secondary education, continuing education or remedial education special educational programs for groups or for individuals with special needs, job training programs and preretirement and post retirement training, and education programs for the elderly.

"OFFICE OF LIFETIME LEARNING

"SEC. 154. The Commissioner shall establish within the Office of Education an Office of Lifetime Learning to be administered by a Director appointed by the President.

"LIFETIME LEARNING PROGRAM

"SEC. 155. (a) The Commissioner, through the Office of Lifetime Learning, is authorized to—

"(1) identify, collect, and make available to the public information regarding existing lifetime learning programs carried out or assisted by any department or agency of the Federal Government,

"(2) evaluate existing domestic and foreign lifetime learning programs in order to determine whether such programs can be used for a national lifetime learning program model,

"(3) conduct a study of existing barriers to lifetime learning and how such barriers may be eliminated,

"(4) make grants to and enter into contracts with public agencies and non-profit private organizations for projects to establish, assist or expand lifetime learning programs, including

"(A) research and development activities,

"(B) support for training teachers to conduct lifetime learning programs,

"(C) development of curricula appropriate to the needs of any such program,

"(D) conversion of facilities to serve adult participants in any such program,

"(E) development of techniques for guidance and counseling of adult participants in any such program,

"(F) development and dissemination of media materials appropriate to adult participants in any such program, and

"(G) assessment of the role of gerontology in related fields to identify educational needs and goals of elderly participants in any such program.

"(b) The Commissioner is authorized and directed after each fiscal year to prepare and submit to the President and to the Congress a report setting forth the programs assisted under this part, together with such recommendations as he deems appropriate. The Commissioner shall make the report required by this subsection available to all interested groups and individuals.

"LIFETIME LEARNING REPORT

"SEC. 156. The Commissioner shall prepare and submit to the Congress not later than January 1, 1979, a report to be known as the Lifetime Learning Report, containing a summary of activities and accomplishments under this part during the period prior to the fiscal year 1979, including the number and nature of grants made and contracts entered into pursuant to clause 4 of section 155 (a), together with such recommendations for the development of and assistance to a national lifetime learning program model, including recommendations for legislation, as he deems necessary and appropriate. The report required by this section shall also include information with respect to the status of lifetime learning in the United States, the number and types of lifetime learning programs being carried out, and the needs of Americans for lifetime learning programs."

(b) The title of title I of such Act is amended to read as follows:

"TITLE I—COMMUNITY SERVICE CONTINUING LIFETIME LEARNING PROGRAMS".

Mondale Proposes 10-Step Effort

To Make CIA More Accountable

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PROCEEDINGS AND DEBATES OF THE 94th CONGRESS, FIRST SESSION

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THE AMERICAN INTELLIGENCE COMMUNITY AND THE FUTURE OF U.S. FOREIGN POLICY

(By Senator Walter F. Mondale)

I would like to discuss with you this afternoon a crucial aspect of foreign policy which for too long has been sealed-off from the normal give-and-take of a democratic society—the overseas foreign intelligence operations and activities of the United States.

I want to say at the outset that I am a firm believer in the need for a Central Intelligence Agency. In today's world it clearly is necessary for us to collect intelligence abroad, to analyze it carefully, and to make it available to our senior policy makers. I am prepared to concede also that there may be a role for covert action from time to time—when our most vital interests are jeopardized and no other means will do.

However, having said this, it is clear that some very serious problems have arisen in the functioning of the United States intelligence community. The Senate Select Committee on Intelligence, of which I am a member, has been examining both the strengths and weaknesses of America's intelligence apparatus. If I dwell today on the problems, I do so to provide a basis for discussing some of the reforms that I believe are needed. It is not simply to suggest that enormously valuable work has not been done by our intelligence agencies through the selfless dedication of thousands of Americans.

First the problems. Over the last thirty years, American clandestine intelligence activities have often amounted to a secret foreign policy—usually supporting our public policy, but sometimes running contrary to what the American people were told its government was trying to do in the world. The CIA was the basic instrument of this secret foreign policy, and in many places in the world its operatives became a secret American diplomatic service. Its operatives had intimate and independent contact with important foreign leaders and a stature often rivaling, and sometimes exceeding, that of our Ambassadors.

Periodically our foreign intelligence operations went beyond covert diplomacy. They became an instrument of secret warfare—in Guatemala, Indonesia, Indochina, Cuba, the Congo and Laos. Straying from its intended purpose of supplying our leaders with the best possible intelligence on which to make foreign policy decisions, the CIA became an instrument and an actor in that process.

Your previous speaker, Secretary Rusk, has been quoted as saying that "the process of government is a struggle for power among those holding public office." The CIA, through its operational activities became a participant in that struggle, occasionally to the detriment of its essential function of supplying sound intelligence.

For example, intelligence on the prospects for such operations as the Bay of Pigs and so-called "pacification" in Vietnam was tragically wrong—in part because of CIA deep involvement in these operations.

The resort to clandestine instruments of manipulation, coercion, and interference in the affairs of other countries may have been essential to our security at one time. But over the years, it became increasingly marginal. Today we find it has damaged our credibility, tarnished our prestige and undermined our power in the world.

The United States is now blamed for nearly everything—from the murder of King Faisal to supposedly bankrolling rich European Socialist parties in their efforts to help the Portuguese. We bear a serious burden for the past activities of the CIA. Democratic and progressive leaders in the world often shy away from supporting the United States for fear of being smeared with charges of association with the CIA.

Equally important, CIA support for the most odious dictatorships and "destabilizing" efforts aimed at democratic governments have undermined popular American support for our involvement in foreign affairs. If that is what is meant by shouldering world responsibilities, many Americans would rather not.

There have also been problems in effectively managing our multi-billion-dollar intelligence bureaucracy so as to avoid waste and ensure objective intelligence. Decisions on what information to collect are often the result of the bureaucratic priorities of the many collecting agencies—and often not made on the basis of national requirements. The great bulk of our intelligence budget is spent on collection, a much smaller amount is spent on information processing, and a relatively infinitesimal, and inadequate, amount is spent on the crucial task of analyzing the information so we know what it means. Finally, there are serious problems in ensuring that the intelligence agencies have sufficient independence and integrity to tell the whole truth no matter how unpleasant this may be for our political leaders.

But the most important problem is that the concept and the techniques of our intelligence activities abroad have been turned against the American people at home. As the late Stewart Alsop observed in connection with Watergate: "to transfer such secret service techniques on an obviously planned and organized basis to the internal American political process is a genuinely terrifying innovation."

Yet we now know that there was even more than Watergate—there was also Operation Chaos, COINTELPRO, mail openings, illegal break ins, wiretaps, buggings, anonymous slander, phoney front organizations, agent provocateurs, strong-arm stuff and maybe worse.

The use of these covert actions and counterintelligence techniques on American citizens had their roots in the real concerns felt by the American people in the Second World War and in the depths of the ensuing Cold War. But it was in the late 1960's when this activity really blossomed.

Two President, one a Democrat and one a Republican, treated as disloyal those Americans who protested the foreign policy and the war. the government was then pursuing. The apparatus of government intelligence was focused inward in an effort to shift blame away from the failures of our foreign policy and onto some of its citizens.

And the practice spread. Black activists and civil rights groups came under surveillance; labor leaders and Congressmen were monitored and files were kept on them. Even Richard Nixon had his mail opened. In fact nobody was safe.

Repeatedly, the White House badgered the intelligence agencies of the government to find connections between foreign agents and war protesters and other political activists. Repeatedly, they failed to find significant evidence that opposition to the war, the drive for civil rights or that unrest in the cities was due to foreign manipulation. Nonetheless, the White House continued to press for intelligence to fit its fantasies.

The result, however, was an attempt to chill political dissent in this country and to stifle the constitutional right to the free expression of views essential for our democracy to survive.

This use of intelligence techniques to thwart the democratic process has profound implications for our future foreign policy. First, it affects the realism and wisdom of our foreign policy. If we permit by resort to the tools of counterintelligence—to treat American citizens exercising their rights as though they were foreign agents—then we can tragically delay the process of facing up to world realities.

Second, the degree of public support for foreign policy is seriously affected. The American people cannot be expected to show much enthusiasm for full participation in world affairs if those who differ over policy are to be treated as traitors. It gives foreign policy a bad name. Americans are going to be reluctant to support an activist foreign policy unless they have confidence that some of the secret instruments of foreign policy are under effective control and will not be turned against them.

* * * * *

In dealing with these problems, the basic task of the Select Committee is to restore the confidence of the American people in the United States intelligence community. The intelligence community cannot do this for itself.

No amount of internal reform and Executive orders can substitute for a new Congressional charter for these agencies, backed up by vigorous Congressional oversight. We must ensure that our intelligence agencies are under certain control, accountable, and acting within the law. They must not be allowed, in the name of foreign policy or national security, to abridge the Constitution and the Bill of Rights.

To this end, the Select Committee on Intelligence Activities has undertaken the first in-depth examination of the CIA since its founding almost thirty years ago. We have been meeting for almost nine months. Five months remain before our mandate expires on the first of March next year. Already the files and records of the Committee are larger than any single investigation previously conducted by the Senate. The number of pages of testimony on the subject of assassination alone is approaching that of the Watergate proceedings. We have a Committee staff of over one hundred.

The main issue that is emerging is that of accountability.

There is a disturbing pattern of secret agencies unaccountable to the President. There is an even more frightening pattern of Presidents using these agencies to evade accountability to the law, to the Congress, to the Constitution and the American people.

This lack of accountability threatens the very basis of our democratic system. During the House Judiciary Committee proceedings considering the possible impeachment of President Nixon, Representative James Mann put the problem starkly. "Americans revere their President, and rightly they should. We would strive to strengthen and protect the Presidency. But if there be no accountability, another President will feel free to do as he chooses. The next time there may be no watchman in the night."

Reestablishing this bond of Presidential accountability to the people must be the Select Committee's ultimate task.

And if we can achieve this, I believe we will also be making major progress involving more technical questions such as whether our intelligence effort has the right priorities and whether the intelligence produced is objective, effective, and worth the money spent on it.

The question of accountability is central. We make an enormous concession in our democratic society to let government agencies operate in secret. Now, I accept that secrecy is sometimes necessary, particularly in the field of intelligence. But we cannot tolerate both secrecy and lack of accountability and expect to survive as a democratic nation.

Pinning down responsibility for many of the actions the Committee has uncovered has been like nailing jello to a wall. Subordinates say they were told to do it; higher officials can't remember it. Over and over we find that something happened but nobody did it.

Who is accountable in such cases? Who is out of control? The agency? The White House? The President?

We've been through all the available records, and they are a mess. Of course, one wouldn't assume that normal business files would be kept on this sort of activity.

But more important, the record system is designed to leave a mess. The basic principle of intelligence operations is deniability—to insulate the President from responsibility—to make it appear that this government isn't doing what it is doing—to make sure the buck doesn't stop with the responsible officials in our government. Deniability is the enemy of accountability.

As a result, it is possible to conclude that the agencies are often off on their own like a "rogue elephant." But there is a suspicion possibly unjustified that the rope was slipped off the elephant by the Chief of the Park Service himself.

The truth is that the system is designed so that it is too often impossible to ascer-

'tain the truth. The truth is that the system is unacceptable.

We have found examples in which Presidents have used our intelligence agencies to secretly exceed their authority under the law and the Constitution.

We have found cases in which the agencies have, apparently on their own, exceeded or violated Presidential orders. The case of the CIA's failure to destroy its biological weapons—the shellfish toxin—is a small, but illustrative, example.

We have found that the agencies have sought Presidential authorization of illegal actions in which they were already engaged—the Huston Plan is a case in point.

It seems that the possibilities are endless. And as far as I can tell, they all happened.

What can be done about the problem of accountability? What can be done to meet the problems I have outlined? My answers are still tentative and are certainly subject to revision as we go further in our investigation. But I wanted to spell out some ideas in order to begin the dialogue on the kind of fundamental changes that I believe are required.

I would suggest consideration of the following steps:

1. First, I would suggest taking the clandestine services, the spys, the covert operators, the whole "dirty tricks" department—out of the CIA. This is the only way to get effective control over these activities.

There have been many suggestions to take such covert action—the overthrowing of foreign governments, all that sort of thing—out of the CIA, but to leave the covert collection, or espionage job, in the Agency. We have been taking a close look at that, and it's frankly impractical. You really can't draw a line between espionage and covert action.

People who will give you information and betray their country in that manner will also do odd jobs for you later on, if you want some covert activity. Moreover, the whole apparatus of secrecy—safe houses, secret writing, clandestine contacts—is the same in both cases.

We would be fooling ourselves if we tried to exert control over covert action and ignored the fact that the same kinds of things are done under different labels, such as intelligence, or even more, counterintelligence.

2. This whole covert side of our intelligence operations should be made accountable to a politically responsible official of the Executive branch, such as the Secretary of State. We should abolish these phantom groups—the most recent of which is the 40 Committee—that are supposed to exercise control but which, in reality, serve to insulate the most senior officials and the President from accountability. A new Cabinet-level body, chaired by the Secretary of State, should sign off on *all* our clandestine activities abroad, including intelligence and counterintelligence, which at present receive no systematic high-level review. Accountability would replace deniability—which was a naive and unworkable concept anyway—and seasoned and sober judgments would hopefully replace reckless and impractical ones.

3. In the field, we have to make the American Ambassador fully responsible for all the intelligence operations that are going on in his country. Otherwise, we can exert all the control we like in Washington, but we will have no assurance that in fact control is being monitored in the field.

Some might argue that there are certain Ambassadors who can't be trusted with this kind of information. Well, my view is that maybe this will lead to a better class of Ambassadors and end the practice of using our overseas posts for political payoffs.

4. I believe we must make the budget for these clandestine activities come out of the State Department and the Defense Department budgets and be subject to strict impersonal authorization. That way, we can help assure that secret intelligence operations are truly essential to our defense or our diplomacy.

5. I believe we should consider reducing our overseas complement of the clandestine service substantially over the next several years. I believe these slots should be transferred to the Foreign Service so it can do a better job of political and economic reporting on an open basis. All agencies agree that the primary and most valuable source of intelligence, apart from our technical systems, comes from the Foreign Service. Yet they are badly hamstrung by lack of personnel training and operating funds. I believe a special account for these purposes must be added to the State Department budget.

6. This doesn't mean that we should abolish the Director of Central Intelligence. Quite the contrary. His role should be strengthened. He should continue his responsibilities as the central point of analysis for all intelligence information and have greater authority to manage the technical collection programs. In addition, he should be given basic managerial responsibilities over the budget of the intelligence community.

Only in that way can our requirements for intelligence really be linked-up with the way we spend our money. As it stands now, there is a tendency for each agency to get its share of the pie and go off on its own, doing what it knows how to do best, regardless of what the requirements are of the government as a whole. This, in fact, was the original role for establishing a Director of Central Intelligence to serve as a central point for analyzing information and for coordination and management.

7. I believe the Director of Central Intelligence also should be given an explicit charge to keep the Congress informed of intelligence developments as they unfold. For the Congress to play its rightful role in the shaping of national policy, it must have as good information as the Executive.

8. To reestablish the integrity of our national intelligence estimates, I believe we must restore some version of the Board of National Estimates. This board was abolished by Richard Nixon when he didn't like the news that he was getting from the intelligence community. It was a board of eminent and highly qualified intelligence analysts, diplomats and statesmen, who tried to come to some wise and sober judgments on the significance of our intelligence information.

Nothing is more important than having objective intelligence. But objective intelligence requires objective people, unfettered by fears for their careers and not susceptible to White House or parochial agency pressure. We need to reestablish a board that can perform that function.

9. The intelligence agencies should have their rules clearly spelled out in law. We need to pass stiff laws that will attach tough criminal penalties to violations of their charters or of other laws of the United States. We have to make it as clear as we possibly can what activities are permitted by these agencies. We must make it equally clear that all other activities are forbidden unless explicitly authorized by Congress. We can't put ourselves in the position of trying to imagine and rule out all possible activities that could conflict with our principles and our Constitution. If additional authority is needed, they can come to the Congress for it.

10. Finally, we must establish an effective Congressional oversight mechanism. I believe it is fair to say that if we had done a better job of oversight, we might have come to grips with these problems a great deal earlier. This oversight body, whether it be a joint Committee or separate Committees of the two Houses of Congress, should be composed of representatives from the other Committees responsible for these matters—Armed Services, Foreign Relations, Appropriations—as well as several members drawn at large from the two Houses. Membership of the Committee should rotate so that the Committee does not become captive to the intelligence community. A critical aspect of this oversight is that this Congressional Committee be allowed access to all relevant information. The unwillingness to trust a duly-constituted Congressional body with information relating to the intelligence of the United States betrays the same lack of trust of the democratic process that led to the abuse of the agencies by turning them against American citizens.

I believe there is no more fateful set of decisions to be made by the Congress in the field of foreign affairs than those that will be addressed by the Select Committee and ultimately by the Congress. No more important step towards reestablishing America's credibility and America's respect, and therefore America's power, can under effective control and accountability.

Moreover, it is essential for the continuation of democratic support for our involvement in foreign affairs. Only through the most careful safeguarding of our liberties will the American people again feel that their government deserves the trust so essential for the conduct of an effective foreign policy.

I am convinced that we can rebuild this trust only by ensuring that no one individual can abuse it. As James Reston has noted, "we have a system that we shrewdly designed to be strong enough for leadership, but in which power was diffuse enough to assure liberty." Through the reforms I have suggested, and others that may also be needed, I hope we could help assure both continued leadership and continued liberty.

But beyond these measures of institutional reform lie the ultimate questions of what kind of President, what kind of foreign policy we are to have. Regardless of institutional arrangements, it is very hard for the members of the intelligency community—or anyone else in the federal bureaucracy—to say "no" to the President. And it is almost impossible if the President invokes the imperatives of foreign policy and national security.

So it comes back to our basic approach to foreign policy. Will it be dominated by fear and suspicion? Will it be characterized by outsized ambition and an American solution to every problem? Will it be warped by the illusion that while we jealously control our own history the history of others can be manipulated by a few dollars, a few guns or a few lies?

Or will we approach the world with a more open mind and a more generous spirit? Will our leaders learn to live with democratic dissent at home and to acept diversity in our dealings abroad? Will we once again be the foremost example of liberty in the world?

I hope so. I believe it would restore a new measure of proportion and restraint to our future foreign policy.

Without this restraint, the entire structure and uniqueness of our democracy may be endangered.

With it, we will enter our third century of democracy better equipped to meet the challenges to domestic liberty that international tensions inevitably produce.

What is at stake is nothing less that our continued success of our democracy. As John Gardner has observed:

"When our nation was founded, there was a holy Roman Emperor, Venice was a Republic, France was ruled by a King, China and Japan by an Emperor, Russia by a Czar and Great Britain had only the barest beginnings of a democracy. All of these proud regimes and scores of others have long since passed into history, and among the world's powers, the only government that stands essentially unchanged is the Federal Union put together in the 1780's by 13 states on the east coast of North America."

Preserving and enhancing this Union must be the enduring goal of our Foreign Policy. We must be sure the instruments of foreign policy do not betray it. Re-establishing the accountability of our intelligence community and our President to the people is essential to the continued well-being of the American republic.

Walter F. Mondale
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Mondale Proposes 10-Step Effort

To Make CIA More Accountable

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 94th CONGRESS, FIRST SESSION

Vol. 121 WASHINGTON, THURSDAY, OCTOBER 9, 1975 No. 152—Part II

THE AMERICAN INTELLIGENCE COMMUNITY AND THE FUTURE OF U.S. FOREIGN POLICY

(By Senator Walter F. Mondale)

I would like to discuss with you this afternoon a crucial aspect of foreign policy which for too long has been sealed-off from the normal give-and-take of a democratic society—the overseas foreign intelligence operations and activities of the United States.

I want to say at the outset that I am a firm believer in the need for a Central Intelligence Agency. In today's world it clearly is necessary for us to collect intelligence abroad, to analyze it carefully, and to make it available to our senior policy makers. I am prepared to concede also that there may be a role for covert action from time to time—when our most vital interests are jeopardized and no other means will do.

However, having said this, it is clear that some very serious problems have arisen in the functioning of the United States intelligence community. The Senate Select Committee on Intelligence, of which I am a member, has been examining both the strengths and weaknesses of America's intelligence apparatus. If I dwell today on the problems, I do so to provide a basis for discussing some of the reforms that I believe are needed. It is not simply to suggest that enormously valuable work has not been done by our intelligence agencies through the selfless dedication of thousands of Americans.

First the problems. Over the last thirty years, American clandestine intelligence activities have often amounted to a secret foreign policy—usually supporting our public policy, but sometimes running contrary to what the American people were told its government was trying to do in the world. The CIA was the basic instrument of this secret foreign policy, and in many places in the world its operatives became a secret American diplomatic service. Its operatives had intimate and independent contact with important foreign leaders and a stature often rivaling, and sometimes exceeding, that of our Ambassadors.

Periodically our foreign intelligence operations went beyond covert diplomacy. They became an instrument of secret warfare—in Guatemala, Indonesia, Indochina, Cuba, the Congo and Laos. Straying from its intended purpose of supplying our leaders with the best possible intelligence on which to make foreign policy decisions, the CIA became an instrument and an actor in that process.

Your previous speaker, Secretary Rusk, has been quoted as saying that "the process of government is a struggle for power among those holding public office." The CIA, through its operational activities became a participant in that struggle, occasionally to the detriment of its essential function of supplying sound intelligence.

For example, intelligence on the prospects for such operations as the Bay of Pigs and so-called "pacification" in Vietnam was tragically wrong—in part because of CIA deep involvement in these operations.

The resort to clandestine instruments of manipulation, coercion, and interference in the affairs of other countries may have been essential to our security at one time. But over the years, it became increasingly marginal. Today we find it has damaged our credibility, tarnished our prestige and undermined our power in the world.

The United States is now blamed for nearly everything—from the murder of King Faisal to supposedly bankrolling rich European Socialist parties in their efforts to help the Portuguese. We bear a serious burden for the past activities of the CIA. Democratic and progressive leaders in the world often shy away from supporting the United States for fear of being smeared with charges of association with the CIA.

Equally important, CIA support for the most odious dictatorships and "destabilizing" efforts aimed at democratic governments have undermined popular American support for our involvement in foreign affairs. If that is what is meant by shouldering world responsibilities, many Americans would rather not.

There have also been problems in effectively managing our multi-billion-dollar intelligence bureaucracy so as to avoid waste and ensure objective intelligence. Decisions on what information to collect are often the result of the bureaucratic priorities of the many collecting agencies—and often not made on the basis of national requirements. The great bulk of our intelligence budget is spent on collection, a much smaller amount is spent on information processing, and a relatively infinitesimal, and inadequate, amount is spent on the crucial task of analyzing the information so we know what it means. Finally, there are serious problems in ensuring that the intelligence agencies have sufficient independence and integrity to tell the whole truth no matter how unpleasant this may be for our political leaders.

But the most important problem is that the concept and the techniques of our intelligence activities abroad have been turned against the American people at home. As the late Stewart Alsop observed in connection with Watergate: "to transfer such secret service techniques on an obviously planned and organized basis to the internal American political process is a genuinely terrifying innovation."

Yet we now know that there was even more than Watergate—there was also Operation Chaos, COINTELPRO, mail openings, illegal break ins, wiretaps, buggings, anonymous slander, phoney front organizations, agent provocateurs, strong-arm stuff and maybe worse.

The use of these covert actions and counterintelligence techniques on American citizens had their roots in the real concerns felt by the American people in the Second World War and in the depths of the ensuing Cold War. But it was in the late 1960's when this activity really blossomed.

Two President, one a Democrat and one a Republican, treated as disloyal those Americans who protested the foreign policy and the war the government was then pursuing. The apparatus of government intelligence was focused inward in an effort to shift blame away from the failures of our foreign policy and onto some of its citizens.

And the practice spread. Black activists and civil rights groups came under surveillance; labor leaders and Congressmen were monitored and files were kept on them. Even Richard Nixon had his mail opened. In fact nobody was safe.

Repeatedly, the White House badgered the intelligence agencies of the government to find connections between foreign agents and war protesters and other political activists. Repeatedly, they failed to find significant evidence that opposition to the war, the drive for civil rights or that unrest in the cities was due to foreign manipulation. Nonetheless, the White House continued to press for intelligence to fit its fantasies.

The result, however, was an attempt to chill political dissent in this country and to stifle the constitutional right to the free expression of views essential for our democracy to survive.

This use of intelligence techniques to thwart the democratic process has profound implications for our future foreign policy. First, it affects the realism and wisdom of our foreign policy. If we permit by resort to the tools of counterintelligence—to treat American citizens exercising their rights as though they were foreign agents—then we can tragically delay the process of facing up to world realities.

Second, the degree of public support for foreign policy is seriously affected. The American people cannot be expected to show much enthusiasm for full participation in world affairs if those who differ over policy are to be treated as traitors. It gives foreign policy a bad name. Americans are going to be reluctant to support an activist foreign policy unless they have confidence that some of the secret instruments of foreign policy are under effective control and will not be turned against them.

* * * * *

In dealing with these problems, the basic task of the Select Committee is to restore the confidence of the American people in the United States intelligence community. The intelligence community cannot do this for itself.

No amount of internal reform and Executive orders can substitute for a new Congressional charter for these agencies, backed up by vigorous Congressional oversight. We must ensure that our intelligence agencies are under certain control, accountable, and acting within the law. They must not be allowed, in the name of foreign policy or national security, to abridge the Constitution and the Bill of Rights.

To this end, the Select Committee on Intelligence Activities has undertaken the first in-depth examination of the CIA since its founding almost thirty years ago. We have been meeting for almost nine months. Five months remain before our mandate expires on the first of March next year. Already the files and records of the Committee are larger than any single investigation previously conducted by the Senate. The number of pages of testimony on the subject of assassination alone is approaching that of the Watergate proceedings. We have a Committee staff of over one hundred.

The main issue that is emerging is that of accountability.

There is a disturbing pattern of secret agencies unaccountable to the President. There is an even more frightening pattern of Presidents using these agencies to evade accountability to the law, to the Congress, to the Constitution and the American people.

This lack of accountability threatens the very basis of our democratic system. During the House Judiciary Committee proceedings considering the possible impeachment of President Nixon, Representative James Mann put the problem starkly. "Americans revere their President, and rightly they should. We would strive to strengthen and protect the Presidency. But if there be no accountability, another President will feel free to do as he chooses. The next time there may be no watchman in the night."

Reestablishing this bond of Presidential accountability to the people must be the Select Committee's ultimate task.

And if we can achieve this, I believe we will also be making major progress involving more technical questions such as whether our intelligence effort has the right priorities and whether the intelligence produced is objective, effective, and worth the money spent on it.

The question of accountability is central. We make an enormous concession in our democratic society to let government agencies operate in secret. Now, I accept that secrecy is sometimes necessary, particularly in the field of intelligence. But we cannot tolerate both secrecy and lack of accountability and expect to survive as a democratic nation.

Pinning down responsibility for many of the actions the Committee has uncovered has been like nailing jello to a wall. Subordinates say they were told to do it; higher officials can't remember it. Over and over we find that something happened but nobody did it.

Who is accountable in such cases? Who is out of control? The agency? The White House? The President?

We've been through all the available records, and they are a mess. Of course, one wouldn't assume that normal business files would be kept on this sort of activity.

But more important, the record system is designed to leave a mess. The basic principle of intelligence operations is deniability—to insulate the President from responsibility—to make it appear that this government isn't doing what it is doing—to make sure the buck doesn't stop with the responsible officials in our government. Deniability is the enemy of accountability.

As a result, it is possible to conclude that the agencies are often off on their own like a "rogue elephant." But there is a suspicion possibly unjustified that the rope was slipped off the elephant by the Chief of the Park Service himself.

The truth is that the system is designed so that it is too often impossible to ascer-

'tain the truth. The truth is that the system is unacceptable.

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We have found cases in which the agencies have, apparently on their own, exceeded or violated Presidential orders. The case of the CIA's failure to destroy its biological weapons—the shellfish toxin—is a small, but illustrative, example.

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I would suggest consideration of the following steps:

1. First, I would suggest taking the clandestine services, the spys, the covert operators, the whole "dirty tricks" department—out of the CIA. This is the only way to get effective control over these activities.

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2. This whole covert side of our intelligence operations should be made accountable to a politically responsible official of the Executive branch, such as the Secretary of State. We should abolish these phantom groups—the most recent of which is the 40 Committee—that are supposed to exercise control but which, in reality, serve to insulate the most senior officials and the President from accountability. A new Cabinet-level body, chaired by the Secretary of State, should sign off on *all* our clandestine activities abroad, including intelligence and counterintelligence, which at present receive no systematic high-level review. Accountability would replace deniability—which was a naive and unworkable concept anyway—and seasoned and sober judgments would hopefully replace reckless and impractical ones.

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I am convinced that we can rebuild this trust only by ensuring that no one individual can abuse it. As James Reston has noted, "we have a system that we shrewdly designed to be strong enough for leadership, but in which power was diffuse enough to assure liberty." Through the reforms I have suggested, and others that may also be needed, I hope we could help assure both continued leadership and continued liberty.

But beyond these measures of institutional reform lie the ultimate questions of what kind of President, what kind of foreign policy we are to have. Regardless of institutional arrangements, it is very hard for the members of the intelligency community—or anyone else in the federal bureaucracy—to say "no" to the President. And it is almost impossible if the President invokes the imperatives of foreign policy and national security.

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With it, we will enter our third century of democracy better equipped to meet the challenges to domestic liberty that international tensions inevitably produce.

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Senator Walter Mondale
on
Women's Vocational Education

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 94th CONGRESS, FIRST SESSION

Vol. 121 WASHINGTON, MONDAY, NOVEMBER 3, 1975 *No. 161*

Senate

By Mr. MONDALE:

S. 2603. A bill to amend the Vocational Education Act of 1963 to assure equal educational opportunities in vocational education programs for individuals of both sexes, and for other purposes. Referred to the Committee on Labor and Public Welfare.

Mr. MONDALE. Mr. President, I am pleased to have the privilege today of introducing in the Senate the Women's Vocational Education Amendments of 1975.

This legislation would provide a new, much-needed emphasis on women's roles within the vocational education system, and would aim to eliminate existing barriers to the full participation of both sexes in vocational education programs.

I am proud that the Congress has strengthened its commitment to vocational education in recent years. But although we have been working hard to provide youths and adults with adequate job training through our schools, it is becoming painfully apparent that a large segment of the population has in too many cases been denied the full benefit of this increased emphasis.

While in recent years women have comprised over half of the vocational education enrollees, a large majority of them have been confined to programs which are not designed to develop marketable skills, and to "women's fields" which often lead to low-paying, dead end jobs.

We know that women currently constitute a major portion of the work force. We also know that women are working to fill serious conomic needs. According to a 1974 Labor Department survey, nearly two-thirds of working women are single, divorced, widowed, separated, or have husbands who make less than $7,000 per year. Just a year before that, however, the median salary for full-time female employees was $6,335 per year, in contrast to $11,186 per year for full-time male workers. One of the reasons for this major discrepancy in earnings is that women remain clustered in fewer and lower paying occupations than men. Yet vocational education has not always adequately encouraged women to prepare for and enter higher paying, traditionally male dominated fields.

Evidence of this ambivalence toward the increased training needs of women, as well as toward the full participation of women in all phases of vocational education is abundant and convincing. For example:

First. According to Pamela Roby, associate professor of sociology at the University of California at Santa Cruz, 49 percent of the 6.4 million women and girls enrolled in public vocational programs in 1972 across the Nation were being trained in home economics. Another 28 percent were being trained in office practices. Very few were being prepared for the better paying trades, for industrial and health occupations other than nursing, or for technical jobs.

Second. A recent Office of Civil Rights survey of area vocational schools identified 17 single-sex vocational education institutions despite the title IX requirements to the contrary.

Third. A 1974 General Accounting Office report on vocational education noted that several States have practices that could discourage women from preparing for nontraditional roles. Catalogs for vocational programs, for instance, used the exclusive pronoun "he" for nearly all subjects, and used the exclusive pronoun "she" when describing secretarial and nursing courses.

Fourth. GAO further reported that sometimes classes were physically located in a manner which could encourage sex role stereotyping by grouping traditionally "feminine" courses in one building, and "male" courses in another.

Fifth. At high administrative and advisory council levels, women appear in only token numbers. In a random sample of 400 area vocational school directors, men comprised 93 percent of the directors. Also no woman is currently employed as a State director of vocational education or as a State supervisor outside of the field of business, distribution, health and home economics.

Congress has repeatedly affirmed its commitment to providing equal educational opportunity to women—first in 1972 through title IX of the education amendments, and more recently through the Women's Educational Equity Act, which I introduced in the Senate. As vital as this legislation is to educational equality in general, the continuing underrepresentation of women in the vocational education system requires an immediate, special focus.

The aim of the legislation I am introducing today is to advance the full participation of both sexes in vocational education in a variety of areas including administration—both at the national and State levels—counseling, curriculum development and materials, as well as research and training, to mention only a few.

The bill I am introducing today is the product of several months of analysis and work by a group of interested persons and experts in vocational education. It consists of a series of amendments to the Vocational Education Act, including creation of a new section authorizing special assistance to programs which show promise of addressing the problems of sex discrimination in vocational education.

In coming weeks the Subcommittee on Education will begin its intensive review of this and other expiring legislation. I am hopeful that the principles embodied in the bill introduced today can be reflected in the omnibus education bill which will be developed by the subcommittee and the full Labor and Public Welfare Committee in coming months. I ask unanimous consent that the bill be printed in the RECORD.

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

S. 2603

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 "Women's Vocational Education Amendments of 1975".

SEC. 2. Section 101 of the Vocational Education Act of 1963 is amended by inserting before the word "and" the second time it appears in such section a comma and the following: "to develop and carry out programs of vocational education within each State so as to overcome sex discrimination and sex stereotyping in all occupations (including the occupation of homemaking), and thereby furnish equal education opportunities in vocational education to persons of both sexes".

SEC. 3. (a) Section 104(a)(1) of the Vocational Education Act of 1963 is amended by redesignating clauses (F) and (G) as clauses (G) and (H), respectively, and by inserting immediately after clause (E) the following new clause:

"(F) familiar with the special experiences and special problems of women and problems of sex stereotyping in vocational education,".

(b) Section 104(a)(1) of such Act is further amended by inserting after the second sentence thereof the following new sentence: "In making appointments under this paragraph the President shall assure that there is a balanced representation on the National Council on the basis of race, color, sex, and national origin."

(c) Section 104(b)(1)(A) of such Act is amended by redesignating subclauses (viii) and (ix) as clauses (ix) and (x), respectively, and by inserting immediately after clause (vii) the following:

"(viii) familiar with the special experiences and special problems of women and problems of sex stereotyping in vocational education,".

(d) Section 104(b)(1) of such Act is amended by inserting at the end thereof the following new sentence: "In making appointments under this paragraph the Governor or the State board, as the case may be, shall assure that there is a balanced representation on the State Advisory Council on account of race, creed, color, sex, and national origin so that the Council is representative of the population of the State which that council will serve."

SEC. 4. Section 122(a)(6) of the Vocational Education Act of 1963 is amended by inserting "(A)" after "(6)" and by adding at the end thereof the following new subclause:

"(B) vocational guidance and counseling training designed to acquaint guidance counselors with (i) the changing work patterns of women, (ii) ways of effectively overcoming occupational sex stereotyping and (iii) ways of assisting girls and women to select careers solely on their occupational needs and interests, and to develop improved career counseling materials which are free.

(b) Section 122 (a) of such Act is further amended by—

(1) striking out "and" at the end of clause 7,

(2) redesignating clause 8 as subclause (B), and

(3) inserting immediately after clause 7 the following:

"(8)(A) the development of curriculum and guidance and testing materials and for in service training programs designed to overcome sex bias in vocational education programs, and support services designed to enable teachers to meet the needs of individuals enrolled in vocational education programs traditionally limited to members of the opposite sex;".

SEC. 5. (a) Section 122 of the Vocational Education Act of 1963 is amended by adding at the end thereof the following new subsection:

"(d)(1) In addition to the amounts appropriated pursuant to section 102, there are authorized to be appropriated $5,000,000 for each fiscal year in order to establish within the State board or any other appropriate agency of the State, an office for women. Each such office shall assist the State board in fulfilling the purposes of this Act by—

"(A) taking such action as may be necessary to create awareness of programs and activities in vocational education that are designed to reduce sex stereotyping in all vocational education programs,

"(B) gathering, analyzing, and disseminating data on the status of men and women students and employees in the vocational education programs of that State,

"(C) developing and supporting actions to correct any problems brought to the attention of that office through activities carried out under clause 2 of this sentence;

"(D) reviewing the distribution of grants by the State board to assure that the interests and needs of women are addressed in the projects assisted under this Act,

"(E) reviewing all vocational educational programs in the State for sex bias,

"(F) monitoring the implementation of laws prohibiting sex discrimination in all hiring, firing, and promotion procedures within the State relating to vocational education,

"(G) reviewing and submiting recommendations with respect to the overcoming of sex stereotyping and sex bias in vocational education programs for the annual State vocational education plan,

"(H) assisting local educational agencies and other interested parties in the State in improving vocational educational opportunities for women, and

"(I) developing an annual report on the status of women in vocational education programs in the State and furnish the report to the State Commission of Vocational Education, the State board, the State and National Advisory Councils on Vocational Education, the State Commission on the Status of Women, and the Commissioner.

Each report prepared and submitted under clause I of this subsection shall be made available to all interested persons. Each such report shall contain the self-evaluations required by regulations implementing Title 9 of receiving Federal assistance.

"(2) From the funds appropriated to carry out this subsection each State shall receive $100,000 in each fiscal year in which an office for women has been established in accordance with this subsection.

"(3) For the purpose of this subsection, the term 'State' means the several States and the District of Columbia."

(b) Section 123(a)(2) of such Act is amended by inserting before the semicolon a comma and the following: "and establishes an office for women as an agency of such board in accordance with the provisions of section 122(d)".

SEC. 6. (a) Section 123(a) of the Vocational Education Act of 1963 is amended by redesignating paragraphs (17) and (18) of such section as paragraphs (18) and (19), respectively, and by inserting immediately after paragraph (16) the following new paragraph:

"(17) sets forth the conduct of a thorough study of the policies, procedures, materials, and administrative procedures that the State will follow in vocational education programs so as to permit equal access to such programs by both men and women, including (A) a detailed description of the policies and procedures to be followed, (B) actions that will be taken to overcome sexism in all vocational education programs, (C) incentives which will be provided to local educational agencies to develop model programs to reduce sex stereotyping in all occupations and provides for making the results of study required by this paragraph available to the public;".

(b)(1) Section 123(a)(18) (as redesignated by subsection (a) of this section) is amended by inserting after the word "title" a comma and the following: "including statistical reports of enrollments in vocational education programs by sex, by race, by sex and race, by type of program, and by level of educational achievement".

(2) Section 123 of such Act is amended by adding at the end thereof the following new subsection:

"(e) For each fiscal year beginning after fiscal year 1976, the Commissioner shall prepare and make available to the public the statistics for each State submitted pursuant to paragraph (18) of subsection (a) of this section."

(c) Section 123(b) of such Act is amended by inserting "(1)" after "(b)" and by adding at the end of such section the following new paragraph:

"(2) Beginning in fiscal year 1976, and for each fiscal year thereafter, the Commissioner shall not approve a State plan submitted under this section until he has received assurances that the office for women established by the State pursuant to section 122(d) has reviewed the plan, and that the State board has given due consideration to the needs of female students and the State board provides assurances that all vocational education programs described in the plan are designed to attract individuals of both sexes and that no sex stereotyping exists in such programs.".

SEC. 7. (a) Section 132 of the Vocational Education Act of 1963 is amended by inserting "(a)" after the section designation, and by adding at the end thereof the following new subsection:

"(b) In making grants and entering into contracts under section 131(a), the Commissioner and the State board shall give priority to programs and projects designed to reduce sexual stereotyping in vocational education."

(b) The section heading of such section 132 is amended to read as follows:

"USES OF FEDERAL FUNDS; PRIORITY"

SEC. 8. Section 143(b) of the Vocational Education Act of 1963 is amended by redesignating paragraph (4) of such section as paragraph (5) and by adding after paragraph (3) the following new paragraph (4):

"(4) In making grants or entering into contracts the Commissioner or the State board, as the case may be, shall give priority to programs and projects designed to reduce sex stereotyping in vocational education".

SEC. 9. (a) Section 161(a)(1) of the Vocational Education Act of 1963 is amended to read as follows:

"SEC. 161 (a)(1) There are authorized to be appropriated for the fiscal year ending June 30, 1970, $25,000,000, for the fiscal year ending June 30, 1971, $35,000,000, for each of the succeeding fiscal years ending prior to July 1, 1975, $50,000,000, for the fiscal year ending June 30, 1976, $60,000,000, for the period beginning July 1, 1976 and ending September 30, 1977 such sums as may be necessary and for each fiscal year thereafter, $75,000,000, for the purposes of this part. For the sums appropriated pursuant to this paragraph for each fiscal year ending prior to July 1, 1975, the Commissioner shall allot to each State an amount which shall be computed in the same manner as allotments to States under section 103 except that, for the purposes of this section, there shall be on reservation of 10 per centum of such sums for research and training programs and 100 per centum of the amount appropriated pursuant to this section shall be allotted among the States. For fiscal year 1976 and each fiscal year thereafter the Commissioner shall reserve 10 per centum of the sums appropriated pursuant to this paragraph for each fiscal year for demonstration and model programs in family life education authorized under section 163, and from the remainder of such sums the Commissioner shall allot to each State an amount which shall be computed in the same manner as allotments to States under section 103, except that for the purposes of this section, there shall be no reservation of 10 per centum of such remainder for research and training programs and 100 per centum of the amount of the remainder of the amount appropriated pursuant to this section shall be allotted among the States.".

(b) Section 161 of such Act is amended by striking out subsection (b) and by redesignating subsection (c) and subsection (d) of such section as subsection (b) and subsection (c), respectively.

PART K. SPECIAL PROJECT GRANTS TO ASSIST IN OVERCOMING SEX BIAS

Sec. 199. Authorization of Appropriations.

There are authorized to be appropriated, to carry out the purposes of this part, $5 million for the fiscal year commencing July 1, 1976 and ending July 1, 1977, and for each subsequent fiscal year.

Sec. 199 A. Program Authorization

(a) The Commissioner is authorized to pay the Federal share of supporting activities which show promise of overcoming sex stereotyping and bias in vocational education.

(b) The Federal share shall not exceed 75 per centum of the cost of the application.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 94th CONGRESS, FIRST SESSION

Vol. 121 WASHINGTON, THURSDAY, NOVEMBER 6, 1975 No. 164

Mr. MONDALE. Mr. President, today I am submitting a Senate resolution regarding the alarming increase in global weapons sales. This resolution seeks to promote recognition that the spiralling arms trade is not only a security problem, but an increasingly serious economic problem as well.

The world is still suffering the aftershock of a five-fold increase in petroleum prices. Some countries have responded by unilateral measures to promote exports and thereby reduce their balance-of-payments deficits. Others, especially those lacking a strong industrial base and essential raw materials, have few means other than emergency aid to shore up their economies.

In the next few weeks, the United States will be participating in two major conferences dealing with international economic problems. The first, to be held this month, is the economic summit, where leading trading nations will discuss means to coordinate policies for combating inflation and recession. The second, the Conference of International Economic Cooperation, will bring together 27 nations in December to consider the institutions and policies needed for an improved world economic order.

The fact that the two conferences have been scheduled offers evidence of wider understanding that close cooperation is needed if we are to rescue and improve living standards and avoid collapse of the world's poorest economies. World energy problems must be addressed. We must focus on commodities, particularly oil and food. And we must work for enlightened trade policies that do not solve domestic problems by pushing them off on other countries.

But there is one more problem that ought to be dealt with when we are considering measures to construct a more stable and equitable economic order: of all the national policies that have been used to respond to recent world economic problems, there is none more dangerous than the increasingly agressive competition for sale of armaments.

Economic rather than security considerations best explain the incredible increase in weapons exports by the major supplying nations over the last 3 years. In an article in last month's Washington Post, Michael Getler discussed the manner in which economic forces are leading toward a major relaxation of West Germany's restriction on arms sales. The FRG has traditionally limited its weapons exports to NATO members with special permission for certain other countries such as Japan and Switzerland. But, Getler reports "changes are under consideration here just as they are in other Western industrialized countries that are seeking, by any means possible, to recoup from the recession, to keep people working and to get back some of the extra dollars they are spending on oil."

I ask unanimous consent to have printed in the RECORD a table which shows the increase in the cost of petroleum imports between 1972 and 1974 for several major Western arms-supplying nations.

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

Following is a summary of the cost of imported petroleum for the years 1972 through 1974. Data for the European countries are for net imports c.i.f. which means that delivery costs are included and exports earnings of petroleum products have been deducted from the cost of imported crude oil. For the United States, the data are f.o.b. but we have deducted United States earnings for our petroleum product exports. All data are in billion U.S. dollar equivalent rounded to one decimal point.

United States	3.9	7.0	23.4
France	2.5	3.0	9.6
Germany	2.9	5.1	11.2
Italy	1.8	2.4	8.0
United Kingdom	2.4	3.3	9.0

Data for 1975 are not available. It is our estimate that given the slight changes downward for delivered quantities (demand for oil is down) and the fair constancy of average prices through 1975 coupled with a downward trend in tanker rates, the oil import bill for the above countries will not differ much in 1975 from that of 1974.

Mr. MONDALE. The 1974 and 1975 figures on weapons sales are not yet available on a country-by-country basis. However, recent estimates indicate that total world sales may have more than doubled between 1973 and 1975. U.S. sales rose from $4.3 billion in 1973 to $10.8 billion in 1974—more than a 100 percent increase in 1 year alone.

Where are these weapons going? Two regions are undergoing the most dramatic arms buildup. The first is among the oil kingdoms, particularly Iran and those in the Persian Gulf. A survey by the International Institute for Strategic Studies, IISS, shows major agreements by Saudi Arabia in fiscal 1975 to buy $108 million in surface-to-air missiles, SAM, from Great Britain, $825 million in armored cars, helicopters, and a SAM system from France, $195 million in anti-aircraft guns from Italy and over $1.8 billion in personnel carriers, howitzers, antitank guns and missiles, tanks, and naval equipment from the United States. Iran, at the same time, bought 1,200 tanks from Great Britain, and from the United States: 6 destroyers, 3 submarines, 36 fighter aircratf, and a $500 million communications intelligence system.

I would not question the right of the Saudis, the Iranians, or any other country to obtain the equipment necessary for self-defense. Yet, the level of military purchases in this region has clearly passed from reasonable to excessive.

This frenzied buying of advanced military equipment is becoming a source of real and growing apprehension to neighboring areas.

I do not place all of the blame on the purchasing countries. One can at least understand their desire to have the best military equipment on the market. They have the resources to pay for it. What is harder to defend is the scramble by the industrialized world to sell the latest in hardware and technology, regardless of the implications for collective world security.

The case for restraint is even more compelling in the second area where a large-scale buildup is occurring, among rival nations in the Middle East. Since the October war, we have seen not only a quantitative but a major qualitative escalation in weapons purchases. More and more deadly weapons systems are creating a situation where another war could result in the virtual annihilation of participating countries as we know them.

I am concerned primarily about the level of suffering if war does occur; but there is another kind of suffering we ought to think about. Per capita GNP in Egypt was recently estimated at just over $200. In 1974, nearly a quarter of that was devoted to military purposes. In that same year, almost a third of Israel's GNP went for defense. In Jordan, with a per capita GNP of $291, more than $50 per person was spent to support the military in one recent year. Not long ago, an article appeared in the Washington Post describing economic conditions in Egypt. The degree of poverty is appalling, and it is clear that living standards are not much higher in Syria, or Jordan. Yet Egypt will spend over $6 billion for defense in 1975, and hundreds of millions more are being funneled in through military sales and aid to Syria and Jordan. Israel is countering by increasing and upgrading its arsenals. Where will it all stop?

It is not just the Middle East. There is a new arms race developing among countries right on America's doorstep. In the 5-year period between 1970 and 1974, the value of major weapons imports in constant dollars by South American countries has nearly tripled. Most disturbing is the recent U.S. sale of jet fighters and tanks to Peru, which has reportedly prompted demands by Chile, Brazil, and Argentina for comparable weapons.

There is a classic pattern in weapons trade. An aggresive arms peddler will convince country A to buy an advanced weapons system. Then, he will visit countries B, C, and D to show them that they are defenseless unless they buy the same system too. I am not arguing that this is what the United States did in the Peru example. I am simply pointing out that every sale of a modern weapons system creates its own demand for more and more sales to neighboring countries.

Aggressive arms peddling by arms suppliers is today placing developing countries in a position where they face the double burden of offsetting oil deficits and meeting the security threat caused by arms acquisition of nearby nations. If we cannot find the means to restrain world weapons sales, the momentum that is now underway could carry us into a new era of deeper poverty, diminished security, and increased tension.

My resolution is designed to call attention to this urgent problem. It urges the President to seek inclusion of the issue of arms sales on the agenda of both the Economic Summit Conference in November, and the Conference on International Economic Cooperation the following month. It would also recommend that he offer, as a sign of good faith, to limit voluntarily U.S. arms sales if other suppliers will sit down with us to devise a multilateral solution to this problem.

America is not the only world's leading arms exporter, we are now responsible for more weapons sales than the rest of the world combined. Our lead has increased in recent years, giving us greater leverage than ever before in dealing with the other supplying countries. We must now use that influence to curb the truly terrifying expansion in the international arms business.

I would hope that purchasing countries would join in this effort. Until now, many arms importers have resisted attempts to control weapons sales. However, it is clear that importers, particularly the Third and Fourth World countries are the primary victims of the weapons sales explosion that is now taking place. They are being forced to choose between urgent domestic needs or vastly increased spending for defense just to maintain their present level of security.

Here, in the United States, we are entering the Bicentennial era, the anniversary of the events that launched America as a nation, and made us the world's most enduring democracy. As we approach 1976, we ought to ask ourselves what we want our country to stand for—for peaceful world development, or for arsenals in every corner of the globe stamped "made in the U.S.A."

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 94th CONGRESS, FIRST SESSION

Vol. 121 WASHINGTON, THURSDAY, NOVEMBER 6, 1975 No. 164

Senate

By Mr. MONDALE:

S. 2632. A bill to provide certain services for Government employees to enhance their outlook on approaching retirement and to assist them in preparing for retirement. Referred to the Committee on Post Office and Civil Service.

Mr. MONDALE. Mr. President, I am introducing today a bill which would provide Federal employees with a comprehensive program for preretirement counseling and assistance.

A person's retirement years are perhaps the most challenging and potentially devastating period of his or her life. It can be satisfying and rewarding, a culmination of a successful life. Or it can be a cruel, gradual, or sudden breakdown in the person's lifestyle. "Retirement shock" is a common phenomenon. A combination of confusion and anxiety accompanying retirement is added to declining health and reduced income to produce not only general unhappiness, but often physical symptoms as well.

Planning for retirement can help workers make the transition from years of active employment to their leisure time years. Our society is work oriented and youth oriented; retirement can produce a real identity crisis, and often a loss of interest in living. Yet, with adequate advance preparation, retirement from a job does not need to mean retirement from life. By learning to avoid the pitfalls of retirement, and how to get the most from the new opportunities being opened up, preretirement planning can facilitate the vital and necessary continuation of personal growth.

In 1971, the White House Conference on Aging recommended that:

> Society should adopt a policy of preparation for retirement, leisure, and education for life off the job. The private and public sectors should adopt and expand programs to prepare persons to understand and benefit from the changes produced by retirement. Programs should be developed with government at all levels, educational systems, religious institutions, recreation departments, business and labor to provide opportunities for the acquisition of necessary attitudes, skills, and knowledge to assure successful living. Retirement and leisure time planning begins with the early years and continues through life.

In 1969, during hearings by the Special Subcommittee on Retirement and the Individual, which I chaired, I was appalled by the lack and great need for broad preretirement planning. That year the Civil Service Commission, after conducting its own study of retirement planning programs, changed its policy from one of neutrality to actively encouraging preretirement planning. It subsequently announced guidelines for retirement planning programs and a continuing series of training courses for preretirement advisers.

However, today it is evident that more is needed. The actions of the Civil Service Commission are commendable. The increase in interest in preretirement planning programs within Federal agencies over the past few years is positive, but is still only the "tip of the iceberg." The need for legislative directive is becoming more and more apparent.

In 1967, approximately two-thirds of the 96 agencies reporting on retirement planning programs offered no type of program whatsoever, and 75 percent of these had no plans to develop one. A 1974 survey by GAO showed that less than one-third of 255 agencies surveyed offered anything approaching an adequate preretirement planning program. And there are no guarantees to the nature of these programs. Preretirement planning must be tailored to the needs of the individual about to retire. Offering classes and lectures is not enough. There should be individual counseling so that the special concerns of each person can be dealt with. The guidelines set forth by the Civil Service Commission do not guarantee this personalized, pyschological preparation. Records on this matter and direction from Congress is clearly needed.

The Federal Government, the Nation's largest single employer, is in a particularly advantageous position to implement preretirement planning. By taking the lead in offering all of its employees the opportunity to anticipate and prepare for their retirement years, the Government would greatly influence, I am sure, management, labor unions, and adult education agencies around the country.

There are currently an estimated 250,000 Federal employees eligible to retire. Between 99,000 and 110,000 will retire in each of the next 5 years. With numbers of this magnitude, it is our responsibility to assure potential retirees that they will have the necessary assistance in preparing for this very difficult time. The groundwork has been done in researching the many alternatives available to retirees: Phased retirement, trial retirement, part-time work, development of a "second carreer." With its provisions for early retirement, the Federal Government can offer not only the needed psychological preparation, but leeway in trying these alternatives.

Mr. President, I hope that this bill will receive early and favorable consideration by this Congress. The interest and need for the programs it would require have been urgently demonstrated. Let us put into effect now the programs that will eliminate the prevalent feelings of fear, anxiety, and unhappiness that so often accompany old age and retirement.

Let us put into effect now a program that will make retirement a happy subject, not something that will catch millions of Americans by surprise, but a time that can be prepared for with hope and optimism, and not dismay.

Mr. President, I ask unanimous consent that the text of the Federal Employees Preretirement Assistance Act of 1975 be printed in the RECORD.

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

S. 2632

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SEC. 1. Subchapter I of chapter 83 of title 3, United States Code, is amended—

(1) by inserting at the end thereof the following new section:

"§ 8302. Preretirement assistance

"(a) For the purpose of this section, 'agency' means an executive agency or the government of the District of Columbia.

"(b) Except as otherwise provided in subsection (d)(3) of this section, the head of each agency shall formulate and carry out a program to provide comprehensive preretirement assistance to employees of that agency who are eligible or approaching eligibility, for retirement.

"(c) Each such program shall provide for furnishing to interested employees and educational or informational material group training sessions, and other assistance as may be necessary to aid them in preparing for adjustment to a retirement status.

"(d)(1) Each such program shall be conducted in accordance with standards prescribed in regulations to be promulgated by the Civil Service Commission. The Commission shall provide appropriate training for any employee of an agency which is to provide preretirement assistance under such program. If deemed advisable, the Commission may enter into contracts with educational and other institutions to provide such training.

"(2) The Secretary of Health, Education, and Welfare may provide—

"(A) such training and other assistance in the development and evaluation of such programs as the Commission may request; and

"(B) technical assistance and formulate such program models as may be necessary to meet the specific needs of an agency subject to the provisions of this section. Such models may be used in formulating the standards prescribed in the regulations promulgated by the Commission under paragraph (1) of this subsection.

"(3)(A) If the Commission determines, upon request of an agency, that it is not practicable for the agency to comply with the provisions of subsection (b) of this section, the Commission may grant such agency an exemption from providingg a program of preretirement assistance for its employees. Such exemption shall be reviewed at least once every six months and shall remain in effect if, at the time of each review, there is a determination by the Commission that it continues to be impracticable for the agency to provide such a program.

"(B) If an exception is granted under this paragraph, the Commission shall take such measures as may be necessary to provide employees of such agency with an appropriate program of preretirement assistance.

"(e) Such interagency cooperation as is necessary to obtain maximum utilization of resources shall be undertaken to achieve the purposes of this section. The head of an agency is authorized and requested to provide information materials, group training services, group and individual counseling services, and other assistance to another such agency or to employees of such other agency when it is more economical or feasible to do so."; and

(2) by adding at the end of the analysis of such subchapter, preceding section 8301, the following new item:

"8302. Pretirement assistance."

SEC. 2. The Civil Service Commission shall make a study of existing and recommended practices, both within and outside the Government of the United States, which relate to work-life and study programs, including phased retirement, trial retirement, new kinds of part-time work, and sabbaticals. With the assistance of agencies and officers of the Government of the United States, including the Secretary of Health, Education, and Welfare, and educational institutions, the Commission shall, based on such study, establish guidelines concerning such programs for the information and use of such agencies.

SEC. 3. Within eighteen months after the date of enactment of this Act, the Civil Service Commission shall submit a report to the President and the Congress on the programs of preretirement assistance required by the amendment made by section 2 of this Act and on the development of new work-life and study programs by agencies of the Government of the United States.

SEC. 4. Not later than ninety days after the date of enactment of this Act, the Civil Service Commission shall promulgate regulations to establish standards for conducting programs of preretirement assistance as authorized by section 2 of this Act. Not later than six months after such date of enactment, the Commission shall place into operation a program for providing the training required by section 8302 (d)(1) of title 5, United States Code (as added by section 2 of this Act).

SEC. 5. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

United States of America

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PROCEEDINGS AND DEBATES OF THE 94th CONGRESS, FIRST SESSION

Vol. 121 WASHINGTON, WEDNESDAY, NOVEMBER 19, 1975 No. 173

Senate

CHILD AND FAMILY SERVICES

Mr. MONDALE. Mr. President, a vicious and totally inaccurate propaganda campaign is currently being waged against the child and family services legislation pending before Congress. This bill, which I sponsored in the Senate with 28 other Senators, and Representative BRADEMAS sponsored in the House of Representatives with almost a hundred other Represenatives, is being subjected to one of the most distorted and dishonest attacks I have witnessed in my 15 years of public service.

Wild and completely false allegations are being made that this legislation would somehow give children the legal right to disobey their parents; somehow prohibit parents from providing religious training to their children; somehow give the Government authority over child rearing; and somehow give children the right to complain about their parents and teachers "without fear of reprisal."

These allegations are absolutely and completely false. There is not a shred of truth in any one of them. If there were, neither I nor any Member of Congress would be sponsoring this legislation.

In fact, research reveals that these allegations are based on a document that was not even prepared in this country, and has no relevance to it. They are derived from a "Charter of Children's Rights" of the British Advisory Center of Education and the National Council of Civil Liberties which Senator CURTIS cited during Senate debate in 1971.

Yet, mimeographed materials being circulated in many sections of our country allege that the so-called "children's rights" quoted from their foreign document are "becoming part of" the Child and Family Services Act. That allegation is totally false, and I believe that the individuals or organizations making the allegation know it is false. I say that because the materials containing these allegations are unsigned—a clear and significant sign that the organizations or individuals circulating these allegations know that they cannot defend or document them.

Contrary to these unsigned allegations, the child and family services legislation contains nothing that changes or affects the legal relationship between parents and their children. Instead, it simply offers to families—on a totally voluntary basis—access to health, education and child care services which they want for their children but often cannot afford. It offers prenatal health care and early medical screening and treatment to detect and remedy handicapping conditions, and day care services for children of working mothers. And, the bill specifically limits eligibility for these services to "children whose parents or guardians request such services"—S. 626, section 2 (a) (2); section 106(b) (1).

In addition, this legislation is deliberately and carefully designed to provide parent control of any services offered. Thus, the bill requires that all programs funded would be selected, established and controlled by the parents of the children participating in them.

Finally, the bill is specifically designed to support and strengthen families. The very first part of the bill—section 2(a)—states that "the family is the primary and most fundamental influence on children" and that any programs funded by this act "must build upon and strengthen the role of the family." And, the bill specifically states that "nothing in this act shall be construed or applied in such a manner as to infringe upon or usurp the moral and legal rights and responsibilities of parents or guardians"—section 504(a).

It is for these reasons that the legislation is supported by a wide range of civic and religious organizations including the PTA, the AFL–CIO, the United Methodist Church, the U.S. Catholic Conference, the United Church of Christ, the Baptist and Lutheran Churches, the UAW, the American Academy of Pediatrics, the Child Welfare League of America, the National Council of Jewish Women, the American Home Economics Association, the National Association of Retarded Children, and the National Education Association.

It is obvious that none of these organizations would be supporting a proposal of the kind alleged in the unsigned materials being distributed. These organizations, and the Members of Congress who are sponsoring the Child and Family Services Act, are supporting this legislation precisely because it strengthens and supports families and children.

Mr. President, this legislation was specifically drafted in such a way to assure that it would strengthen and support families, rather than weaken them. That is why we included the provisions I quoted earlier concerning the voluntary nature of the programs offered, the prohibitions against any infringement upon the rights and responsibilities of parents, and the statement of findings regarding the primary role of the family and the requirement that all programs build upon and strengthen the family.

During the hearings on this legislation we consistently asked witnesses whether, in their opinion, the bill did indeed strengthen families. In fact, we specifically asked the witnesses representing various churches whether the legislation would, in their opinion, strengthen or weaken families.

Their responses to that question were direct and unambiguous, and well worth quoting on this occasion.

Dr. John W. Baker, associate director of the Baptist Joint Committee on Public Affairs, an organization representing the Southern Baptist Convention, the American Baptist Churches in the U.S.A., the Baptist General Conference, National Baptist Convention of American, National Baptist Convention of U.S.A. Inc., North American Baptist Conference, Progressive National Baptist Convention, Inc., and the Seventh Day Baptist General Conference, was asked if the bill "strengthens rather than weakens the American family." He responded by stating: "I feel strongly that it does. I do not see any merit in the argument that I have heard to the contrary."

Ruth Gilbert, of the board of Global Ministries, United Methodist Churches, responded to the same question by stating:

I think that the arguments (suggesting that the bill would somehow weaken families) imply some form of coercion which I do not see in the legislation. Therefore, I would agree that it is a matter of choice, and therefore strengthens the family.

William Tremitierer, manager of children's programs of the Tressler-Lutheran Service Associates responded by saying:

I think the bill is supportive, and would provide tremendous resources to families.

Rev. Msgr. Thomas Reese, director Catholic Social Services in Wilmington, Del., testifying on behalf of the National Conference of Catholic Charities, replied:

I would say that it would seem to me that a person who would think that these programs would weaken the family is just not aware of the facts of life.

Mr. President, the needs for the child and family services legislation have been well documented in the 12 days of hearings we have held in the past year. Forty percent of the young children in the United States have not been immunized fully against childhood diseases. The infant mortality rate in this country is shockingly and unnecessarily high—higher than that of 13 other nations. Almost two-thirds of preschool children with handicaps are not receiving the special services they need. An estimated 200,000 children are struck each year by handicaps that could have been prevented if their mothers had received early health care. While there are almost 6 million preschool children whose mothers are working, there are only 1 million spaces in licensed day care homes and centers to serve them.

As I said when I introduced this bill, none of the provisions in it is etched in stone. Reasonable people can and do disagree about many aspects of this proposal. How much funding can we afford for this program given the budget deficit which exists? What services should be offered, and how can they be administered effectively and efficiently? What are the appropriate roles, if any, for public schools, and for profitmaking day care programs in legislation of this kind. These are the kinds of questions the Congress and the American public must debate and resolve during the consideration of a proposal of this kind. They are precisely the kinds of issues that the subcommittee addressed in its hearings, and on which we deliberately invited witnesses with differing viewpoints.

But, issues such as these must be debated on the basis of facts, not fantasies. And, decisions about them and the proposal in general must be decided on the merits. To approach this issue otherwise—especially in a way that totally misrepresents and distorts the purposes and provisions of the legislation under consideration—is a disservice to all Americans concerned about families and children.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a memorandum responding to the specific, inaccurate charges contained in one of the widely distributed, unsigned flyers which attacks the Child and Family Services Act; a brief summary of the Child and Family Services Act prepared by the Subcommittee on Children and Youth, and a section-by-section analysis of the child and family services bill.

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

MEMORANDUM: ATTACKS ON CHILD AND FAMILY SERVICES BILL

1. Unsigned Flyers entitled: "Raising Children—Government's or Parents Right?

ATTACK

"There is before Congress legislation known as the Child and Family Services Act of 1975 (Senate: S. 626 and House: H.R. 2966).

If passed it would take the responsibility of the parents to raise their children and give it to the Government."

FACT

This bill would in no way take the responsibility for child rearing away from parents. All programs authorized in the bill (S. 626 and H.R. 2966, Section 2(a)(2)) "must build upon and strengthen the role of the family and must be provided on a voluntary basis only to children whose parents or guardians request such services." In addition, any practice which would "infringe or usurp the moral and legal responsibilities of parents or guardians" is specifically prohibited (Section 504(a)).

ATTACK

"Child Advocacy Clause.—In the Congressional Record we read: 'If, in the judgement of those who are in charge of such a program (the State by way of the Secretary of Health, Education and Welfare), parents are not doing a good job, the advocate (a "specialist" appointed by the government) would enter the home and direct the education, even within the home. And, if the parent would object, the authority in the home would, DeFacto, be transferred to these advocated (sic).'"

FACT

While this material may have appeared in the Congressional Record (although an exhaustive Record search has failed to discover it), it is categorically false to contend that : (a) such language appears in S. 626 or H.R. 2966; (b) such beliefs are held or advocated by any of the sponsors of S. 626 or H.R. 2966; or (c) that any "child Advocacy clause" of any kind appears in the bill (See "Special Note on the Congressional Record" below).

ATTACK

"Charter of Children's Rights of the National Council of Civil Liberties is becoming a part of this Child Development Act."

The flyers go on to list the following items in this charter, alleging that they can "be found on page 44138 of the Congressional Record":

"(1) All Children have the right of protection from, and compensation for the consequences of any inadequacies in their homes and backgrounds. (Note: In other words, never punish your child because he may come back to you with a civil suit.)"

"(2) Children have the right to protection from any excessive claims made on them by their parents or authority. The question was asked, by way of example, what do you mean by the fact "Excessive claim", and the example was given, "If the mother or father asked the child to take the garbage out and the child doesn't want to, the parents have no right to insist on it." "

"(3) Children have the right to freedom from religious or political indoctrination. That means that you have no right to insist on taking them to church, if they do not wish to go. That also means they have the freedom to insist that they be taught nothing, or any ideas, about God."

"(4) Children shall have the freedom to make complaints about teachers, parents and others without fear of reprisals. This speaks for itself."

FACT

No such language or "charter" has ever been proposed, included or even considered for the Child and Family Services Act or any related piece of legislation. This "charter" initially surfaced during Senate debate on December 2, 1971 on the Conference Report on the Office of Economic Opportunity Act which included child care provisions. Senator Carl T. Curtis (R-Nebraska), an opponent of this measure, said, "In England, child development advocates have gone so far as to draft a charter of children's rights." Curtis continued by reading from something he called the Charter of Children's Rights" of "the British Advisory Center of Education and the National Council for Civil Liberties." Thus, these so-called "rights", never included in this legislation, and were never advocated by sponsors of this legislation. In fact, the "Council" cited is not even an American organization. (See "Special Note on the Congressional Record" below).

S. 626 and H.R. 2966 specifically state in Section 504(a) that "Nothing in this Act shall be construed or applied in such a manner as to infringe upon or usurp the moral and legal rights and responsibilities of parents or guardians with respect to the moral, mental, emotional, physical, or other development of their children. Nor shall any section of this Act be construed or applied in such a manner as to permit any invasion of privacy otherwise protected by law, or to abridge any legal remedies for any such invasion which are otherwise provided by law."

ATTACK

"Can the Government Take Away Your Children? Comprehensive child development, the SOVIET-style system of communal child rearing which almost became law in this country in 1971 is once again being pushed through Congress. The current bills H.R. 2966 (House of Representatives) S. 626 (Senate), are virtually identical to the original act passed in 1971, but fortunately vetoed by the then president, Nixon. Now it is known as the Child and Family Services Act of 1975 and any changes are merely cosmetic."

"In vetoing the original bill which would have removed children from their parent's instruction shortly after birth, Mr. Nixon said that it would weaken the American family by committing 'vast moral auhority of the national government to the side of communal approaches to child rearing over against the family oriented aproach.'"

"We are in serious danger of 'Sovietizing' the education of our children if we let the Child and Family Services Act of 1975 pass. Those who support this Act in the Congress are convinced that it will 'Sail through the House.'"

FACT

This charge is of course, absurd and irresponsible. The sponsors of the bill have carefully drafted it to protect the rights of parents and their children:

First, participation in the program is completely voluntary. Children cannot participate without the specific request of a parent or legal guardian. (Section 2(a)(2) and Section 106(b)(1))

Second, the bill prohibits any practice which would "infringe upon or usurp the moral and legal rights and responsibilities of parents or guardians." (Section 504(a))

Third, a child cannot be tested unless the parent or guardian is informed and given the opportunity to exempt the child from testing. (Section 504(a))

Fourth, unlike the public school program, the child and family services programs are totally voluntary.

ATTACK

"According to the Congressional Record, the intent of the bill is for the government to be responsible . . . for the nutritional interests of your child, for all psychological interests of your child."

FACT

This statement is totally inaccurate and irrelevant to the legislation.

The intent of the bill is (Section 2(b)) "to provide a variety of quality child and family services in order to assist parents who request such services, with priority to those preschool children, and families with the greatest need, in a manner designed to strengthen family life and to insure decision-making at the community level, with direct participation of the parents of the children served and other individuals and organizations in the community interested in child and family service (making the best possible use of public and private resources), through a partnership of parents, State and local government, and the Federal Government, building upon the experience and success of Headstart and other existing programs." (See "Special Note on the Congressional Record" below).

In fact, the bill specifically prohibits any medical or psychological examination or treatment unless a child's parent or guardian provides written permission. (Section 504(c)).

ATTACK

"The following excerpts are taken from the Congressional Record: 'What is at issue is whether the parent shall continue to have the right to form the character of the children or whether the state, with all its power and magnitude, shall be given the decisive tools and technique for forming the young lives of the children of this country.'"

"'As a matter of the child's right, the government shall exert control over the family because we have recognized that the child is not the care of the parents, but the care of the state (sic). We recognize further that not parental, but communal forms of upbringing have an unquestionable superiority over all other forms. Furthermore, there is serious question that maybe we cannot trust the family to prepare young children in this country for this new kind of world which is emerging.'"

"This all smells of Communism. This is what in fact has been and is being done in Soviet Russia. This is what can become the law of our land, if the Child and Family Service Act of 1975 is passed by the Congress. We elected this Congress, but do we know what they are attempting to do to our freedoms and our rights?"

FACT

These citations, if they did in fact appear in the Congressional Record, are diametrically opposed to the purpose and intent of the bill.

First, the programs are completely voluntary. (Section 2(a)(2) and Section 106(b)(1))

Second, the precisely stated purpose of the legislation is to "strengthen family life," not weaken it. (Section 2(b))

Third, the program is to be operated locally, not by the national government. (Section 104)

Fourth, the bill contains specific prohibitions against any practice infringing on the rights and responsibilities of parents. Section 504(a))

(See "Special Note on the Congressional Record" below).

SPECIAL NOTE ON THE CONGRESSIONAL RECORD

Throughout this leaflet, the "Congressional Record" is cited. The Congressional Record has the ring of an official pronouncement to it. But, anyone who has ever even glanced at the Record knows that it contains not only the debates in the House of Representatives and Senate but also speeches and material simply "inserted" into the Record. Any Member of Congress has the right to insert material in the Record, and therefore, the assertion that a statement is "according to the Congressional Record" is meaningless since the Record itself makes no statement of policy. Policy statements are made by the Members of Congress quoted in the Record.

This flyer provides a good example of the abuse of the citation of the Congressional Record. Senator Curtis of Nebraska included as part of his remarks on a bill considered by Congress in 1971 some material which he attributed to an organization in a foreign country. By misleading citation, the flyer implies that this material appeared in the Congressional Record this year and that it represents the contents of the bill. The bill's sponsors had never before seen this material.

CHILD AND FAMILY SERVICES ACT

(By the U.S. Senate Subcommittee on Children and Youth)

NEEDS

The infant mortality rate in the United States is higher than that of 13 other nations.

Each year an estimated 200,000 children are struck by handicaps which could have been prevented if their mothers had received early health care.

Forty percent of the young children of this country are not fully immunized against childhood diseases.

Sixty-five percent of all handicapped preschool children are not receiving special services.

There are only one million spaces in licensed day care homes and centers to serve the six million preschool children whose mothers are working.

PROPOSED SERVICES

The bill authorizes funding for local communities and parent organizations to choose among a wide variety of child and family services, including: prenatal health care; medical treatment to detect and remedy handicaps; nutrition assistance; and day care services for children of working mothers. The bill does *not* provide for compulsory preschool education.

PARENT CONTROL

Participation in all programs is totally voluntary, and limited to children whose parents request services.

All programs would be selected, established and controlled by parents whose children participate.

FAMILY STRENGTHENING

The bill states that "the family is the primary and most fundamental influence on children" and that "child and family service programs must build upon and strengthen the role of the family".

The bill has been specifically endorsed as family strengthening by a wide range of civic and religious organizations including the Catholic Church, the Baptist Church, the United Methodist Church and the Lutheran Church.

CHILD AND FAMILY SERVICES ACT OF 1975. S. 626

SECTION-BY-SECTION ANALYSIS

Section 1

Section 2

Statement of Findings and Purpose.—Finds that "the family is the primary and most fundamental influence on children; that child and family services must build upon and strengthen the role of the family and must be provided on a voluntary basis only to children whose parents request them" with priority for preschool children with the greatest economic and human need; that there is a lack of adequate child and family services; and that there is a necessary for planning and operation of programs as partnership of parents, community, state and local governments, with appropriate federal supportive assistance.

Purpose is to "provide a variety of quality child and family services in order to assist parents who request such services, with priority to those preschool children and families with the greatest economic or human needs, in a manner designed to strengthen family life and to insure decision-making at the community level" and provide decision-making with direct parent participation through a partnership of parents, State, local and Federal government.

Section 3

Authorization of Appropriations.—Authorizes $150 million for fiscal 1976 and $200 million for FY 1977 for training, planning, and technical assistance and $500 million in FY 1977 and $1 billion in FY 1978 for program operation. Headstart would be funded under separate authority, and its funding protected

by a requirement that no operational funds could be appropriated for this new program unless and until Headstart is funded at the level it received in FY 1975 or FY 1976, whichever is higher.

Forward funding is authorized.

TITLE I—CHILD AND FAMILY SERVICES PROGRAMS

Section 101

Establishes Office of Child and Family Services in HEW to assume the responsibilities of the Office of Child Development and serve as principal agency for administration of this Act; and Child and Family Services Coordinating Council with representatives from various federal agencies to assure coordination of federal programs in the field.

Section 102

Financial Assistance.—Define purposes for which federal funds can be used: (1) planning and developing programs, (2) establishing, maintaining, and operating programs, including part-day or full-day child care in the home, in group homes, or in other child care facilities; other specially designed programs such as after-school programs; family services, including in-home and in-school services; information and referral services to aid families in selecting child and family services; prenatal care; programs to meet special needs of minorities, Indians, migrants and bilingual children; food and nutrition services; diagnosis of handicaps or barriers to full participation in child and family services programs; special services for handicapped children within regular programs; programs to extend child and family service gains, including parent participation, into the elementary schools; (3) rental, renovation, acquisition, or construction of facilities, including mobile facilities; (4) preservice and inservice training; (5) staff and administrative expenses of councils and committees required by the Act; and (6) dissemination of information to families.

Section 103

Allocation of Funds.—Reserves funds proportionately for migrant and Indian children, not less than 10% for services to handicapped children, and not less than 5% for monitoring and enforcement of standards.

Allocates the remainder among the states and within the states, 50% according to relative number of economically disadvantaged children, 25% according to relative number of children through age five, and 25% according to relative number of children of working mothers and single parents.

Allows use of up to 5% of a state's allocation for special state programs under Section 108.

Section 104

Prime Sponsors.—States, localities, combinations of localities or public and nonprofit organizations are eligible to serve as prime sponsors.

The bills current provisions establish performance criteria for prime sponsor; demonstrated interest in and capability of running comprehensive programs, including coordination of all services for children within the prime sponsorship area; assurances of nonfederal share; establishment of a Child and Family Services Council (CFSC) to administer and coordinate programs.

Public or private nonprofit organizations can serve as prime sponsors with priority on governmental units. Any locality or combination of localities which submits an application meeting the performance criteria may be designated prime sponsor if the Secretary determines it has the capacity to carry out comprehensive and effective programs. The state may be designated prime sponsor for all areas where local prime sponsors do not apply or cannot meet the performance criteria, provided that the state meets the performance criteria and divides its area of jurisdiction into local service areas with local child and family services councils which approve the relevant portions of the state's plan and contracts for operation of programs within the local service areas.

The Secretary may fund directly an Indian tribe to carry out programs on a reservation. He may also fund public or private nonprofit agencies to operate migrant programs, model programs, or programs where no prime sponsor has been designated or where a designated prime sponsor is not meeting certain needs.

Directs the Secretary to designate an alternative to any prime sponsor discriminating against minority group children or economically disadvantaged children.

Provides opportunity for Governor to comment on prime sponsorship applications and provides appeal procedure for applicants who are disapproved.

The sponsors want to particularly emphasize that as the bill is considered they intend to invite the testimony of representatives of Federal, State, and local government, as well as other experts, with respect to the best allocation of responsibility among various levels of government which will insure parental involvement, local diversity to meet local needs and appropriate State involvement to assure coordination and maximum utilization of avaliable resources.

Section 105

Child and Family Service Councils.—Sets forth composition, method of selection, and functions of councils. Half of members must be parents, selected by parents of children served by programs under the Act. The remaining members appointed by the prime sponsor in consultation with parent members, to be broadly representative of the general public, including representatives of private agencies in the prime sponsorship area operating programs of child and family services and at least one specialist in child and family services. At least one-third of the total council to be economically disadvantaged.

A state prime sponsor must establish councils at the state level and for each local service area. Parent members of the state council to be selected by parent members of local councils.

Council approves goals, policies, action and procedures of prime sponsors, including planning, personnel, budgeting, funding of projects, and monitoring and evaluation.

Section 106

Child and Family Service Plans.—Requires that prime sponsor submit plan before receiving funds. Plan must "provide that programs or services under this title shall be provided only for children whose parents request them"; identify needs and purposes for which funds will be used; give priority to children who have not reached six years of age; reserve 65 percent of the funds for economically disadvantaged children, and priority thereafter to children of single parents and working mothers; provide free services for children of families below the Bureau of Labor Statistics lower living standards budget and establish a sliding fee schedule based on ability to pay for families above that income level; include to the extent feasible, children from a range of socioeconomic backgrounds; meet the special needs of minority group, migrant, and bilingual children; provide for direct parent participation in programs, including employment of parents and others from the community with opportunity for career advancement; establish procedures for approval of project applications with priority consideration for ongoing programs and applications submitted by public and private non-profit organizations; provide for coordination with other prime sponsors and with other child care and related programs in the area; provide for monitoring and evaluation to assure programs meet federal standards; where possible, supplement funds provided by this Act with assistance from other sources.

Requires that the Governor, all local education agencies, Headstart and community action agencies have the opportunity to comment on the plan.

Establishes appeal procedures if plans are disapproved.

Section 107

Project Applications.—Provides for grants from prime sponsor to public or private organizations to carry out programs under the prime sponsor plan pursuant to a project application approved by the CSFC.

The project applicant must establish a parent policy committee (PPC), composed of at least 10 members with 50% parents of children served by the project, at least one child care specialist, and other representatives of the community approved by the parent members. The PPC must participate in the development of project applications and must approve basic goals, policies, action and procedures of the applicant, including personnel, budgeting, location of center, and evaluation of projects.

The application must: provide for training and administrative expenses of the PPC; guarantee free services for economically disadvantaged children with fees according to the fee schedule for other children; assure direct participation of parents and other family members, including employment opportunities; provide for dissemination of information on the project to parents and the community; and provide opportunities for the participation of children, regardless of participation in nonpublic school programs.

Section 108

Special Grants to States.—Authorizes special grants to the states, on approval of Secretary, to establish a child and family services information program to assess goals and needs in state; to coordinate all state child care and related services; to develop and enforce state licensing codes for child care facilities; and to assist public and private agencies in acquiring or improving such facilities. A state must establish a Child and Family Services Council to receive a special grant.

Section 109

Additional Conditions for Programs Including Construction or Acquisition.—Allows federal funding for construction or acquisition only where no alternatives are practicable, and provides federal funding for alteration, remodeling, and renovation. Provides that no more than 15% of a prime sponsor's funds may be used for construction; that no more than half of that may be in the form of grants rather than loans, limited to public and private non-profit agencies, organizations, and institutions.

Section 110

Use of Public Facilities for Child and Family Service Programs.—Requires that federal government and prime sponsors make available for child and family service programs facilities they own or lease, when they are not fully utilized for their usual purposes.

Section 111

Payments.—Provides 100% federal share for planning in FY 1976, 90% federal share for fiscal 1977 and 1978, 80% for subsequent fiscal years. Provides 100% federal share for programs for migrants and Indians, and allows waiver of part of all of non-federal share where necessary to meet needs of economically disadvantaged children.

Non-federal share may be in cash or in kind. Revenues generated by fees may not be used as non-federal share but must be used by prime sponsor to expand programs.

TITLE II—STANDARDS, ENFORCEMENT, AND EVALUATION

Section 201

Federal Standards for Child Care.—Authorizes a national committee on federal standards, with one-half parent participation, to establish standards for all child care services programs funded by this or any other federal act. The 1968 Interagency Day Care Requirements would continue to apply until such standards are promulgated, and any new standards must be consistent with the 1968 Requirements.

The Secretary must submit the proposed standards for approval to the Senate Committee on Labor and Public Welfare and the House Committee on Education and Labor. No prime sponsor or project applicant is allowed to reduce services below these standards.

Section 202

Development of Uniform Code for Facilities.—Requires a committee to develop a uniform minimum code dealing with health and safety of children and applicable to all facilities funded by this Act.

Section 203

Program Monitoring and Enforcement.—Requires the Secretary through The Office of Child and Family Services, to establish an adequately trained staff to periodically monitor programs to assure compliance with the child care standards and other requirements of the Act.

Section 204

Withholding of Grants.—Provides procedure for withholding of funds to programs which have failed to comply with standards or requirements of the Act.

Section 205

Criteria With Respect to Fee Schedule.—Requires Secretary to establish criteria for adoption of the schedule based on family size and ability to pay with considerations for regional differences of the cost of living. The criteria must be submitted for approval by the Senate Committee on Labor and Public Welfare and the House Committee on Education and Labor.

Section 206

Evaluation.—Requires the Secretary to make annual evaluations and report to Congress on federal child family services activities.

TITLE III—RESEARCH AND DEMONSTRATIONS

Section 301

Research and Demonstration.—Authorizes child and family services research and requires that the Office of Child and Family Services coordinate research by federal agencies.

TITLE IV—TRAINING OF PERSONNEL FOR CHILD AND FAMILY SERVICES

Section 401

Preservice and Inservice Training.—Provides for training of personnel, including volunteers, employed in programs assisted under this Act.

Section 402

Technical Assistance and Planning.—Provides technicial assistance to child and family services programs.

TITLE V—GENERAL PROVISIONS

Section 501

Definitions.—Defines terms used in the Act.

Section 502

Nutrition Services.—Requires that procedures be established to assure adequate nutrition services in programs under the Act, including use of Section 13 (special food service programs) of the School Lunch Act and the Child Nutrition Act.

Section 503

Special Provisions.—Anti-discrimination provisions, including separate provisons on sex discrimination. Requires that programs meet the minimum wage. Prohibits use of funds for constructing, operating, or maintaining facilities for sectarian instruction of religious workshop.

Section 504

Special Prohibitions and Protections.—States that "Nothing in this Act shall be con-

strued or applied in such a manner as to infringe upon or usurp the moral and legal rights and responsibilities of parents or guardians with respect to the moral, mental, emotional, physical, or other development of their children. Nor shall any section of this Act be construed or applied in such a manner as to permit any invasion of privacy otherwise protected by law, or to abridge any legal remedies for any such invasion which are otherwise provided by law."

Section 505

Public Information.—Requires that all applications, plans, and written material pertaining thereto be made available to the public without charge.

Section 506

Repeal or Amendment of Existing Authority and Coordination.

Section 507

Acceptance of Funds.

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