

U.S. Congress  
UNITED STATES



OF AMERICA

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 92<sup>d</sup> CONGRESS  
SECOND SESSION

VOLUME 118—PART 4

FEBRUARY 15, 1972 TO FEBRUARY 22, 1972

(PAGES 3839 TO 5110)

with any applicable provision of this title or regulation promulgated thereunder; the Secretary shall notify such prime sponsor or project applicant of his findings and that no further payments may be made to such sponsor or applicant under this title (or in his discretion that any such prime sponsor shall not make further payments under this title to specified project applicants affected by the failure) until he is satisfied that there is no longer any such failure to comply, or the noncompliance will be promptly corrected. The Secretary may authorize the continuation of payments with respect to any project assisted under this title which is being carried out pursuant to such plan or application and which is not involved in the non-compliance.

#### "ADVANCE FUNDING

"SEC. 576. (a) For the purpose of affording adequate notice of funding available under this title, such funding for grants, contracts, or other payments under this title is authorized to be included in the appropriations Act for the fiscal year preceding the fiscal year for which they are available for obligation.

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

#### "PUBLIC INFORMATION

"SEC. 577. Applications for designation as prime sponsors, comprehensive child care plans, project applications, and all written material pertaining thereto shall be made readily available without charge to the public by the prime sponsor, the applicant, and the Secretary.

#### "FEDERAL CONTROL NOT AUTHORIZED

"SEC. 578. No department, agency, officer, or employee of the United States shall, under authority of this title, exercise any direction, supervision, or control over, or impose any requirements or conditions with respect to, the personnel, curriculum, methods of instruction, or administration of any educational institution.

#### "NONDISCRIMINATION PROVISIONS

"SEC. 579. (a) The Secretary shall not provide financial assistance for any program under this title unless the grant, contract, or agreement with respect to such program specifically provides that no person with responsibilities in the operation of such program will discriminate with respect to any program because of race, creed, color, national origin, sex, political affiliation, or beliefs.

"(b) No person in the United States shall on the ground of sex be excluded from participation in, be denied the benefits of, be subjected to discrimination under, or be denied employment in connection with, any program or activity receiving assistance under this title. The Secretary shall enforce the provisions of the preceding sentence in accordance with section 602 of the Civil Rights Act of 1964. Section 603 of such Act shall apply with respect to any action taken by the Secretary to enforce such sentence. This section shall not be construed as affecting any other legal remedy that a person may have if on the ground of sex that person is excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in connection with, any program or activity receiving assistance under this title.

#### "LIMITATION ON RESEARCH AND EXPERIMENTATION

"SEC. 580. The Secretary is directed to establish appropriate procedures to ensure

that no child shall be the subject of any research or experimentation under this title other than routine testing and normal program evaluation unless the parent or guardian of such child is informed of such research or experimentation and is given an opportunity as of right to except such child therefrom.

#### "PARENTAL RESPONSIBILITY

"SEC. 581. Nothing in this title 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, or physical development of their children. Nor shall any section of this title 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."

(b) In order to achieve, to the greatest degree feasible, the consolidation and coordination of programs providing child care services, while assuring continuity of existing programs during transition to the programs authorized under this title, the Economic Opportunity Act of 1964 is amended, effective July 1, 1974, as follows:

(1) Section 222(a) (1) of such Act is repealed.

(2) Section 162(b) of such Act is amended by inserting after "day care for children" the following: "(wherever feasible, through child care programs under title V of this Act)".

(3) Section 123(a) (6) of such Act is amended by inserting after "day care for children" the following: "(wherever feasible, through child care programs under title V of this Act)".

(4) Section 312(b) (1) of such Act is amended by inserting after "day care for children" the following: "(wherever feasible, through child care programs under title V of this Act)".

(c) The Director of the Office of Economic Opportunity and the Secretary of Health, Education, and Welfare shall take all necessary steps to coordinate programs under their jurisdictions which provide day care, with a view to establishing, insofar as possible, a common set of program standards and regulations, and mechanisms for coordination at the State and local levels.

(d) (1) Section 203(j) (1) of the Federal Property and Administrative Services Act of 1949 is amended by striking out "or civil defense" and inserting in lieu thereof "civil defense, or the operation of child care facilities".

(2) Section 203(j) (3) of such Act is amended—

(A) by striking out, in the first sentence, "or public health" and inserting in lieu thereof "public health, or the operation of child care facilities";

(B) by inserting after "handicapped," in clause (A) and clause (B) of the first sentence the following: "child care facilities," and

(C) by inserting after "public health purposes" in the second sentence the following: ", or for the operation of child care facilities,".

(3) Section 203(j) of such Act is amended by adding at the end thereof the following new paragraph:

"(8) The term 'child care facility' means any such facility as defined in 541(b) (1) of the Economic Opportunity Act of 1964."

By Mr. MONDALE (for himself,  
Mr. KENNEDY, Mr. BEALL, Mr.  
CRANSTON, Mr. HUGHES, Mr.  
JAVITS, Mr. MAGNUSON, Mr. NEL-  
SON, Mr. PACKWOOD, Mr. PELL,  
Mr. RANDOLPH, Mr. SCHWEIKER,

Mr. STEVENSON, Mr. WEICKER,  
Mr. WILLIAMS, and Mr. EAGLE-  
TON):

S.J. Res. 206. A joint resolution relating to sudden infant death syndrome. Referred to the Committee on Labor and Public Welfare.

Mr. MONDALE. Mr. President, I am pleased to introduce today with Mr. KENNEDY, Mr. BEALL, Mr. CRANSTON, Mr. HUGHES, Mr. JAVITS, Mr. MAGNUSON, Mr. NELSON, Mr. PACKWOOD, Mr. PELL, Mr. RANDOLPH, Mr. SCHWEIKER, Mr. STEVENSON, Mr. WEICKER, and Mr. WILLIAMS a resolution which I hope will stimulate a major initiative to solve one of the most tragic and perplexing problems that threaten American families—crib death or sudden infant death syndrome.

Crib death takes the lives of an estimated 10,000 infants in this country each year. It is the leading cause of death of infants between 1 month and 1 year old, striking three out of every 1,000 children born in this country.

The families of the innocent children who die of SIDS suffer not only the heart-break associated with the death of any loved one; but also the anguish of accepting a death with no known cause and explaining it to their relatives, friends and the public officials who question them about it.

On January 25th, the Subcommittee on Children and Youth, which I have the privilege to chair, held a hearing on SIDS. I was shocked and ashamed to learn that the Federal Government's concern about this major killer of infants is so low that experts cannot even agree on its incidence.

I listened to the stories of parents who had lost children to SIDS; who could not at first help blaming themselves for the death of their child; and who were even accused by public officials of negligence or criminal behavior. And then I was told by official of HEW that currently only one medical research grant—in the amount of \$46,258—is directed specifically to discovering the cause of SIDS.

The testimony at the hearing convinced me that we must marshal all the available resources of medical technology and expertise to seek the cause and cure of SIDS. We must actively encourage researchers to work in this field, and train qualified researchers if an adequate number is not available.

But medical research can be a slow and painstaking process, and meanwhile we know that thousands of families who have already lost children or who will lose children to SIDS will continue to suffer.

We also have an obligation to relieve their suffering by making available information about SIDS; by educating professionals who come in contact with SIDS cases about the needs of stricken families. Until the day when we can offer families the consolation of an explanation of why their child died, we must make a special effort to humanize the procedures surrounding the death.

Mr. BEALL. Mr. President, I am pleased today to join the Senator from Minnesota (Senator MONDALE) and oth-

er Senators in the introduction of legislation to concentrate our Nation's resources into medical research on sudden infant death syndrome.

Death is indeed tragic for any family, however when the death occurs to a robust, healthy and obviously well cared for infant, put to bed only a few hours earlier, it is particularly tragic. This mysterious killer, sudden infant death syndrome—SIDS—more commonly called crib or cot death is especially tragic because of the psychological effects on the parents, faced by a sudden, unexpected death, tormented by guilt feelings.

The hearings held by our Subcommittee on Children and Youth on Tuesday, January 25 revealed that research has begun, theories have been advanced, however, very little is still known. It is for that reason that I rise in support of this legislation, not only to bring a focus to this disease, but also to encourage a concerted effort into research and education of the public on sudden infant death syndrome.

Mr. PACKWOOD. Mr. President, I rise today with my distinguished colleague from Minnesota (Mr. MONDALE) as a cosponsor of Senate Joint Resolution 206 to express the sense of the Congress that high priority attention be given to the tragic and unexplained sudden infant death syndrome, frequently referred to as crib death.

My personal interest in this mysterious killer began years ago when close friends lost a dearly loved infant to sudden infant death syndrome—SIDS. At that time, I became aware of the lack of information and research about SIDS, and the need for counseling services and community understanding of this unique tragedy. I sponsored the first legislation to provide earmarked funds for SIDS research at the University of Oregon Medical School. This in spite of the fact that even then SIDS was causing hundreds of deaths per year in Oregon.

The Senate took a large and important step forward on January 25 when the Children and Youth Subcommittee, chaired by my distinguished colleague from Minnesota, and on which I am honored to serve, held a hearing on sudden infant death syndrome. Too few realize that SIDS is the single largest killer of infants after the first week of life, and is second only to accidents as the cause of death in children up to age 15. As I indicated on January 25, the heavy burden of sudden infant death is one which has for too long been carried by the parents alone, with little or no understanding from friends or doctors, and frequently with actual suspicion from the community. The burden of losing a child to unknown causes has been a particularly lonely and tragic experience.

This terrible killer of children, whatever it is—virus, environmental factor, respiratory reaction to cold, or some other physiological factor—has apparently been with us since antiquity but we have failed to recognize the real extent of its danger. One of the major difficulties in coping with SIDS is its mys-

terious nature. In fact, the deaths of children from this syndrome are so mysterious that many physicians and medico-legal personnel fail to recognize the syndrome at all and this ignorance adds immeasurably to the tragedy of the deaths.

Typically, a child is left asleep in a warm, comfortable crib and when the parents return, either during the night to check on the child as all parents do or on arising in the morning to begin the days activities, the child is discovered dead in its crib. Usually no outcry is heard, no whimper or calls to signal distress of any kind or to alert the parents to a difficulty. The child dies mysteriously and swiftly. The misplaced remorse and self-generated guilt which too frequently occur in the parents of these children often are a severe and persistent aftermath of the death.

The attempts to study this disease have followed a pattern with which we are becoming all too familiar. In the absence of public—and professional—recognition of the extent of these sudden infant deaths and the resulting failure to develop widespread interest in the problem, research has been limited to the efforts of a small but devoted group of men and women. Two symposia have been held to exchange ideas on SIDS. However, one can hardly refer to these symposia as major events since so few research workers are aware that they were held and what is even more dismaying—the symposia were held 5 years apart. Progress has been so slow that it has not even been possible for research workers to join together to exchange new information any more frequently than twice in the last 8 years. Let me hasten to add that it is not to the discredit of the researchers involved that so little progress was made or that the vitally needed exchange of information was limited to these distantly separated instances. The problem has been one of an inadequate allocation of resources and resource manpower to a real and continuing problem.

It is always difficult to try and reduce our concern with public health problems to an impersonal evaluation of priorities but we almost invariably find ourselves led to this type of consideration. In this instance, we should be aware that SIDS causes the death of more than 10,000 apparently normal and healthy infants each year. Some estimates place the total much higher, but our information is so poor in terms of the actual identification of the incidence of the disease that 10,000 deaths has been offered as a conservative estimate. When we consider that SIDS causes a total number of deaths greater than one-sixth of all infant mortalities each year we begin to realize the enormity of this toll. It is apparently because of the mysterious and unexpected nature of these infant deaths that we have failed to appreciate the real significance of the problem.

The death of a small child or infant is always an extremely traumatic experience for the parents. Many of us have some familiarity with or can imagine

this type of sad experience from events in our own circle of relatives or from our associations with friends and neighbors. In the case of SIDS, however, it is a particularly shocking fact to learn that, in many instances, the parents who lose a child to SIDS also may be subjected to proceedings normally associated with suspected criminal behavior. We have learned only recently, during hearings before our Subcommittee on Children and Youth, that it is not at all uncommon for parents who have lost a child to SIDS to be subjected to police investigation and the harrowing experience of a coroner's jury. Too often, the reaction of law enforcement personnel, and even physicians, is one which adds to the burden of guilt confronting the parent. Social scientists tell us that when a child dies under unexpected and mysterious circumstances a natural reaction of the parents is to blame themselves. When no satisfactory explanation for the death is available, and a police investigation is involved, many parents frequently find it very difficult to absolve themselves of guilt. This feeling of guilt when added to the emotional burden produced by the loss of an infant is often unbearable and leads to a need for kind and intelligent counseling. Tragically, guidance and comfort, and a careful explanation of the sequence of events associated with SIDS, are frequently not available in any form.

It is apparent to me that we are faced with a serious and unexplained disease of environmental factor which is producing an unusually large number of infant deaths. Associated with these deaths is the psychiatric toll which the parents of these children suffer. It is also obvious that information about these deaths is not being made available to the public to the extent required to alleviate the social problems associated with the deaths.

The resolution which I am cosponsoring today with my distinguished colleague from Minnesota (Mr. MONDALE) would support the commitment of our medical research establishment to the definite and immediate objective of finding the cause of SIDS and a method of preventing these deaths. This commitment would be given a high priority and the resources to procure a truly meaningful effort. Additionally, the resolution would provide for the wide dissemination of information concerning SIDS so that all medical, emergency service, law enforcement, and medico-legal personnel would become familiar with the disease and thus be able to provide the needed support to families subjected to the loss. And finally, we need to acknowledge the needs of families and provide help in the form of social services for guidance and counseling as necessary to help them adjust to their loss. Although there is no way of preventing the infant deaths at the moment, it is known that social counseling can alleviate and often prevent many of the emotional problems which frequently affect the parents as well as other members of the family and the surrounding community.

Mr. President, this joint resolution is

intended to focus attention upon and provide for the solution of SIDS, and I truly hope it will be given immediate and unanimous support by the Senate.

#### ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTIONS

S. 2345

At the request of Mr. HATFIELD, the Senator from California (Mr. TUNNEY) was added as a cosponsor of S. 2345, a bill to amend the Internal Revenue Code of 1954 to allow an income tax deduction for donations of blood.

S. 1819

At the request of Mr. BROCK, the Senator from New Jersey (Mr. WILLIAMS) was added as a cosponsor of S. 1819, to amend the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.

S. 2956

At the request of Mr. JAVITS, the Senator from Maryland (Mr. MATHIAS) and the Senator from New Jersey (Mr. WILLIAMS) were added as cosponsors of S. 2956, the War Powers Act.

S. 3127

At the request of Mr. MONDALE, the Senator from Oklahoma (Mr. HARRIS), the Senator from California (Mr. CRANSTON), the Senator from Maine (Mr. MUSKIE), the Senator from California (Mr. TUNNEY), the Senator from Illinois (Mr. PERCY), the Senator from New Mexico (Mr. MONTOYA), and the Senator from Rhode Island (Mr. PASTORE), were added as cosponsors of S. 3127, a bill to amend title XVIII of the Social Security Act to eliminate the monthly premium requirements for individuals covered under the supplementary medical insurance program established by part B of such title.

#### SENATE JOINT RESOLUTION 8

At the request of Mr. BAYH, the Senator from Delaware (Mr. ROTH) was added as a cosponsor of Senate Joint Resolution 8, proposing an amendment to the Constitution providing for equal rights for men and women.

#### SENATE JOINT RESOLUTION 171

At the request of Mr. MATHIAS, the Senator from Pennsylvania (Mr. SCOTT), the Senator from Texas (Mr. TOWER), the Senator from Idaho (Mr. CHURCH), the Senator from New Jersey (Mr. CASE), and the Senator from California (Mr. CRANSTON) were added as cosponsors of Senate Joint Resolution 171, designating March 1972 as "Exceptional Children's Month."

#### SOCIAL SECURITY AMENDMENTS OF 1971—AMENDMENT

AMENDMENT NO. 895

(Ordered to be printed and referred to the Committee on Finance.)

Mr. PEARSON. Mr. President, on behalf of the Senator from Missouri (Mr. EAGLETON) and myself, I offer today an

amendment to H.R. 1, providing persons 65 or older a phased annual tax credit of up to \$300 for property taxes or rent paid on their residence.

Mr. President, the 3,500 delegates who participated in the recently concluded White House Conference on Aging have placed the ball in our court. Congress must now consider the many thoughtful and well-defined proposals which the Conference offered in behalf of the Nation's 20 million senior citizens.

Among these recommendations are those which could provide older Americans assistance in lessening tax burdens, including a specific provision for property tax relief. Such a proposal is highly desirable, for one of the most acute problems facing many older Americans upon retirement is whether they will be allowed to keep and properly maintain their homes. Statistics have shown that approximately two-thirds of all citizens over 65 own their homes and pay property taxes to the State in which they reside, including over 80 percent of the elderly in my own State of Kansas. Further statistics reveal that the costs of homeownership amount to well over 30 percent of a retired couple's budget, making many senior citizens "house poor."

Yet, Mr. President, statistics can never fully describe the tragedy and the heart-break which can result when retired homeowners of moderate or low income, who have labored for years to purchase and pay for their property, are forced to use their savings or go into debt to meet rising property taxes. Nor can any amount of statistics convince the elderly of the equity in a tax system so demanding that the only alternative to rising property taxes and other household expenses may be a quick sale of a home to those better able to afford it.

Congress should act to correct this matter of great concern to senior citizens. This amendment can help end this problem, and I urge its favorable consideration.

Our amendment is similar to a bill I offered earlier in the 92d Congress. It is identical to an amendment which Senator EAGLETON, myself, and others offered to the Revenue Act of 1971. The Senate approved this proposal by a convincing margin, but it was later deleted in conference due to a technicality. If adopted, this measure would provide the homeowner over 65 up to \$300 tax credit for property taxes paid on his residence. Additionally, renters would be allowed to apply for a credit of up to 25 percent of the rent they pay each year. Full eligibility for the credit would be limited to homeowners earning less than an annual gross income of \$6,500 per year, or \$3,250 per year for an individual filing a separate return. Eligibility beyond the limitation would be reduced by an amount equal to earnings in excess of the limitation, thereby excluding an elderly couple making over \$6,800 per year from the provisions of this amendment.

Mr. President, older Americans deserve the privilege of living their retirement years in the peace and security of their

own homes. Yet there is no more ominous threat to their future as homeowners than the ever rising, inequitable, and increasingly unjustifiable property tax. I hope that Congress can approve this amendment to H.R. 1 as a step toward easing this crushing burden on the backs of this Nation's older Americans.

Mr. EAGLETON. Mr. President, on May 6, 1971, I introduced a bill (S. 1960) to provide a property tax credit for the elderly.

On November 20, the Senate, by a vote of 65 to 19, adopted my proposal as an amendment to H.R. 10947, the Revenue Act of 1971. My amendment was cosponsored by 15 Senators, including the Senator from Kansas (Mr. PEARSON).

Despite statements of concern about the property tax burden on older Americans, the administration did not support my amendment, and it was dropped from the bill by the conference committee.

I am pleased today to join with the Senator from Kansas in submitting this property tax credit proposal as an amendment to H.R. 1, the Social Security Amendments of 1971.

Obviously, this proposal is not a total answer to the property tax burden. But those ultimate answers—new methods of financing public education and reform of property tax systems—will not be realized tomorrow or the day after tomorrow. And, while we work toward those basic reforms, the elderly will continue to receive their property tax bills.

The Pearson-Eagleton amendment would provide approximately \$225 million next year to ease the property tax burden on those elderly persons of moderate means who pay a Federal income tax.

This would be accomplished by means of a tax credit of up to \$300 against property taxes paid on an owner-occupied residence or against 25 percent of rent paid on a personal residence. The tax credit would be available to those 65 or over who have adjusted gross incomes of \$6,500 or less.

The people who would benefit from this tax credit have been paying taxes—Federal, State, and local—for more than 40 years. I believe the Federal Government can afford to give them this measure of relief from the burden of taxation on their homes during their later years.

Mr. President, I join with the Senator from Kansas in urging that the Senate again evidence its commitment to property tax relief for the elderly by the adoption of this amendment.

#### EQUAL EMPLOYMENT OPPORTUNITIES ENFORCEMENT ACT OF 1971—AMENDMENTS

AMENDMENTS NOS. 896 THROUGH 902

(Ordered to be printed and to lie on the table.)

Mr. WILLIAMS (for himself and Mr. JAVITS) submitted seven amendments intended to be proposed by them jointly to the bill (S. 2515) to further promote equal employment opportunities for American workers.