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for this appropriation. This amount is comprised of \$1,067,975 for increased pay costs and an additional \$2,000,000 for an estimated deficiency over and above the increased pay costs.

The current balance of this appropriation is insufficient to meet the current month payroll of the staffs of the Senate investigating subcommittees and unless this authority is granted by the Senate, I will be unable to pay any salaries from this appropriation until the Second Supplemental bill is enacted.

For your information, this stop-gap procedure has been authorized in prior years by the Senate when there has been a delay in an appropriation bill. I am enclosing copies of the most recent resolutions that authorized the same utilization of Senate funds when the circumstances were similar. Therefore, this resolution will not establish a new precedent.

Additionally, this resolution is limited in that it mandates that any funds so utilized must be restored immediately upon enactment of the Second Supplemental bill for 1974.

Inasmuch as the next payday for Senate employees is May 20th, I consider this an urgent matter and therefore seek your indulgence.

Respectfully,

WILLIAM A. RIDGELY,  
Financial Clerk, U.S. Senate.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 325) was agreed to.

#### EDUCATION AMENDMENTS OF 1974

The Senate continued with the consideration of the bill (S. 1539) to amend and extend certain acts, relating to elementary and secondary education programs and for other purposes.

##### AMENDMENT NO. 1336

Mr. MCGOVERN. Mr. President, I call up my amendment No. 1336.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. MCGOVERN. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and, without objection, the amendment will be printed in the RECORD.

The amendment is as follows:

On page 125, after line 23, add the following:

##### POLICY WITH RESPECT TO ADVANCE FUNDING OF EDUCATION PROGRAMS

SEC. 4. The Congress declares it to be the policy of the United States to immediately and continually implement section 412 of the General Education Provisions Act, relating to advance funding for education programs, so as to afford responsible State, local and Federal officers adequate notice of available Federal financial assistance for education authorized under this and other acts of Congress.

On page 126, line 2, strike out "Sec. 4" and insert in lieu thereof "Sec. 5".

On page 130, line 11, strike out "Sec. 5" and insert in lieu thereof "Sec. 6."

On page 119, in the Table of Contents, after item "Sec. 3" add the following new item:

##### SEC. 4. POLICY WITH RESPECT TO FORWARD FUNDING OF EDUCATION PROGRAMS.

On page 120, in the Table of Contents, strike out items "Sec. 4" and "Sec. 5", and insert "Sec. 5" and "Sec. 6" respectively.

Mr. MCGOVERN. Mr. President, this is a bipartisan effort on behalf of myself, Senator CASE, Senator HANSEN, Senator ABOUREZK, Senator BIDEN, Senator BROCK, Senator COOK, Senator GRAVEL, Senator HANSEN, Senator HASKELL, Senator KENNEDY, Senator MONTOYA, and Senator TUNNEY to provide school officials with the notice of Federal assistance they need in order to plan their school budgets properly.

I ask unanimous consent that the names of the Senator from Kansas (Mr. DOLE), the Senator from Minnesota (Mr. HUMPHREY), the Senator from New York (Mr. JAVITS), the Senator from Delaware (Mr. ROTH), the Senator from North Dakota (Mr. BURDICK), and the Senators from Maryland (Mr. BEALL and Mr. MATHIAS) be added as cosponsors of the amendment.

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

Mr. MCGOVERN. Mr. President, this amendment would move up the appropriations process by 1 year so that our school administrators would know in ample time what funds are going to be available to meet teacher contracts and other school expenditures. It does not permit the obligation of funds a year in advance, but it does provide that it is the official policy of our government to provide appropriations a year in advance.

For example, the appropriations for schools for fiscal year 1976 would be passed in fiscal year 1975.

This amendment is in line with the practice that already has been followed with reference to higher education and for military appropriations. I think one of the most serious administrative problems our school districts have is not knowing what funds they are going to be able to work with until they get into the school year. They need that information no later than early spring when they are signing teacher contracts.

One of the principal problems school administrators face today is the delay in appropriating funds for education programs. Even if the administration acted quickly, the actual appropriations would not be made until late spring or early summer before the start of the new school year with notice of the individual school district entitlements some months later. For the school districts to plan the next school year properly and negotiate teacher contracts, they ought to know the amount of Federal funds they will receive the following year by early spring at the latest. So, even under the best of circumstances, the present fiscal year appropriations process does not meet school district administrative needs.

This problem has been compounded further in recent years by the dispute between the administration and the Congress regarding the proper level of funding for education programs. Fortunately, the Congress has consistently appropriated substantially higher sums than the administration requested. But this yearly duel on the amount of Federal aid to education has further delayed the commitment of funds to school districts. The President has twice vetoed education appropriations, forcing the Congress to rely on continuing resolutions. And even then, the school districts have had difficulty in obtaining the funds the law

entitles them to because of the administration's impoundment policy.

What this has meant is that the school administrator does not know what Federal funds to expect for the school year until 2 or 3 months after school has opened. Since an administrator cannot plan on dollars which may not come, this has meant less education for students and economic uncertainty for teachers.

During the last year of the Johnson administration, the Congress enacted section 412 of the General Education Provisions Act which would have avoided much of this chaos had it been followed.

This statute (20 U.S.C. 1223) authorizes appropriations for education programs administered by the Commissioner of Education in "the fiscal year preceding the fiscal year for which they are available for obligation." In other words, this statute would move the appropriations process ahead 1 year so that appropriations for fiscal year 1976 would be passed in fiscal year 1975 even though they would not be available for obligation until the following year. If this procedure were followed, school officials would know the amount of funds they would receive 1 year earlier than is presently the case. Further, this process would have no effect on the size of the Federal budget because the funds, although appropriated, would show up as "outlays" only for the year in which they were to be expended.

The statute also provides for a 2-year appropriation in the first year it is implemented in order to effectuate a transition to this method of appropriating educational funds.

The amendment we are offering today would establish as a policy of the U.S. Government that the forward funding authorization statute will be "immediately and continually implemented." This is consistent, not only with the action Congress took in 1968, but also with the recent adoption of an amendment I offered on the budget reform bill, S. 1541, which requires the President to submit budget requests pursuant to the forward funding statute. These two steps will, of course, have to be followed by the necessary appropriations.

The only argument which has been raised against forward funding is the technical point that the next Congress has the theoretical right to undo appropriations which we pass this year which would be expended next year. But the point is that existing law authorizes funds to be appropriated on that basis. Higher education has been forward funded since 1965. And military appropriations are routinely made on a multi-year basis.

Forward funding is a concept that everyone has endorsed. It has been studied for years. The Congress has authorized it. The last three Presidents have called for it, and educators have made a compelling case for it. So, I am hopeful that we can at last implement it.

Mr. President, I ask unanimous consent that certain articles recently published in the Education Daily on this subject be printed in the RECORD.

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

**VARIOUS ARTICLES FROM EDUCATION DAILY M'GOVERN GROUP TO OFFER "FORWARD FUNDING" AMENDMENT**

With the administration offering forward funding of education programs in return for consolidation, Sen. George McGovern (D-S.D.) and a group of bipartisan cosponsors say they will offer an amendment to S. 1539 making it "a policy of the United States" to forward fund all programs administered by the U.S. Office of Education. This follows earlier action by McGovern who introduced a concurrent resolution (S. Con. Res. 74) in the Senate March 13, expressing the "sense of Congress" that a 1968 statute authorizing advance funding for educational programs "should be immediately and continually implemented."

McGovern is also the sponsor of an amendment added by the Senate to the Congressional Budget Act of 1974 (S. 1541), which passed the Senate March 22 and is now in joint conference, to require the President to include in his budget requests estimates for advanced funding of "programs authorized by law to be appropriated 1 year in advance of the year they are to be obligated, as for example certain educational programs administered by the Commissioner of Education." The Office of Management and Budget has expressed administration displeasure with the requirement and asked the conference committee to delete the provision from the budget reform bill.

**OMB OPPOSES MAKING FORWARD FUNDING PERMANENT**

Advance funding of education programs so that educators will know a year ahead of time how much Federal money they will receive is opposed by the Office of Management and Budget, an OMB spokesman confirmed Friday.

The administration has consistently stressed its intention to provide \$2.875 billion advance funding of consolidated education programs this year, in the form of a supplemental 1974 budget request, once Congress enacts authorizing legislation. The supplemental would fund the programs for the 1974-75 school year, and the regular 1975 budget request would be for the 1975-76 school year.

OMB's position, however, is that advance funding expands the "uncontrollable" part of the Federal budget, which now runs to some 75 percent of the total. This would restrict not only the President's, but also Congress' ability to prepare a funding program, OMB believes, "Uncontrollable expenditures" in Federal budget usage are generally interpreted to mean such personal-benefit payments as Social Security.

**OMB OPPOSES M'GOVERN AMENDMENT**

The Office of Management and Budget has not expressed opposition to the President's advance funding proposal for consolidated programs this year, but the OMB viewpoint surfaced in connection with an amendment to the Congressional Budget Act (S. 1541—ED Apr. 18) sponsored by Sen. George McGovern (D-S.D.) and passed by the Senate. OMB told the joint conference committee now considering S. 1541 that it is opposed to the McGovern amendment, which would require the President to provide advance funding estimates as part of his annual budget request.

OMB spokesman declined comment on the apparent inconsistency in OMB's support of the current budget forward funding proposal and its opposition to future forward funding.

**M'GOVERN SPOKESMAN SAYS UNCONTROLLABILITY IS NOT THE ISSUE**

But a spokesman for Senator McGovern told *Education Daily* that the Office of Management and Budget is "dealing in non sequiturs." An appropriation is by definition not an "uncontrollable," the spokesman said, and

OMB is in fact opposed to forward funding in general, not simply to "uncontrollability."

**M'GOVERN LOOKS TO APPROPRIATIONS BILL**

The McGovern amendment to the Budget Act and an earlier "sense of the Congress" resolution are intended to lay a foundation, the spokesman said, for a possible Senate amendment to the upcoming House appropriations bill to insure forward funding of education programs.

**OMB FEARS "OPENING DOOR" TO FORWARD FUNDING EXPANSION**

An Office of Management and Budget spokesman said Tuesday that while OMB favors forward funding of consolidated education programs as proposed by President Nixon in his 1975 budget message, it opposes a Senate-passed amendment to the Congressional Budget Act because OMB believes it would "open the door" to expansion of the forward funding concept in "many areas."

"The administration," said OMB Assistant Director for Budget Review Dale McOmber, "urges that the consolidated education grant program be funded in advance in order that schools may adequately plan their programs for the ensuing school year. OMB is opposed to the McGovern amendment because it would result in forward funding for many areas, undermining the basic purpose of the budget reform bill."

**M'GOVERN AMENDMENT WOULD IMPLEMENT 1968 STATUTE**

The McGovern amendment—cosponsored by Senators Biden, Brock, Case, Cook, Hansen, Kennedy, and Pastore—was added by the Senate to the Congressional Budget Act, passed by the House December 5 and by the Senate March 22 (H.R. 7130—S. 1541). That measure, intended to give Congress greater control of budget and fiscal policy, is now in joint conference.

The McGovern amendment reads: "(1) The President shall include in the Budget transmitted to the Congress . . . estimates for appropriations to be made during the fiscal year . . . which are by law authorized to be obligated in the immediately succeeding fiscal year . . ." This would include education programs, McGovern pointed out, since Sec. 412 (20 USC 1223) of the General Education Provisions Act—added by Congress in 1968—authorizes one-year forward funding of educational programs administered by the Commissioner of Education. His amendment would therefore have the effect, McGovern said, of implementing already existing legislation.

**OMB SEES IMPLICATIONS**

But the Office of Management and Budget points to language in the McGovern amendment which says that forward funding will apply to "any program for which such appropriations are or may hereafter be, authorized." (Emphasis added—ED.) This, OMB says, could extend forward funding beyond education programs, to legislation which has not yet been enacted. And that, OMB believes, would be contrary to the intent of the Congressional budget reform measure.

**IN THE MEANTIME, HIGHER ED IS FORWARD FUNDED**

Under the fiscal 1974 Federal budget, all student aid provisions of the higher education budget—which make up 90 percent of the total higher ed spending and 33 percent of the Office of Education's total budget—are forward funded.

In fact, forward funding of Federal student assistance programs is an old story in higher education, going back to 1965 in the case of Supplemental Educational Opportunity Grants, and to 1968 and later for College Work-Study, National Defense Student Loans, and the Basic Opportunity Grants.

**BUT ELEMENTARY AND SECONDARY LAGS**

In elementary and secondary Federal education programs, though, there has been only one attempt to implement the forward funding authorization in the General Education Provisions Act. That was in the 1969 appropriation, when the administration requested forward funding of Title I and the Congress appropriated 90 percent of the amount asked for. But the forward funding was allowed to lapse in the next year's budget and Title I reverted to an annual appropriation basis.

**ADMINISTRATION FORWARD FUNDING HINGES ON "CONSOLIDATION"**

This year, the picture is complicated by the fact that the administration has tied its offer of forward funding of certain elementary and secondary programs to Congressional enactment of "acceptable" program consolidations. In his budget message, President Nixon asked for consolidation of existing education programs into six categories, which were designated as disadvantaged, handicapped, innovation, support services, vocational education, and adult education.

**HOUSE BILL SEEMS SATISFACTORY**

Since that time, the House has passed H.R. 69, which amends and extends the Elementary and Secondary Education Act and provides some program consolidation. Although its consolidations differ somewhat from those asked by the President, the bill is spoken of with approval by the administration. Title I is viewed by HEW as an acceptable compensatory education "consolidation," and the adult education, support and innovation, and libraries and instructional resources titles are also apparently satisfactory. This leaves impact aid and handicapped and vocational education—for which the administration has not yet drafted consolidation legislation—outside the forward funding picture for this year.

**AND NOW THE SENATE BILL**

But if the administration is willing to forward fund the "acceptable" parts of H.R. 69, that is by no means the end of the story. The Senate has yet to act on its own education bill—S. 1539—in which consolidation is dependent on full funding of existing categorical programs. And when the Senate does pass a bill, there will be substantial problems about consolidation in the expected joint conference to iron out the differences between House and Senate versions.

Mr. MCGOVERN. I have discussed this amendment with the Senator from Rhode Island (Mr. PELL), the manager of the bill, the Senator from New York (Mr. JAVITS), the ranking minority member on the other side of the aisle, both of whom approved what we are attempting to do with it. I hope the Senate will accept the amendment without opposition.

Mr. President, I ask unanimous consent that the name of the Senator from Delaware (Mr. ROTH) also be added as a cosponsor.

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

Mr. PELL. Mr. President, this amendment restates as a matter of policy what in my view is already a matter of law. It is a good idea and I recommend that Senators support it. I see the ranking minority member in the Chamber.

Mr. JAVITS. Mr. President, I would recommend it to the Senate, as well.

The PRESIDING OFFICER. Is all time yielded back?

Mr. MCGOVERN. I yield back the remainder of my time.

Mr. PELL. I yield back the remainder of my time.

The PRESIDING OFFICER. All time is yielded back. The question is on agreeing to the amendment of the Senator from South Dakota.

The amendment was agreed to.

Several Senators addressed the Chair. Mr. MONDALE. Mr. President, I call up my amendment No. 1329.

Mr. CRANSTON. Mr. President, I claim that I had the floor and I wish to call up an amendment.

Mr. PELL. Mr. President, who has the floor? I thought the Chair recognized the Senator from Minnesota.

Mr. CRANSTON. He gave it back because I had yielded to the Senator from South Dakota. I had not yielded the floor.

The PRESIDING OFFICER. The time is under the control of the manager of the bill, the Senator from Rhode Island. The Chair is informed that the Senator from California could not have yielded the floor under those circumstances.

Mr. PELL. I gave my assurances earlier to the Senator from Minnesota.

Mr. CRANSTON. I am glad to wait.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

Mr. McGOVERN. Mr. President, will the Senator yield to me momentarily?

Mr. MONDALE. I yield.

Mr. McGOVERN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. McGOVERN. Mr. President, is it appropriate for me to move to reconsider the vote by which the amendment was just agreed to?

The PRESIDING OFFICER. Yes, it is.

Mr. McGOVERN. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. PELL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. McGOVERN. Mr. President, I ask unanimous consent that the name of the Senator from North Dakota (Mr. BURDICK) and the Senators from Maryland (Mr. MATHIAS and Mr. BEALL) be added as cosponsors of the amendment.

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

The Senator from Minnesota is recognized.

AMENDMENT NO. 1329

Mr. MONDALE. Mr. President, I call up my amendment No. 1329.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. MONDALE. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and, without objection, the amendment will be printed in the RECORD.

The amendment, ordered to be printed in the RECORD, is as follows:

AMENDMENT TO TITLE IX OF THE HIGHER EDUCATION ACT OF 1965 RESPECTING TRAINING IN THE LEGAL PROFESSION

SEC. 527. (a) Part D of title IX of the Higher Education Act of 1965 is amended by add-

ing at the end thereof the following new section:

"ASSISTANCE FOR TRAINING IN THE LEGAL PROFESSION

"SEC. 966. (a) The Commissioner is authorized to make grants to, or enter into contracts with, public and private agencies and organizations other than institutions of higher education for the purpose of assisting individuals from disadvantaged backgrounds, as determined in accordance with criteria prescribed by the Commissioner, to undertake training for the legal profession.

"(b) Grants made, and contracts entered into, under subsection (a) may cover, in accordance with regulations of the Commissioner, all or part of the cost of—

"(1) selecting individuals from disadvantaged backgrounds for training for the legal profession,

"(2) facilitating the entry of such individuals into institutions of higher education for the purpose of pursuing such training,

"(3) providing counseling or other services designed to assist such individuals to complete successfully such training,

"(4) providing, for not more than three months prior to the entry of such individuals upon their courses of training for the legal profession, preliminary training for such individuals designed to assist them to complete successfully such training for the legal profession,

"(5) paying such stipends (including allowances for travel and for dependents) as the Commissioner may determine for such individuals for any such period of preliminary training or for any period of training for the legal profession during which such individuals maintain satisfactory academic proficiency, as determined by the Commissioner, and

"(6) paying for administrative activities of the agencies and organizations which receive such grants, or with which such contracts are entered into, to the extent such activities are for the purpose of furthering activities described in clauses (1) through (5).

"(c) The activities authorized under this section may be carried out without regard to the requirements and limitations set forth in sections 962 and 963 of this part."

(b) Funds appropriated pursuant to part D of title IX of the Higher Education Act of 1965 by the Departments of Labor and Health, Education, and Welfare, and Related Agencies Appropriations Act for the fiscal year ending June 30, 1974 (Public Law 93-192) shall be available for activities authorized by the amendment made by subsection (a).

(c) The amendment made by subsection (a) shall be deemed to have been entered prior to July 1, 1974.

Mr. MONDALE. Mr. President, this amendment is supported by the administration and it is supported by the American Bar Association, as well as by the distinguished ranking minority member of the Committee on Labor and Public Welfare, Mr. JAVITS.

Mr. President, this is a minor amendment designed to continue Federal support for disadvantaged students studying law under the sponsorship of the Council on Legal Education Opportunities. This amendment simply would continue what is in effect now. It is necessary in order to continue what presently is being done under the 1972 amendments to the Higher Education Act.

I ask unanimous consent to have printed in the RECORD a letter from Mr. Chesterfield Smith, president of the American Bar Association, strongly supporting the measure, and also a letter

from the Secretary of Health, Education, and Welfare, Mr. Caspar Weinberger, to the same effect.

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

AMERICAN BAR ASSOCIATION,  
Washington, D.C., April 29, 1974.

Re proposed amendments to part D, title IX, Higher Education Act of 1965.

HON. WALTER MONDALE,  
Old Senate Office Building,  
Washington, D.C.

DEAR SENATOR MONDALE: Since enactment of the Education Amendments of 1972 (P.L. 92-318), the American Bar Association has been cooperating with representatives of the Department of Health, Education, and Welfare and the Office of Economic Opportunity in an effort to perfect Part D of Title IX which established a new program of Federal Fellowships to support the training of disadvantaged students for the legal profession. I was, therefore, delighted to learn that Secretary Weinberger had transmitted the above-referenced draft legislation to the Congress and urged its "prompt and favorable consideration." On behalf of the Association, I urge that you and other members of the Special Subcommittee on Education support the early enactment of this important legislation.

Enactment of the proposed bill will simply allow the Department to continue the federal support of a unique and innovative program for increasing the number of persons from social backgrounds not now adequately represented in the legal profession. The Council on Legal Education Opportunity (CLEO) established in 1968 under the sponsorship of the Association and other professional groups has been responsible for the admission of more than 1,300 such students to law school. These students, from educationally and economically disadvantaged backgrounds, though having ability and aptitude for law study would normally have not ever become lawyers without the support provided by CLEO.

As I understand it, a decision was made by Director Rumsfeld of OEO in 1970 to seek the transfer of federal support from OEO to HEW following the precedent established in the delegation of Headstart and Upward Bound to HEW by OEO, a decision agreed to by then Secretary Finch. As noted in Secretary Weinberger's transmittal letter, funds have already been appropriated for fiscal 1974, and the proposed legislation merely perfects the authority to allow the continuation of the CLEO program.

The Association looks forward to cooperating with you in the advancement of this most important and necessary legislation.

Sincerely,

CHESTERFIELD SMITH.

MARCH 29, 1974.

HON. GERALD R. FORD,  
President of the Senate,  
Washington, D.C.

DEAR MR. PRESIDENT: Enclosed for the consideration of the Congress is a draft bill "To amend the Higher Education Act of 1965 in order to provide authority to assist training of disadvantaged students for the legal profession."

This draft bill would amend part D of title IX of the Higher Education Act of 1965 in order to permit the Department of Health, Education, and Welfare to continue supporting the training of disadvantaged students for the legal profession as previously assisted through the Office of Economic Opportunity.

Part D currently requires that each student receive a minimum of \$2,800 for each academic year of study. It also requires that at least \$4,200 be paid to the institution for

each disadvantaged student who receives a stipend and studies there for a profession. Under the authority proposed by this draft bill, the Secretary would determine the stipend levels for law students from disadvantaged backgrounds. The bill would not provide for institutional allowances for this program, but would authorize the Secretary to make grants to or enter into contracts with public and nonprofit private agencies and organizations to assist the training of disadvantaged students for the legal profession. By so doing, it would permit HEW to operate the legal education opportunity program in the same manner as it has been run for OEO. Without these revisions, the number of disadvantaged students now studying with Federal assistance in the legal education opportunity program would be reduced from over 200 to 31.

The bill provides that funds already appropriated for fiscal year 1974 shall be available for the activities authorized by the proposed amendments to part D. Accordingly, we urge prompt and favorable consideration of this bill.

The Office of Management and Budget advises that enactment of this proposed legislation would be consistent with the objectives of the Administration.

Sincerely,

CASPAR W. WEINBERGER,  
Secretary.

Mr. PELL. Mr. President, I have had an opportunity to study this amendment, which is a good amendment, and which fulfills the purpose. The amendment is cosponsored by the ranking minority member of the committee. I recommend to my colleagues that it be accepted.

The PRESIDING OFFICER. Is all time yielded back?

Mr. MONDALE. I yield back the remainder of my time.

Mr. PELL. I yield back the remainder of my time.

The PRESIDING OFFICER. All time is yielded back. The question is on agreeing to the amendment.

The amendment was agreed to.

AMENDMENT NO. 1330

Mr. MONDALE. Mr. President, I have one more amendment. I call up my amendment No. 1330.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. MONDALE. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and, without objection, the amendment will be printed in the RECORD.

The amendment, ordered to be printed in the RECORD, is as follows:

Insert at the appropriate place in the bill the following:

SEC. . Section 708(a) of the Emergency School Aid Act is hereby amended by the addition of the following subparagraph (3):

"(3) The Assistant Secretary is authorized to make grants to, and contracts with one or more private, nonprofit agencies, institutions, or organizations, for the conduct, in cooperation with one or more local education agencies, of special programs for the teaching of standard mathematics to children eligible for services under this Act through instruction in advanced mathematics by qualified instructors with bachelors degrees in mathematics, or the mathematical sciences from colleges or other in-

stitutions of higher education, or equivalent experience."

Mr. MONDALE. Mr. President, this is a minor amendment that would permit the Secretary to make grants for special programs for teaching of standard mathematics to children eligible for services under the Emergency School Aid Act.

Our amendment enables the Assistant Secretary to do as he or she pleases, but identifies this program as one of special importance and hopefulness; and it is one of those programs designed to help disadvantaged children which, in my opinion, deserve special attention and support.

The State of California is a State in which this program has been designed and developed. I understand the Senator from California (Mr. CRANSTON) would like to be a cosponsor of the amendment. I ask unanimous consent that his name be added as a cosponsor.

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

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

Mr. MONDALE. I am glad to yield.

Mr. TAFT. I thank the Senator for yielding. I am a referee of this program in my State. It is a very desirable program. If I am not a cosponsor of the amendment, which I think I am, I ask that the Senator include me as a cosponsor.

Mr. MONDALE. I thank the Senator.

Mr. President, I ask unanimous consent that the name of the Senator from Ohio (Mr. TAFT) may be added as a cosponsor of the amendment.

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

Mr. TAFT. Mr. President, I am happy to be a sponsor of this amendment to give the Assistant Secretary of Education the authority to make grants and contracts for the purpose of teaching advanced mathematics to elementary schoolchildren. My staff has been able to witness first-hand a demonstration of the techniques used to teach algebra to fifth graders under a program of special elementary education for the disadvantaged called Project SEED. Project SEED is an 11-year-old project in which professional mathematicians teach advanced mathematics to elementary schoolchildren from poverty and minority backgrounds.

The project started with one man, Bill Johtz, in Berkeley, Calif., but is now an international project, and for the past 2 years has been operating very successfully in my State of Ohio.

The Ohio program began in Columbus in 1972, and in Cincinnati in 1973. Over 1,000 children in these school districts have received SEED instruction to date. Mathematicians and scientists from numerous research corporations and universities have been involved with the project. For example, in Columbus, scientists from the Bell Telephone Laboratories, the Battelle Research Institute, Ohio State University and Industrial Nuclearics have been involved. In Cincinnati, the General Electric Co. has sponsored a major demonstration of the

project together with Ford, WCET, and the Jurgens Foundation.

General Electric has recently indicated that it will both contribute mathematical scientists and engineers to the project, and take the lead in providing financial contributions to run a much enlarged, long-term program. I have received a letter from Mr. Gerald Klein, manager, community and urban affairs for the General Electric Co., in Cincinnati, expressing his support for Project SEED, and ask unanimous consent that it be inserted in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. TAFT. Other major public demonstrations of Project SEED in Ohio have been sponsored by Columbus Model Cities Agency, and the Ohio House and Senate Education Committees.

Project SEED's results to date have been most gratifying. Last year, in Columbus, the students in SEED classes gained approximately 2 months' growth for each month of exposure in standardized arithmetic basic skills testing alone.

I am extremely hopeful about the opportunities which Project SEED can provide for disadvantaged children to succeed in a vital subject area such as mathematics. To borrow from Plato:

The direction in which education starts a man will determine his future.

EXHIBIT 1

GENERAL ELECTRIC CO.,

Cincinnati, Ohio, April 19, 1974.

Senator ROBERT TAFT, Jr.

U.S. Senate, Committee on Labor and Public Welfare, Washington, D.C.

DEAR SENATOR TAFT: William Johtz of Project SEED has mailed me a copy of the letter sent by you and Senators Kennedy and Mondale to Charles B. Saunders, Jr., Acting Assistant Secretary for Education, on April 11.

On behalf of all my associates here at General Electric, many thanks for your support of SEED. This program—in which professional mathematicians teach college-level math to full-sized classes of elementary school children—seems to me to offer real hope for improving the quality of elementary school instruction across the board, and especially for opening the door for thousands of minority youngsters to prepare for well-paying technical careers.

As you may have heard, GE recently teamed up with Ford, WCET and Jurgens Foundation to sponsor a SEED demonstration in Lincoln Heights Elementary School. Written comments by attending business, university and media representatives were most gratifying. For myself, I regard SEED as the finest program of its kind ever developed, and dollar-for-dollar the best possible buy in supplemental educational programs. Nothing would please me more than to see it adopted and adequately funded by the Cincinnati and Princeton school systems.

Again, our sincerest thanks to you for your interest and for your letter to Mr. Saunders.

Sincerely,

GERALD KLEIN,  
Manager, Community and Urban Affairs.

Mr. PELL. Mr. President, I think the amendment is a good amendment. I recommend that it be accepted. It has been cleared with the minority. I recommend

acceptance of the amendment and I yield back the remainder of my time.

The PRESIDING OFFICER. Is all time yielded back?

Mr. MONDALE. I yield back the remainder of my time.

Mr. PELL. I yield back the remainder of my time.

The PRESIDING OFFICER. All time is yielded back. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. MONDALE. I wish to engage in a colloquy with respect to section 403 of the bill, "Consolidation of Certain Federally Operated Education Programs." Subsection 2(b)(1)(A) of the bill deals with discretionary funds and directs the Commissioner of Education to "give priority to applications proposing projects meeting the requirements of the provisions of law repealed by paragraph (3) of subsection (c)."

Is it not the chairman's view that the committee intends OE funding in continuing support of the educational television programs, "Sesame Street" and "The Electric Co.," previously provided under the Cooperative Research Act, to be a priority project within the meaning of that subsection?

These programs of "The Children's Television Workshop" are both vital experimental educational tools.

"Sesame Street's" audience of 9 million children continues to be the largest of any educational program in TV's history. This audience includes a number of disadvantaged children who have consistently shown demonstrable gains in cognitive skills taught by the show, at a total cost of only about a penny per child per daily program.

The Electric Co. has also demonstrated through extensive evaluations that it can teach reading skills to large numbers of children—6 million as of last year, including nearly 3 million children in classroom settings. The cost of this series, too, is only a penny a day per viewer. Surely these dollars represent one of the best educational bargains our Federal education dollars buy.

Mr. PELL. The Senator is correct. These programs are among the most effective—if not the most effective continuing experiments funded by the Office of Education.

For fiscal year 1974, the Senate appropriated \$5 million for OE funding of "Sesame Street" and "The Electric Co.," and by year's end they will have received a total of \$4 million. I understand that for fiscal year 1975, they need \$5.5 million.

Continued support of successful projects such as "Sesame Street" and "The Electric Co." is precisely the kind of priority we intend to be maintained. In future years they certainly should continue to receive the support they need from OE. It was to ensure continued attention to such priorities that the committee bill directs the Commissioner to provide a detailed plan each year of its proposed funding for oversight review by the committees.

I appreciate the Senator's contribution to clarifying the meaning of this provision. It will be an important piece of legislative history.

Mr. MONDALE. I thank the Chairman.

Mr. President, I would like to make one point to the distinguished manager of the bill. I have one final amendment that I will not bring up today dealing with the title I formula. I hope the unanimous consent agreement entered into will provide time that will be set aside to permit us to deal with that matter.

Mr. PELL. Is this the same amendment as the amendment on title C?

Mr. MONDALE. No; it does not have anything to do with C. The amendment has to do with B.

Mr. PELL. Why does not the Senator offer it now?

Mr. MONDALE. We are working on it now. I just wanted the floor manager to know I have an interest in an amendment to be offered.

I thank the distinguished floor manager.

Mr. ALLEN. Mr. President, I should like to ask a few questions of the distinguished Senator from Rhode Island. Would the effect of consolidating title V eliminate the provision for carrying out interstate programs similar to those presently carried out under section 505 of the present ESEA?

Mr. PELL. No. Those types of projects can be carried out under the Special Projects Act, and the Senator might wish to note on page 252, line 23 of the bill, that the first two purposes of the Special Projects Act are "to experiment with new educational and administrative methods, techniques, and practices" and "to meet special or unique educational needs or problems."

Mr. ALLEN. Would you expect that comparable amounts of money available for interstate projects, as provided in fiscal year 1974, could be included in the expenditure plan for special projects?

Mr. PELL. Yes. I would hope to see that the USOE, in the development of their plan, gives a high priority to this program of cooperation among States.

The PRESIDING OFFICER. The Senator from California.

Mr. CRANSTON. Mr. President, I thank the Chair for being able to recognize me finally.

I call up my amendment No. 1328, as modified. I have a modified version which I send to the desk.

The PRESIDING OFFICER. The clerk will state the modified version of the amendment.

The legislative clerk proceeded to read the amendment, as modified.

Mr. CRANSTON. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

Amendment No. 1328, as modified, is as follows:

On page 360, between lines 13 and 14, insert the following:

"STUDY AND PILOT PROJECTS REGARDING SCHOOL SAFETY

"Sec. 536. (a) The Commissioner shall carry out a continuing study during the period beginning upon the date of enactment of this Act and ending June 30, 1976, to determine—

"(1) the frequency, seriousness, and incidence of crime in elementary and secondary schools in the States;

"(2) the number and location of schools affected by crime;

"(2) Such interim report shall be followed by such succeeding interim reports to the Congress (not less often than every 180 days) on the progress of his activities under this section.

"(3) Not later than December 31, 1976, the Commissioner shall submit to the Congress a final report on his studies, surveys, research, and pilot project carried out under this section. Such final report shall include such recommendations as the Commissioner may deem appropriate to prevent crimes in elementary and secondary schools.

"(e) Funds available to the Commissioner under section 400 of the General Education Provisions Act shall be available to enable the Commissioner to carry out his functions under this section. In addition, not to exceed \$375,000 is authorized to be appropriated, without fiscal year limitation, for grants and contracts under subsection (c)."

On page 123, in the Table of Contents, after item "Sec. 535," add the following: "Sec. 536. Study and pilot projects regarding school safety."

Mr. CRANSTON. Mr. President, to explain what the modification does, it cuts in half the years and cuts in half the amount as stated in the printed amendment.

Mr. President, first let me thank the distinguished chairman of the Senate Education Subcommittee, Senator PELL, for his cooperation in this matter. I am proud to be a member of a subcommittee with such outstanding leadership as that offered by the Senator from Rhode Island. I thank him especially for his thoughtful consideration of the amendment I offer now, and the amendment I will call up shortly, and I am hopeful that he will find both acceptable.

I would also thank my distinguished colleagues on the minority side, Senators DOMINICK and JAVITS, along with their staffs and that of Senator PELL, for their sympathetic consideration of these amendments. I hope they will also find the two proposals worthy and acceptable ones.

I want to point out that amendment No. 1328 is drawn from a bill introduced by the distinguished Senator from Florida (Mr. GURNEY) in the first session of this Congress, which I had the pleasure of cosponsoring. Working together, Senator GURNEY and I were able to agree upon a modified approach to the issue that concerns us, which is embodied in this amendment. I pay tribute to Senator GURNEY's leadership on this issue.

Mr. President, amendment 1328 provides for "Study and Pilot Projects Regarding School Safety" and security.

It is a simple amendment, to do two things:

First, it authorizes the Secretary of Health, Education, and Welfare to undertake a comprehensive study, over the next 2 years, of incidents of vandalism and violence in elementary and secondary schools, and the probable causes for these incidents.

The Secretary would make periodic reports to the Congress on the progress of the study, and a final report by December 31, 1976.

Second, the amendment authorizes \$375,000 to enable the Secretary to conduct limited pilot projects he finds neces-