

UNITED STATES



OF AMERICA

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 94<sup>th</sup> CONGRESS  
FIRST SESSION

VOLUME 121—PART 12

MAY 16, 1975 TO MAY 22, 1975

(PAGES 14763 TO 16236)

Israel, though geographically small, has proven itself a remarkable friend and ally. Its stake in preventing Soviet hegemony in the Middle East is as great as ours. Israel's high caliber political and military leadership has proven itself determined, resourceful, and courageous. Its people, industrious, educated, and highly motivated, are prepared to make immense sacrifices to protect their national security. A stable, democratic, and progressive society, Israel is precisely the kind of ally the United States needs in pursuing its objectives. In this, it surely differs from the unstable and undemocratic regimes of Southeast Asia for which we spilled so much of our blood over the years. Israel has never asked that a single American soldier disembark upon its soil.

Beyond the question of power relationships and security, the United States has stakes in Israel's survival which flow from the essence of what America stands for. Throughout our Nation's history, it has had an abiding concern for nurturing freedom among the peoples of the world. We share with Israel a common adherence to democratic principles, to principles of justice and humanism, to a common moral heritage with roots in Western political philosophy and in the Judeo-Christian tradition. We also share with Israel a parallel history as havens of refuge for the persecuted and the oppressed. These intangible but vital factors are at the root of the affinity between our two peoples, and they motivate most Americans to place a high value on the significance and role of Israel among the nations. When Israel is threatened, all of the things America stands for are threatened.

Let these thoughts be reviewed in any "reassessment" of our position in the Middle East.

#### CHILD AND FAMILY SERVICES

Mr. MONDALE, Mr. President, as Senators know, the Senate Subcommittee on Children and Youth, which I am privileged to chair, and the House Select Committee on Education, ably chaired by Representative BRADEMAs, have held seven joint Senate House hearings on S. 626 and H.R. 2966, the Child and Family Services Acts.

We have scheduled our final 4 days of joint hearings on this legislation for June 5, 16, 17, and 19.

Recently, National Public Radio presented an award-winning "Options on Education" series, including a show concerning this legislation and our hearings entitled, "Who Cares for Children?"

I have had an opportunity to review the transcript of that program. It includes a thoughtful description and discussion of the legislation, with statements from a number of individuals who have testified at our hearings.

So that this information may be available to my colleagues and interested members of the public, I ask unanimous consent that the transcript of "Who Cares for Children" be printed in the RECORD.

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

#### WHO CARES FOR CHILDREN?

(A Transcript of "Options on Education,"  
March 14, 1975)

Key:

A: Announcer Mike Waters.  
JM: Moderator John Merrow.  
C: Various "latch key" children.  
WP: William Pierce, Child Welfare League.  
AC: Audrey Colom, Vice-Chairwoman, National Women's Political Caucus.  
CB: Carol Burris, President of Women's Lobby.

CHMN: Alphonzo Bell, U.S. Representative (R.-Calif.)  
AF: Arvonne Fraser, Women's Equity Action League.

TS: Tutti Sherlock, Olmstead County Council for Coordinated Child Care, Rochester, Minnesota.  
EK: Erline Kendall, Nashville, Tennessee.

JG: James Gallagher, Frank Porter Graham Child Development Center, University of North Carolina.  
SJ: Sid Johnson, Staff Director, Senate Subcommittee on Children and Youth.

WS: Wayne Smith, National Association for Child Development and Education.  
A: From National Public Radio in Washington, I'm Mike Waters with "Options on Education."

(Music: Who really cares? Who really cares?)

C: And I sometimes do the house. Clean up. And do sometimes the lunch for the . . .

JM: Now, how do you get into the house after school?

C: Well, I have the keys to get into the house. And we all of us have different keys—my sister, and my other sister and I and my mother and my father.

JM: Where is your father?

C: He works with my mother in the Water-gate, too.

JM: How old are you?

C: I'm 11.

JM: And how many kids are there in the family?

C: Four.

Second-Child: I have to use the keys to go out and in.

JM: Are you afraid of losing them?

C: Yep.

JM: Does your mother work?

C: Yes.

JM: What kind of work does she do?

C: Day care center.

JM: What about your dad? Does your dad live at home?

C: Well, my mother and my father got divorced.

JM: So you're pretty much in charge for a couple of hours?

C: Yeah.

JM: Now, what about your small brother during the day?

Third child: I go to a school and take them from the school, all of us go . . .

A: Those kids are latch key children. And there are millions more like them in the country. They need some sort of supervised child care. And it isn't available. It's a mistake to think that day care is just for infants and pre-school children. Most kids without care are in school, as you'll learn on this "Options on Education" program, which we're calling, "Who Cares for Children?"

(Music).

A: Let's begin with the statistics. The Child Welfare League testified on Capitol Hill that over 32 million children under 18 need child care. Now, right now there are only 4.3 million day care slots available. And only 1 million of these slots are licensed. That means that a lot of kids are getting unlicensed day care. And a lot more aren't getting any care at all. 25 million children out of the total 32 million are already in school. They need part-time adult supervision as a supplement to school. The remaining 7 million are infants or pre-schoolers. The lion's share of kids needing day care, 26 million,

are the children of working mothers. In some cases, the mother may have to work. She may be the only parent in the home. In many cases, the mother has her own career—as a lawyer, architect, doctor or nurse. Another 1.2 million children have a parent at home, but that parent is handicapped or too sick to look after the children. 700,000 children have working fathers as their only parent. And another 4 million children are themselves handicapped and need special care. It adds up to 32 million children. Our reporter, John Merrow, of that Institute for Educational Leadership, asked William Pierce, the Child Welfare League's lobbyist, just how accurate the statistics were.

JM: Can you back those up? Is that data pretty good?

WP: Well, we think that in this case the burden of proof is on those who say the need for child care is not there. It's been 11 years since the Federal government, which spends hundreds of millions of dollars on surveys and data-gathering extravaganzas, has bothered to find out what the real child care arrangements are in this country. And, we don't know what the reason is, but we do know that they just haven't gathered the data. We think that if they gathered the data, and it could be relatively easily done, that they would find results something like what we estimate. Since they have not found out where the children are, we have had to extrapolate from the data that does exist. We say that our data is as good as can be "guesstimated." And if they think our data is too high, we invite them, we encourage them, we beg them, to conduct their own survey. Some of those surveys are very difficult to do. The only way that you can do some of those surveys is literally station people on street corners to find out where children go. There was an interesting survey done in London recently, and that's the only way they were able to find out. They recruited teams of social workers who stood on the street corners starting at 5 o'clock in the morning, and tracked parents. If they left their house and trundled off down the street with a baby carriage, and the baby carriage and the baby stayed somewhere, they had discovered a child care arrangement. They found that there were literally thousands and thousands of babies cared for in the most frightening and damaging situations. Not even the last survey done in the United States was as imaginatively done as that one done in England. We need another survey.

JM: Tell me about the available number of day care slots, or whatever the appropriate term is, and then let's go on after that to talk about the kinds of ways children are actually cared for in this country.

WP: All right. First of all, we know that there's roughly a million licensed day care slots in this country.

JM: Who licenses day care?

WP: Most day care in the States is licensed by state departments of welfare. Day care can also be licensed by health departments. In some states, the health department is the licensing agent, as in Kansas, and they do a very fine job. In other places, it's departments of education. Generally, day care has been seen to be a welfare function and, therefore, the licensing function has been performed by the welfare department.

JM: The figures we're working with right now say there is a need for roughly 32-33 million, and there are only a million positions available?

WP: There are only a million licensed. That means that if we want to be fair in talking about supply we have to try and estimate what the number of unlicensed day care places are. Most of the unlicensed day care places, according to all of the studies that we have available (one funded by the Federal government and conducted by the Westat Corporation, another done by the National Council of Jewish Women and published in a

report called *Windows on Day Care*), are of extremely poor quality because, frankly, most unlicensed day care, like most unlicensed restaurants, people would rather function above ground because it's more profitable, and they can attract better trade and charge better prices. If someone is selling, or licensing anything on the sly, it usually is that their product is questionable. About 95% of all of the unlicensed care according to the estimates is bad. Five percent is simply run by good people, or people who for one reason or another cannot comply with the eccentricities of the licensing law in a jurisdiction or two. We estimate that the unlicensed, illegal, underground (however you care to call it) capacity in this country, and this is extrapolating from the studies that have been taken, is about 3.3 million places. So, if you add those with the licensed places, you come up with about four or four-and-a-half million places. Most of those can't be used, though. An awful lot of the licensed day care places and a lot of most of the unlicensed day care places are so unsafe and hazardous that we wouldn't put our dog there, let alone our children. So we're left with a net of about a million places that can be used. Subtract the million from the 32.5 million needed, and you've got a net of 31 million children who, we say, need care, and you've got to create the spaces to care for them.

JM: I'm struck by the bloodless, colorless language of "licensed" vs. "unlicensed." Then you went on to say that some were unsafe, that you wouldn't put your dog there. What do you mean? What goes on in a place like that?

WP: Well, in an unlicensed day care facility, and it may be a family day care home, or a group day care home, or a day care center—in an unlicensed facility you can bet that, first of all, there's not enough space so that the children can have the freedom of activity that they need. They're either penned up, or they're seated in front of a television set. That's the usual choice. They also, quite frankly, are trying to operate a business illegally. They're trying to avoid taxes, they're trying to avoid land use and zoning codes. As a result, in most of the unlicensed situations, the children have to be placed in very unobtrusive situations. In the house, very little of the house will be changed. If it's in a center, the center will be located in a building which is unsuitable. If it's . . . no matter where it is, it's very unlikely that the children will be playing outside, because a lot of noisy kids will attract the attention of those who say, "Why are 15 or 20 kids playing in that house, or next to that warehouse? They must have something going on there. It's not a school. It must be a day care center. And maybe the children shouldn't be there." The other thing is that if you simply look at the statistics, from the studies that we do have, of what is in an unlicensed day care center, you'll find that there's not enough cots for the kids to take naps, there's not enough food for them to eat, there tend to be very few toys, if any at all.

JM: Those are features of licensed day care centers, then?

WP: Those are features of unlicensed day care centers.

JM: No, but licensed day care centers would have enough cots, would have enough toys, and so on and so forth?

WP: Most licensed day care centers, yes. The problem with licensing anything is that you have the corruptibility of the licensing official which comes into play, and I think anyone would be naive to think licensing officials cannot be corrupted, let's say, in terms of building code enforcement, and zoning, and fire and hospitals and everything else, that one or another of the licensing officials engaged in children's facilities cannot also be corrupted. But a good licensing program gets around that by rotating licensing people.

JM: Let's go back to our numbers again. You said there are four-and-a-half million available slots, licensed and unlicensed. We began with a figure of between 32-33 million. I hope I'm remembering the figures correctly. That leaves an awful lot of children who, by your figures anyway, need some kind of day care, but there are no positions. What happens to those kids? How are those kids—that 28 million, whatever the number would be—how are those kids being cared for today?

WP: Well, we know from looking at the statistics gathered by the Department of Health, Education and Welfare for the children of women on welfare, children in families receiving aid to families with dependent children, AFDC kids, that a great number of those kids are looking after themselves, or that the parents are claiming to look after them while they are at work. We think that this is probably not just limited to welfare children. I happen to live in a fairly wealthy suburban county, Montgomery County, Maryland, and surveys of the situation of children in Montgomery County are not much different from the surveys that HEW has reported in terms of AFDC children. When people work, if they don't have day care available—and we know from the statistics that they don't—there's no magic. They simply have to rely on the children caring for themselves. These are children who look after themselves . . . latch key children . . . who, if they're ill, or if school is out . . . we're talking now about six hours a day, every day, and we're talking about 10-12 hours a day whenever school is out, or they're ill or they have no public school to go to.

JM: So they're taking care of themselves. They're without adult supervision. They may be at home, they may be out on the streets, but essentially they're . . . and you call them latch key children—what does that mean?

WP: Well, *latch key child* is the term used to describe the child who . . . most parents have to lock the door, so they take the house key and string it around the child's neck and say, "No matter what, don't lose your key, and if worst comes to worst, come home, unlock the door and slam it behind you, and be good." That's all.

JM: You also said that some working mothers take care of their kids by telephone. I don't understand that.

WP: Well, if the child is at home—and I must admit there are people that I know who are professional child care people who do the same thing—if there's no school-age day care available, what they do is they know that their child should be home from school about 3:30 or 3:45, and they simply sit at their desk and call every five minutes until their child answers the phone. They give the child . . . they ask the child how the day went at school. They say, "Be sure and have a snack. Don't watch TV. Do your homework. Do your chores. I hope to see you at 6 or 6:30." And they may call the child to check to make sure that the child is in the home every 15 or 20 minutes or so.

JM: I'm sure there are a lot of listeners reacting to that right now in this way: "That mother belongs at home. She shouldn't be calling from her office or from wherever she works to find out how her kid is. It's just wrong."

WP: Well, what's wrong is that we have a policy in the United States, as do many other industrial countries, that forces both the father and the mother to leave the home and work outside the home in order to survive economically. What's wrong is that we don't pay people to do the thing that we acknowledge as a valuable service, and that is to care for their children in their own home. Our welfare policy is the same sort of thing. We say to a welfare mother, "If you're just in the home caring for your own three children, it doesn't count. You've got to con-

tribute to the gross national product." We say, on the other hand, that if a welfare mother leaves her home and cares for someone else's home and three children, it's terrific. She's working. And not only that, the woman who pays her \$400 a month can deduct it from her income tax. The fact is that if a welfare mother or any other mother, or man for that matter, is performing real services to society, they're worth \$400 a month in someone else's home caring for three kids, if they're caring for three kids, they're also performing real work. Some nations have recognized that by counting the work done by the household—and it may be the male or the female—in the gross national product—the so-called mother's wage or householder's wage approach. We haven't recognized that here. On the contrary, we have taken the most vulnerable people in our society, those who are poorest and who have their children to care for, and forced them out of the work place.

C: Yeah.

JM: Tell me about the work she does.

C: About law enforcement and crime, and stuff like that.

JM: How about your Dad? Your Dad is not at home with you?

C: No. He's in the service; he's in Thailand.

Second Child: I practice my piano and I read and I do my homework.

JM: How do you get into the house?

C: My sister wears the keys around her neck.

JM: Well, now does your Mom call up to find out what you're doing?

C: No. We call her.

JM: After school, what do you do?

Third Child: Play basketball or football. Then, after that, probably get some soda, something to eat, and go home. That's about it.

JM: Now, is anyone at home after school?

C: No.

JM: Do you have brothers and sisters?

Fourth Child: Yeah.

JM: Now, who takes care of them?

C: Me. I tell them what to do . . .

A: It's important to make some distinctions among types of day care. Whether it's called center care or home or family care depends on the number of kids involved. Six or more kids and the day care facility is called a center. Under six kids and it's family care or home care. Day care can be non-profit or for-profit. And some for-profit day care is franchised, much as fast food chains and motels are. Most licensed day care is run for profit, but most of the day care facilities are not even licensed. Licensing requirements vary in rigor and enforcement, but the regulations usually spell out minimums for square feet per children, ventilation, bathrooms and available toys, among other things. But distinctions aside, there are many more kids than there are places and day care facilities. Right now, three Congressional Subcommittees are holding joint hearings on day care legislation. Actually, the Congress passed a similar bill in 1972, but former President Nixon vetoed it. Today, the bill's passage seems inevitable. But there are unanswered questions. Congressional hearings are supposed to help answer questions, so let's listen to part of the March 12th Joint House-Senate Hearing. On that day, several women's groups testified in favor of the bill. The hearings, which began in late February, will go on into April.

AC: Thank you very much, Mr. Chairman. I'm pleased to be here today to discuss the Child and Family Services Legislation. I am a parent of a pre-school child currently in day care, and Vice-Chairwoman of the National Women's Political Caucus. I would, at this point, like to speak up for the small percentage of women who work out of choice, not necessity. They and their children, too, deserve the highest quality care available. I

am pleased that the Senate bill provides some space on a sliding fee basis in child care programs for families above the Bureau of Labor statistics lower living standards budget. I know that these families desire for their children the rich and varied experiences that the best child care programs offer, and they are prepared to pay for these programs. To those people who bristle at the mention of day care and equate it with irresponsible or neglectful parents I would like to say that good (not custodial) day care is quality education. The children are learning about themselves, their playmates, their environment, in a healthy and a happy way. They are growing and developing as a result of their experience in day care programs. Now, I would like to take just a couple of minutes to speak about specific provisions in the bill. I am distressed that for the first year funds are authorized only for planning, training and technical assistance. While I don't dispute that ample planning must be done, I am surprised that no money is simultaneously available for already existing child care programs and family service programs—especially those suffering from diminishing foundation or local government support. I can think of several child care programs within walking distance of this very hearing room that might close down soon because their funding is unavailable or unstable. If this bill passes as drafted, I can envision a situation where well-paid planners are scouring the country determining areas of greatest needs while child care programs in those very areas are cutting back or closing down altogether. Children must be the primary beneficiaries of this money.

CB: I think there are three things that my statement really touches upon. The first is the whole question of why it is that we have the large number of households headed by women, the large number of women in the work force that are completely ignored. This bill passed first in 1971 and was vetoed, and these children are still with us, and they're still not getting any care, and we're sitting here once again, all of us who agree on the need and all of us who agree that there is a need and that there ought to be funding are sitting down once again, and I notice that none of the people who disagree with us are here. And we're all discussing once again this problem. And, in the meantime, I was the mother of a child who was a preschooler when this bill first passed. I'm now the mother of a second-grader and, if we keep on at this pace, I'm going to be the grandmother of somebody who needs day care. And we have a continual problem, it seems to me, in the ideas at HEW about implementing this bill and a lot of the informed opposition comes from there and, frankly, if the Secretary of HEW were a woman, she would not announce that she could not do her job and then expect that was a good and sufficient reason to not take care of the children who need day care. Any woman who goes around announcing that she can't do her job is fired, and I think that it's a poor excuse that the Secretary of HEW feels that he should be able to come before this committee and continuously announce that he's unable to administer a program to take care of children and then feel that that's good and sufficient reason not to enact one. It's probably a good and sufficient reason to change Secretaries, but not a good and sufficient reason to leave children alone. (Laughter) The other thing that I think is really important in discussing child care is the whole question of why this problem can continuously be put underneath, and why those of us who are middle-income parents are continuously sort of left alone. I think when there are no services, which is the current case, there is no way to buy the kinds of services that are available for Audrey's daughter, for my son, because they just don't

exist. And my son is in an after-school program with 15 other children, and the competition to get into these programs is far greater than it will ever be to get him into Harvard or Yale, because they have about 1,000 spaces for their freshman class, not 15 spaces. And you cannot tell me that poor people need spaces more than anybody else does because there just are no spaces that exist, so the need is equally great for all of us because we just don't have any commitment publicly to take care of our children. And we can't now cut back because of a President who's left the White House—our demands for the children that we know are out there. If we do, I think . . . as someone who works on women's rights, I have to say that I think it could only exist because the Congress of the United States thinks that women take care of children, that's a free service and there's no point in replacing a free service with one that costs any money at all, and it's really exploiting women as well as exploiting all the children that they primarily take care of.

CHMN: Thank you, Ms. Burris, for a very effective statement. I'm wondering then . . . you believe that there should be no problem about the budget, that it should get top priority and that it doesn't make any difference whether you're near-poor or poor, there's nobody that should get priority. They should all have this funding. What type of money are you thinking about? What . . . in other words, you obviously know the poor aren't going to be able to pay. The near-poor probably not either, but there are going to be some that are of the middle class that might have to pay. No, what would you think would be a . . .

CB: If you look at our constituency as people involved in women's rights, the median income for women is literally half of what it is for men. The median income for women is around \$5,000. For white men, it's around \$10,000 and for black men it's around \$8,000. Any one of us, by finding a man, you know, a live, walking-around man, doubles our income and that is, without doubt, you know, the reason so many female-headed households (and so you can see, I'll just do a list of them so that you can see), so many female-headed households live in poverty. So that if you're talking about our constituency, those of us at this table, if you take the social service . . . the Title 20 guidelines . . . there is no question in my mind that all working women, with the exception of maybe one or two percent at the very top, are going to easily be able to qualify for free care. And so, then, the question of deciding which women is going to get it is one that I don't see that I have to make. I just think that it's my responsibility to tell this committee of the need.

CHMN: Of course, there are the questions that come right back to us. We're going to have to make it if you're not going to. So, that's the purpose of my question because there's just so much money around.

CB: All right, I think I would put the top at whatever the Title 20 thing is: In New York, I think . . .

CHMN: I'm sorry. I didn't hear you.

CB: The Title 20 guidelines are 115% of need at the top. That comes out to about 15,000 in New York City. That's well over what any woman on the average is going to make. Those would fit without our guidelines of having to explain the need and have as the first set of need those women who are heads of households. I think from there you need some sort of sliding scale that, in the end, does not really have a tremendous burden on those families where two people work if they work at middle-class jobs—the people that Audrey said are those people who work out of choice. The other problems is that we do not have tax credits or an easy access to the tax deductions that are avail-

able for those of us who pay for child care. And so if it were a credit system because many more people file a short form than file a long form. Or if it were a system of credit even for home care, which it isn't now, you would at least be able to give me the same kind of deductions for my business expense (because I can't be here today without child care) that you give people who buy business lunches. I really resent paying for martinis and not paying for child care. And I think that if you had it as a system without a . . .

AF: . . . I'll just submit my statement and go to this question of cost. This is a good bill, I think, because it includes lots of child care services that are needed for children whether they're in a day care institution or whether they're cared for at home by their mothers. And the problem, I think, that we get into is that we almost pat ourselves on the back as middle-class parents about how much it cost to raise a child, on the one hand, and we say, "Look, we put out this much money to raise a child." On the other hand, if we do it publicly and put it under the guise of day care or child care, we think it's outrageous. Somehow, we've got to get our philosophies together. It seems to me if we talk about social services for all children as day care, day care is going to be equated as something way too expensive and never passed. On the other hand, if we tell the public that we are providing not only day care for those children who need it, but social services, health care, medical care, and so on, for all children, we are saving the taxpayers, ultimately, dollars, though it may look expensive now. We are taking care of children, and I think we ought to look at this as a child care bill, not as something that just helps mothers. It has always seemed to me that most children have two parents, one male and one female, and that the whole burden of the care of that child should not be just on the female and this looked at as a women's bill. This is a children's bill.

CHMN: Thank you, Ms. Fraser. I want to commend you, also, for your very cogent remarks. It's a great pleasure to have the wife of Congressman Don Fraser before the Committee.

AF: And the mother of a number of children, and I consider myself a day care worker.

CHMN: You said on page two of your statement that such schools should be opened to all children regardless of financial standing of parents. Do you feel that, even with the strictures on the budget, they should be open to all parents? Do you feel exactly like Mrs. Burris?

TS: Most assuredly. Absolutely. Our public schools are open to all children. I feel that early childhood development must be open to all children. I think that the statement that follows it clarifies one of the reasons I said that, and is a very reasonable one. And one that shows, in my county, anyway, why Head Start isn't working, and that is the fact that Head Start operates in a ghetto. It's keeping the poor children together and giving them very limited kinds of educational opportunities, and I would much rather see children of all economic backgrounds in the same classroom doing the same kinds of things. I think that this kind of thing . . .

EK: . . . half of the children in that center were under Title 4A, which meant that they were at the welfare level. But we did not want to see welfare families isolated. They're isolated already in their housing and many other ways. So 50% of the children in this center were on the sliding fee scale. Some of those families pay five dollars a week, some of them pay \$25 a week, but they pay according to what they could afford. That center closed within 10 months. Lots of people told us that it couldn't be done, and they were right. One of the things I like about the Child and Family Services Bill is that it

looks like you're going to try to do what couldn't be done. And that is, provide not only for those families who are at the welfare level, but provide for those families who are above that level and who are the working poor. I'm very concerned when I see families like a mother that I know, and this is the third time she and I have talked about care for her pre-schooler. She is a certified teacher. She has to work. Her second husband is a student. He has a part-time job. They are willing to pay, and they want good care for their son. But I don't have any place to tell her to go. She and I talked last week and I found myself withdrawing from the conversation. It was too painful for me and for her, too. I think about an infant who came to our center. His mother is white and unmarried. She was a secretary at the time he was born. Her family was not willing to give her very much emotional or financial support during that period. And we really had to mother the mother. She almost gave up her baby. She considered giving him up for adoption. She considered abandoning him without the adoptive process. But we referred her to counseling. We took him for shots. We bathed him. We fed him. We sent special formula home with him because she was not willing to pay, or really able to pay for that at that time. And, through the support services that she received, she and her baby were able to become a family. And it looks to me like the bill that you're considering will be supportive of families. And I think that's important. I'm concerned about a mother who is a truck driver within our city, and she's desperate for care for her three-month-old son. For the last several weeks, she has carried him in the cab of her truck, but she says she can't keep doing that. We need a place for her baby. Those are some of the families that I know, and those are some of the reasons I have come to testify. Some of the particular parts of this bill that I think are important are these. As I have worked in a franchised center and in a non-profit center and in a Title 4A center, some of the needs for day care that I'm particularly concerned about are covered in your bill. And I'm very pleased to see the variety of prime sponsors. I'm very much concerned that no one sponsor be given the whole package. Our public schools have certainly not fulfilled the needs of all of our children. And then I am pleased to see the commitment to variety and innovation in programming.

CHMN: Mr. Gallagher, I have a couple of questions for you. Possibly the most important question that I can ask pertains to the program delivery system. In your opinion, what specific roles would the public schools have in any legislation we develop?

JG: I would see that over the long run the public schools will become more and more involved, but not as they're currently structured. I would see a great change take place in the primary grades and the earlier education of these youngsters, coming from a greater recognition of the overall comprehensive needs of the child. The child has health needs, has social needs. The family needs to be more critically involved in these kinds of programs. The schools as they are now structured would have a difficult time accepting this, but I think the schools can restructure themselves and I think it would be a great benefit to everybody if they did it in concert with the kind of provisions that are in this bill. I would not want to get this bill entangled in a professional battle between who owns this territory.

A: A key term in the legislation under study is "prime sponsor"—the direct link to the Federal agency giving out the money. Prime sponsors will be able to subcontract for services with other agencies in groups, but the power of the purse will be with the prime sponsors. Albert Shanker, the powerful

head of the American Federation of Teachers, wants the public schools to be the only prime sponsor. Shanker told John Merrow that the public schools have two advantages—they already have the support of the middle class, and they have an established structure for governance. Shanker added that having all sorts of sponsors would lead to conflict. Those who want a variety of sponsors, Shanker said, are really trying to set up an alternate school system to rival the public schools. Shanker's call for public school monopoly has aroused strong opposition. And our sources on Capitol Hill indicate that, despite Mr. Shanker, or perhaps because of him, a public school monopoly of day care is impossible. Of course, everyone wants to be the prime sponsor. Sid Johnson is the Staff Director of Senator Walter Mondale's Subcommittee on Children and Youth, and he talked with John Merrow about the possibility that profit-makers would be eligible to be prime sponsors.

JM: It sounds as if Senator Mondale and those people who have been drafting the bill are leery of profit-makers in day care. Why?

SJ: Well, a number of groups concerned about this bill and active in the bill are quite concerned that large profit-making programs do not participate and, in essence, use limited funds in part for profits, and they point to the example under Medicare and Medicaid of nursing homes in which there have been some recent scandals in New York State and elsewhere where profit-makers could come in with very few checks and not have to meet standards, and not be subject to very much enforcement, and in some cases make a tremendous profit from public funds. So we do have what we hope is a very limited and carefully monitored approach which would permit you—that community—that prime sponsor—to select out a profit-maker for funding if, in their judgment, it met the standards, had the parent involvement and was just slightly better than a non-profit. One more point I would like to add on that (and I may be telling you more than you want), there are . . . day care is . . . contains some interesting legal fictions, you might say, with respect to profit-makers. It's not just like the automobile business when you talk about profit-makers being General Motors or a large corporation. There are large franchisers in day care who are profit-makers. There are also many, many, many small "mom and dad" or family day care operations which are classified as profit-makers simply because they have not filed for tax-exempt status. They may not have had a lawyer, they may not have gotten a 501-C3 status, and had a Board of Directors, but, in reality, they are not making a profit. They're making, in essence, a salary. So that is one reason, in order to encourage those programs to come in and be up-graded because that's where 60-80 percent of the children are today in day care. We have chosen not to exclude profit-makers totally because you would be excluding not only what people think of as large operators, but you would be excluding family day care—the mother down the block who watches fewer than six children in her home, which many parents prefer and which could use staff training and assistance and health attention.

JM: But, essentially, when you talk about profit, now you're trying to make it so that it's tough for the large franchisers to get money under this bill, but easier for the small "mom and dad" types?

SJ: Oh, no, that's not . . . if I left that impression, let me correct myself. It is going to be just as hard for any profit-making program—indeed, any program to be funded under this Act. One of the things that Senator Mondale and Congressman Brademas and the other sponsors feel most strongly about is that these programs have got to be of the highest quality. That we could well be doing damage to children if we permitted Federal

funding to go to inadequately supervised, poorly trained custodial warehouses, whether those are profit or non-profit. So that profit and non-profits alike, family day care and big corporations and public schools will all have to meet all those standards, the exact same ones, and the only distinction is that if you are a profit-maker, and it's either family day care or corporation, non-profits will get a special priority.

A: William Pierce of the Child Welfare League and Wayne Smith of the National Association for Child Development and Education are on opposite sides of the dispute. Both are lobbyists, Pierce for the non-profit interests, Smith for the profit-makers. John Merrow talked first with Pierce.

JM: Is for-profit day care better than non-profit day care?

WP: No. For-profit day care, according to all of the studies that I have ever seen and all of the centers that I have visited, is by and large substantially worse than non-profit or publicly operated day care. Whether you take the study done by the National Council of Jewish Women, and they went into their study with no preconceived opinions, or the study done by a group of women in the Boston area, or our Child Welfare League's look at day care centers all over the country, what you find is that there are, indeed, a few good profit-making day care operations, just as there are, indeed, a few bad non-profit and publicly operated day care operations, but by and large you've got about five to six times better chance getting a decent day care service if you go the non-profit public route.

JM: What's wrong with . . . what are we likely to find in for-profit day care? You're saying it's substantially worse, but you really haven't documented that.

WP: You find the same thing in profit-making day care as you find in profit-making nursing homes. You find that the motivating factor is the bottom line—the bottom line being profit, the bottom line of profit being attained by cutting back on staff and on staff salaries, cutting back on the food, cutting back on the equipment, cutting back on the space, making sure that there is as little interference as possible in maximizing profit. That includes also that you have to cut back on consumer participation and consumer involvement in your program. In terms of consumer participation, we think it's critically important for consumers to always be involved in any kind of human service. This is particularly true when you're talking about a service for very young children. They can't speak for themselves, they can't object, they can't complain. It's important that their parents be able to walk into that center at any time, and look at the operation to complain. I have been in many profit-making centers. Most profit-making centers are extremely unwilling to let me, as a parent who says he wants to enroll his own child in a day care center, even in the door. And that includes operations in Maryland. That includes operations in California, Chicago, clear across the country. Time after time, representatives of the profit-making chains and the big profit-making operators have challenged me. They've said, "If you think our operations are so bad, come visit us." Well, I can tell you, I have visited them, and in case after case they have been breaking the Federal and state licensing laws by having too many children and too few staff. The food has been lousy, and the care has been, at best, custodial.

JM: The present situation of scarcity, does that allow profit-making day care to flourish?

WP: That's been the excuse in profit-making day care and in profit-making nursing homes. The condition . . . the usual argument is, "Well, it may be bad, but it's better than having them out on the streets." That's the same argument they've used to run warehouses for the aged for 25 years in this country and we say, "Stop the argu-



ment with kids." It's a Hobson's choice, and it's ridiculous.

A: That was William Pierce of the Child Welfare League. Wayne Smith, who lobbys for the day care for profit interests, also spoke with John Merrow.

WS: I hate to differ with these critics of the proprietary operators, because we found that time and time again the centers that run for a profit give quality care, and I think that's what the parents look at—quality care. And when they go into centers, and they judge that they want to send their children to a center, and if we are providing 70% of all of the day care in America, there must be something that the proprietary operators are offering over the non-profits and others that are in the field.

JM: Now, William Pierce, who is your counterpart in the Child Welfare League, was very harsh in his criticism of day care for profit, and he said that when he went to visit for-profit day care centers, he often couldn't even get in the door.

WS: Why, I think that's right, because Mr. Pierce is not a father, and he has no right to be in there unless, you know, he was looking for other reasons.

JM: I can't argue with that. Why, if for-profit day care works, as you seem to be saying, why is it that the Brademas bill and the Mondale bill are setting up pretty high hurdles to the eligibility of for-profit day care?

WS: I think that your big problem is that they're being excluded in the present Mondale-Brademas bill. Proprietary operators are being excluded and, therefore, that is why we are in opposition to the bill, in the sense that if we are going to be excluded, we'll be opposed to the bill. If we're included, we're all for the bill.

JM: Right now, then, you're opposed to the bill?

WS: That is right, unless it is amended.

JM: Now, the critics of profit-making day care point to Medicare and Medicaid and to the nursing homes as examples where when the profit-makers are let in or allowed in, scandal develops.

WS: I think you can find a scandal in anything, and if you want to look down at the White House or HEW or other agencies, I think you'll see enough scandal right there in the bureaucratic jungle that most of these agencies are made up of.

JM: Well, that doesn't really refute the charges about, for example, the nursing home scandals where patients are found to be kept drugged during the day so they won't cause trouble, and immense profits are being made by the profit-makers.

WS: Well, I think again the problem is that HEW, who funds the Medicare Program to the nursing homes that are proprietary-run or not run by profit-makers, are not enforcing the standards, are not enforcing the rules. And this is the problem we have today in day care, nursing, whatever the case may be, is that nobody's enforcing the rules.

JM: What do you conclude from that?

WS: I conclude that they're doing a very poor job of trying to dole out money, and then where are the rules that have to be enforced, if they're not licensed?

JM: It seems to me that the heart of the objection, which I'm not sure we've really dealt with, is the notion of the profit motive, or the bottom line of making money. Now, what it sounds like you're implying is that unless there are stringent rules and enforcers of the rules, the profit-makers are going to watch that bottom line and will cut corners and thereby reduce the quality of the care; at least that seems to me what you implied about the nursing homes. Isn't that likely to happen in profit-making day care?

WS: No, to the contrary—the money that is made in the proprietary end goes into quality care because they have to meet such

rigid standards, licensing standards enforced by the states, or the local health and enforcement departments in the counties where they have their facilities. That's where the money goes today—meeting the high standards that states are asking the proprietary day care operators to put into effect. On the other hand, the double standard goes into effect. They do not ask the public-funded centers to meet any kind of criteria.

JM: Now, how likely is it that Mr. Brademas or Mr. Mondale will make changes in this bill?

WS: I think that the Committee, once they have a chance to listen to all sides of the argument of quality day care, take a look at the bill—and it's a very comprehensive bill, it's a 66-page bill . . . I think that it'll be a long year, and I think there'll be a lot of changes, especially when the Congressmen and Senators go home and start meeting with their operators to get the input on what should be done on quality day care.

JM: Now, you've fought this battle before. This bill went through the House and Senate before and you lost then.

WS: We lost then, but as you well know it's not law and that is because the President vetoed the bill and the Congress could not overcome the veto and . . .

JM: But the President didn't veto it because it didn't include proprietary day care.

WS: No, but at that time the big argument was the total amount of money that was being spent, and we agreed with the President that this kind of spending would just build another bureaucratic agency.

JM: Are you saying that you prefer to see a bill which didn't have any public day care at all?

WS: I think that the way it should be done and handled is that the money be appropriated and then contract out to the proprietor operators, at so much a day for the children, and they'll do the job they have done for the last 20 to 40 years because . . . remember . . . public day care didn't come into effect until the late '60's.

JM: So, you'd say it would be best to rely on the free enterprise system?

WS: I think the free enterprise system is what has been the success in America not only in day care but in anything else, because remember—it's the tax-paying entities that are supporting the tax-consuming fields, whatever they may be.

A: Sid Johnson, Staff Director of Senator Mondale's Subcommittee on Children and Youth, also talked about the profit-makers with John Merrow.

SJ: Senator Mondale and Congressman Brademas and all the sponsors have been very careful to say that the so-called delivery system question, that is what combination of state and local government, is one that we're really open to. We are seeking advice and suggestions that will lead us to a solution that involves, and takes advantage of, the resources and the planning capacities of states and their existing programs, at the same time giving the flexibility that's so necessary for local diversity, for communities to adapt their programs the way they want. Now, that's a very easy goal to describe, but it's a hard one to work out. We're in the process of working that out. We've been very hesitant to have a sort of national blueprint that would mandate these programs run through the schools or mandate that they be run through the welfare departments. Some states, such as California, have a very large program of day care and early childhood education run through the schools. Other states do that through welfare departments, or through offices of children. This particular question is one involving how they will be delivered, and who will deliver them. It's our hope that all the groups and individuals and organiza-

tions interested in this bill will keep the purpose of it primary, and agree to sit down and discuss in hearings and other ways the sub-questions, important questions, but still sub-questions about who shall run the programs. I think you will end up with a very diverse system serving many income groups, which is precisely the point of this bill. We want very badly to provide a program that does not divide people into poor and non-poor. We want a single system. We don't want dual systems. I think the sponsors of this bill have seen enough examples of dual systems in health care or some other program where you have Medicaid for the poorest of the poor, and something else for those who aren't poor. And many people have said that if you have a program just for poor people, it ultimately becomes a poor program because it cannot sustain the popular support—the support of the public. It's viewed as being unfair and tilted, and we feel very strongly that, much like the public schools, this should be a program that serves all children.

JM: Now, Sid, this is something that Senator Mondale and Congressman Brademas and you and a lot of other people have been working on for a number of years. The bill has gone through once and been vetoed, went through part way another time; now, I guess, it looks as if it is inevitable. When do you expect this bill to come up for a vote?

SJ: That's another hard question to predict because things change month to month. If you assume, for example—and this is a big *if*—that Congress would pass a bill of this nature, or something close to it, by June or July, and it would be signed into law, the next question, then, is when is the first effective year? For example, a number of groups have criticized the bill, saying that there's no need for a phase-in year, that the needs are so great and the capacity is there, that we should move directly into program operation. So that's an uncertainty. The second uncertainty is whether, indeed, the bill will be passed and signed into law. A third uncertainty is, if it is enacted, how would the Appropriations Committee respond to this in view of the other demands for resources? So it would be a mistake to predict in any sense, to lead anyone to believe that, at a certain date, money will be available under this.

JM: So, anybody who is sitting at home waiting for the Federal funds ought not to be sitting there, ought to be out making day care arrangements in some other way right now?

SJ: Right. And they should be communicating with their political leaders, their congressmen and their senators. If they feel that this is a need that should be met, they should be doing everything they can to assist in passage of this bill, and to assure that the President signs it, and then you can't quit after that. Then come in and work for appropriations for it.

A. As important as the Child and Family Services Act is, and as great as the need for adequate day care is, it looks as if, for the next few years, the answer to our opening question "Who cares for children" is, bluntly, "not enough parents, not enough adults, and not enough politicians." Regarding the pending legislation, we are reminded of Carol Burris' testimony on Capitol Hill:

CB: We're all discussing once again this problem. And, in the meantime, I was the mother of a child who was a preschooler when this bill first passed. I'm now the mother of a second-grader and, if we keep on at this pace, I'm going to be the grandmother of somebody who needs day care.

C: Sometimes she comes home late, and I wait for her.

JM: Is your dad at home?

C: No.

JM: Does your Mom call up right away when you get home?

C: Not many times. She just calls and asks to see if we're all right, if we're okay. I tell her we're all right.

JM: Well, now, is your Mom at home when you get there?

Second Child: No.

JM: Does she work?

C: My parents are separated.

JM: And you live with your Mom or your Dad?

C: My Dad.

JM: Is he at work?

C: Yeah.

JM: What kind of work does your Mom do?

C: She works in . . .

(Music)

A: We want to use the final minutes of this program to tell you good news. We've just won two prizes for our reporting on education. The National Council for the Advancement of Education Writing has awarded us first prize in the "Broadcast" category. We also won first prize for "radio coverage of higher education in 1974," an award given by the American College Public Relations Association, Mason-Dixon Division. And we have a prize of sorts for you, if you work in education. Our reporter, John Merrow, has written a work that has upset the traditionalists in teacher training. It's being published, along with replies by several prominent educators, by the National Institute of Education. NIE has agreed to send free copies of the book, *The Politics of Teacher Training*, to listeners who write in on official stationery. So, if you work in education and want a free copy of John Merrow's book, *The Politics of Teacher Training*, write us on your official stationery. And if you want a transcript of "Who Cares for Children?", send \$50 to the same address, which is: Options on Education, 1001 Connecticut Avenue, N.W., Washington, D.C. 20036.

(For "Options on Education," I'm Mike Waters. This program was produced by Midge Hart and John Merrow. Funds for the program were made available by the Institute for Educational Leadership of The George Washington University and the Corporation for Public Broadcasting. This is NPR, National Public Radio.)

### INDOCHINA REFUGEES

Mr. HUGH SCOTT. Mr. President, the Indochina refugees, I firmly believe, are in no way a "problem" for the American people, unless America turns her back on her heritage as a country which welcomes persons from foreign nations to her shores.

I have asked that these refugees find a new chance in our great country; I have asked this ever since their evacuation, and I continue to ask this. A few people have criticized my stand, but it is one which I will continue to take because I know that the people of America are generous and have ever been so. This generosity is our strength.

Mr. President, I ask unanimous consent that a column by the editor of the Philadelphia Inquirer, Creed Black, be printed at this point in the RECORD. In his column, Creed Black clarifies the debate the Senator from South Dakota and I have had on the refugee problem, making reference to a column which John Lofton wrote and which appeared in the Inquirer and which Senator McGOVERN himself inserted in the RECORD.

Mr. President, I further ask unanimous consent that the Lofton column, a statement by Senator McGOVERN, and an item in Saturday's Philadelphia Bulletin be printed in the RECORD.

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

[From the Philadelphia Inquirer, May 18, 1975]

McGOVERN IS, INDEED, HYPOCRITICAL ON THE REFUGEE ISSUE

(By Creed C. Black)

Notes on the news:

George McGovern took the floor of the United States Senate Wednesday to charge that "an incredibly distorted interpretation" of his proposal to return Vietnamese refugees to Vietnam had appeared in The Inquirer the day before.

He was talking about a syndicated column on this op-ed page by John D. Lofton, Jr., and he said he believed that "the editor of The Inquirer will correct this unfortunate story in his paper."

Well, senator, the editor of The Inquirer is publishing elsewhere on this page today the full text of the statement you made when you introduced the bill in question. With it is a reprint of the Lofton column. Our readers may draw their own conclusions.

Mine is that Sen. McGovern's position is indeed hypocritical, as Mr. Lofton charged.

The senator calls his proposal "a bill to assist refugees from Vietnam who wish to return to their native country." But in the rest of his statement he says to these same refugees, in effect: "Here's your hat—what's your hurry?"

He says that their evacuation may be "the final blunder of Vietnam." He concludes that 90 percent of the refugees would be better off going back where they came from. He would make "steps to facilitate their early return" the highest priority of our program to deal with these unfortunate people. And he assures them this would be in their "best interest."

All of which, I agree with John Lofton, is hard to square with some of Mr. McGovern's pious pronouncements of the past.

Incidentally, Sen. Hugh Scott pointed out that "any Vietnamese who wish to return may do so. They are being asked at the resettlement locations if they wish to return. Their answer is noted in writing."

"So far 45 of the 125,000—45 people—have asked to be returned. They were the 45 who were swept into the planes by Thailand soldiery, and whose families are still in Vietnam. Those 45 will be returned."

And despite Sen. McGovern's notion that he knows what's best for them, many of the other refugees apparently think that America is still a land of opportunity.

Time magazine quotes one of them, a 40-year-old former marketing manager for a paper and sugar distributing company who it says "fought back the tears as he noted that his current net worth is \$4."

"You know," he said in broken English as he fingered his worn trousers, "when I go, I forget to put on my good clothes." Then he mused: "I believe I have a good future here. I think the Americans in the end are good people. I think. I hope."

I think so, too, sir. And welcome to the United States.

Speaking of hypocrisy, a prize of some kind must go to North Vietnam for its description of the U.S. military operation to retake Mayaguez as "a flagrant act of pravity."

What, one wonders, does Hanoi consider the seizure of the ship by the Cambodians in the first place? Its "liberation," I suppose.

[From the Philadelphia Inquirer, May 18, 1975]

McGOVERN'S PROPOSAL—HELP THOSE WHO WANT TO RETURN

(By Senator GEORGE McGOVERN)

Mr. President, I introduce for appropriate reference a bill to assist refugees of Vietnam.

(S. 1626. A bill to assist refugees from Vietnam who wish to return to their native country. Referred to the Committee on Foreign Relations.)

The final blunder of Vietnam may be that the administration has chosen evacuation of nearly 100,000 Vietnamese as a substitute for accommodation in their own country. That policy should be reversed. Ninety percent of the Vietnamese refugees would be better off going back to their own land. And I say that in a humanitarian spirit.

America will not turn away those few who might be endangered by a return to their homeland. But I have never thought that more than a handful of government leaders were in any real danger of reprisals. The great majority of Vietnamese refugees do not fall into that category.

Most of them left in panic out of fear of a bloody final battle for Saigon that did not materialize. Nor is it likely that the new government will engage in the bloodbath our policymakers have talked about so much.

The Saigon government has already given orders that the people are not to be molested or their personal belongings seized. That is more respect for the people than Thieu's army frequently demonstrated.

It is also apparent from news accounts that the procedure for selecting evacuees on the basis of the risk of recrimination broke down entirely. Thousands of people were taken out at random and thousands of others simply headed out to sea on their own to be picked up by American ships.

I suggest that our program for dealing with these refugees should include as the highest priority steps to facilitate their early return to Vietnam.

We should express to the new government in South Vietnam our interest in implementing such a policy. We should make transportation available and we should stand ready to assist in every possible way in reuniting these people with their families and their country on a voluntary basis.

My bill would permit the use of either commercial carriers or American ships and planes to return any refugees who wish to go back to Vietnam now that the panic is subsiding. I fully believe that it will be in the best interest of most of the Vietnam refugees to return to their own country.

[From the Philadelphia Inquirer, May 18, 1975]

QUOTES FROM THE PAST—HIS WORDS HAVE A HOLLOW RING

(By John D. Lofton, Jr.)

WASHINGTON.—Without a doubt, he is it. No contest. The man, if indeed he is a man, towers head and shoulders above all challengers. George McGovern is the most immoral hypocrite on the American political scene today.

Anyone who feels this is an overly harsh indictment has only to consider the South Dakota Democrat's remarks about the Vietnam refugees and contrast them with the unctuous moralisms this son of a Methodist minister was preaching in his presidential campaign three years ago.

Over and over in 1972, McGovern's heart repeatedly bled as a result of a matter he said had literally become an obsession for him, something that had "weighed on my conscience for nine years": the thousands of Asians burning, bleeding and dying in Indo-