

UNITED STATES



OF AMERICA

Congressional Record

PROCEEDINGS AND DEBATES OF THE 94th CONGRESS
SECOND SESSION

VOLUME 122—PART 2

(JANUARY 28, 1976 TO FEBRUARY 4, 1976)

(PAGES 1235 TO 2462)

8617, in advance of its consideration by the Senate. These amendments were printed as No. 1350, No. 1351, and No. 1352.

At this time, I would like to submit an additional amendment to this measure, which will serve as a substitute to amendment No. 1350. It is a change only in wording. There is no change in intent, which is to exclude employees of the Internal Revenue Service, Federal Bureau of Investigation, and the U.S. Postal Service from certain provisions of H.R. 8617.

I ask unanimous consent that this amendment be printed in the RECORD.

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

AMENDMENT NO. 1366

On page 5, line 20, insert "(a)" immediately before "An".

On page 6, between lines 21 and 22, insert the following:

"(b) In addition to the prohibitions of subsection (a), an employee of the Internal Revenue Service, the Federal Bureau of Investigation, or the United States Postal Service (except one appointed by the President, by and with the advice and consent of the Senate) may not request or receive from, or give to, an employee, a Member of Congress, or an officer of a uniformed service a political contribution."

On page 7, insert immediately below line 24 the following:

"(c) (1) In addition to the prohibitions of subsection (a), an employee of the Internal Revenue Service, the Federal Bureau of Investigation, or the United States Postal Service (except one appointed by the President, by and with the advice and consent of the Senate, who determines policies to be pursued by the United States in the nationwide administration of Federal laws) may not take an active part in political management or political campaigns unless such part—

"(A) is in connection with (i) an election and preceding campaign if none of the candidates is to be nominated or elected at that election as representing a party any of whose candidates for presidential elector received votes in the last preceding election at which presidential electors were selected, or (ii) a question which is not specifically identified with a National or State political party or political party of a territory or possession of the United States; or

"(B) is permitted by regulations prescribed by the Civil Service Commission and involves the municipality or political subdivision in which such employee resides, when—

"(i) the municipality or political subdivision is in Maryland or Virginia and in the immediate vicinity of the District of Columbia, or is a municipality in which a majority of voters are employed by the Government of the United States; and

"(ii) the Commission determines that because of special or unusual circumstances which exist in the municipality or political subdivision it is in the domestic interest of the employees to permit political participation.

"(2) For the purpose of this subsection, the phrase 'an active part in political management or in political campaigns' means those acts of political management or political campaigning which were prohibited on the part of employees in the competitive service before July 19, 1940, by the determinations of the Civil Service Commission under the rules prescribed by the President.

FOREIGN ASSISTANCE ACT OF
1976—S. 2662

AMENDMENTS NOS. 1367 THROUGH 1375

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

Mr. EAGLETON (for himself and Mr. CRANSTON) submitted nine amendments intended to be proposed by them jointly to the bill (S. 2662) to amend the Foreign Assistance Act of 1961 and the Foreign Military Sales Act, and for other purposes.

HIGHER EDUCATION AND VOCATIONAL ACTS AMENDMENTS OF
1976—S. 2657

AMENDMENT NO. 1376

(Ordered to be printed and referred to the Committee on Labor and Public Welfare.)

Mr. MONDALE (for himself, Mr. BURDICK, and Mr. WILLIAMS) submitted an amendment intended to be proposed by them jointly to the bill (S. 2657) to extend the Higher Education and Vocational Education Acts.

INTERSTATE COOPERATION IN EDUCATION

Mr. MONDALE, Mr. President, I am pleased to submit today an amendment to S. 2657, a bill to extend the Higher Education and Vocational Education Acts. My amendment would encourage States to develop and expand their efforts toward increased educational planning and cooperation on an interstate and regional basis. It would authorize \$2 million in additional funds to be provided to the State Commissions, established pursuant to section 1202 of the Higher Education Act of 1965, for the purposes of planning, developing, and implementing these cooperative postsecondary education projects. I believe that these innovative efforts have enormous potential to increase the quality and the scope of educational opportunities for the students of different States.

Mr. President, before the advent of interstate cooperation, States were forced in many cases to invest their valuable education resources in the development of specialized programs, even though the same programs were available in neighboring States. Often these expensive programs served only limited enrollments. This kind of duplication led to inefficiencies, higher cost, and lower quality than would have been possible through the cooperative interstate agreements that my amendment seeks to encourage.

Last July, at a hearing of the Education Subcommittee which I chaired, the postsecondary education leaders from my home State of Minnesota testified that they had initiated reciprocal educational agreements with the neighboring States of Wisconsin, North Dakota, and South Dakota. These agreements allow the residents of one State to enroll in postsecondary educational programs of the other State at no additional costs. Such arrangements enable students to pursue programs that would not otherwise be available to them. They encourage States to plan together for the com-

mon needs of their students. They allow them to share programs and thus to avoid unnecessary duplication of their education resources.

Numerous other States in all parts of the country have established cooperative interstate agreements at both the undergraduate and graduate levels. These arrangements include such areas as medical training, veterinary medicine, and public health practice. My amendment would enable the States already engaged in these kinds of innovative endeavors to improve and expand their efforts. Other States would be encouraged by the availability of these new funds to explore and undertake such cooperative agreements.

I wish to emphasize that, under my amendment, these undertakings are wholly voluntary. By utilizing the already established State 1202 Commissions, the amendment imposes no further administrative requirements. Its authorization of an additional \$2 million for these purposes would be a modest investment in programs which would, over time, result in significantly more efficient utilization of educational resources. I am convinced that the quality of education and the availability of full opportunity for students would improve as a result.

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

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

AMENDMENT NO. 1376

On page 18, between lines 21 and 22, insert the following:

Sec. 177. (a) Section 1203 of the Act is amended by inserting immediately after subsection (b) the following new subsection:

"(c) The Commissioner is authorized to make grants to State commissions established pursuant to section 1202(a), applying jointly for the purpose of this subsection, to enable the participating commissions to plan, develop, and carry out interstate cooperative postsecondary education projects, designed to increase the accessibility of postsecondary educational opportunities for the residents of the participating States and to assist such States to carry out postsecondary educational programs in a more effective and economical manner."

On page 18, line 22, strike out "Sec. 177." and insert in lieu thereof "(b)".

On page 18, line 24, strike out "(c)" and insert in lieu thereof "(d) (1)".

On page 19, line 2, before the period the first time it appears in the line insert a comma and the following: "other than subsection (c) of this section."

On page 19, between lines 2 and 3, insert the following:

"(2) There are authorized to be appropriated \$2,000,000 for each fiscal year ending prior to October 1, 1982, to carry out the provisions of subsection (c) of this section."

Mr. BURDICK, Mr. President, I am pleased to join my colleague from Minnesota, Senator MONDALE, in introducing an amendment to S. 2657 which encourages greater interstate cooperation in higher education.

In the past few years, North Dakota has greatly benefited from these kinds of cooperative programs, and they have proven highly beneficial to our students.

Working with the Minnesota Higher Education Coordinating Commission, our two States have established a reciprocity agreement granting resident tuition to North Dakota students attending Minnesota schools and to Minnesota students attending North Dakota schools. We have also established a Tri-College University in Fargo, N. Dak., and Moorhead, Minn., utilizing the three colleges in the two cities and allowing students to take courses for credit at any of the three institutions. In addition, the newly expanded and innovative University of North Dakota Medical School, which specializes in family and rural practice, has a co-operative arrangement with the University of Minnesota and with the Mayo Clinic in Rochester, Minn., for a year of clinical training.

Such interstate cooperation is good for both the schools and the students involved. It opens up the possibility of broader educational opportunities in a practical and efficient framework. Courses such as veterinarian and optometrist training, which are costly and often impossible for sparsely populated States to finance, could be possible through cooperative, multi-State planning. The Old West Regional Commission, representing North Dakota and several other western States, is currently exploring such an idea for a veterinary school, a much needed facility in those States. If state legislatures knew other States were willing to share the cost of such education, I believe they would be much more likely to support new and needed programs.

I commend the senior Senator from Minnesota for his leadership in this area, and I hope the Senate will adopt this amendment.

Mr. WILLIAMS. Mr. President, I am pleased to join with Senator MONDALE today in introducing an amendment to S. 2657, a bill to extend the Higher Education and Vocational Education Acts, to raise the level of income at which families are eligible for the Federal interest payment on the guaranteed student loan program from \$15,000 to \$20,000. This amendment will make the Federal student assistance programs more equitable for middle income students and their families and will help address the increasing financial burden these families are confronting with the rising costs of college education today.

The current income level for automatic eligibility—\$15,000—for the Federal interest subsidy was established 10 years ago, when this program was first established. At that time, it was estimated that the guaranteed student loan program and this particular eligibility level for interest payments would serve more than 87 percent of young people needing student loans. The remaining 13 percent of the college students were intended to obtain loans without the Federal interest subsidy. That was 10 years ago. Since that time, the Consumer Price Index has increased by 65.6 percent, and college tuition and other expenses have gone up even more rapidly. But the income level on which the GSL program provides Federal interest subsidy has remained at \$15,000.

Failure to adjust this income level has meant increasing hardship for middle income families, both within the State of New Jersey and throughout the country. College costs have gone up, and today within New Jersey decisions are being made to hold constant the college population because of lack of student assistance and operating funds to support increased enrollments. In New Jersey under the GSL program at the present time, only 68.5 percent of students receiving loans can qualify for an interest subsidy because of the \$15,000 limitation. From 1970 to 1975, the proportion of students needing loans with family incomes falling above this \$15,000 and below \$20,000 has increased from 6.5 percent of the student population, or 1,800 students in 1970, to 17 percent of the student population or 4,800 students in 1975. And while lenders in the State of New Jersey have made loans available to the students who do not automatically qualify for this interest subsidy, I have heard from my colleagues that in other States failure to qualify for the interest subsidy has left students with no loans at all because lenders will not make funds available for students who are ineligible for the interest subsidy.

Over the last decade, the Congress has expanded Federal student assistance programs, particularly with the enactment of the basic opportunity grant program in 1972 which provided a basic entitlement to assure that no student would be blocked from higher education because of lack of financial resources of his family.

Yet over the last few years families in my own State of New Jersey and from around the country have become increasingly hard pressed to find the funds to support their sons and daughters in higher education. This cost squeeze is one which concerns me very much, and which I believe the Congress must take action to forestall.

The Federal Government can ill afford a policy which makes higher education possible for poor students and for students who can afford to pay their own way, but makes these opportunities more difficult for middle income students to enjoy.

The average cost of education in New Jersey colleges, universities and 2-year schools has reached a high of \$2,800, and that figure includes the much lower costs of attending county and community colleges in the State of New Jersey. Yet, more and more families are faced not only with the increasing costs of other necessary goods in addition to the costs of higher education—but must embrace these costs for two or more students enrolled in higher education at the same time. Statistics show that the number of families with two or more students in higher education has increased dramatically over the last few years, meaning that many families must shoulder an expense in New Jersey of at least \$5,600 for college education alone. That expense is not small for families even with an income over \$20,000.

I believe that one necessary step to offset this cost squeeze is to assure that interest subsidized loans are available to

students on the same basis as originally intended under this legislation. Raising the income eligibility level from \$15,000 to \$20,000 will accomplish this, and I am therefore pleased to introduce this amendment today.

AMENDMENT NO. 1377

(Ordered to be printed and referred to the Committee on Labor and Public Welfare.)

Mr. MONDALE (for himself and Mr. WILLIAMS) submitted an amendment intended to be proposed by them jointly to the bill (S. 2657) to extend the Higher Education and Vocational Education Acts.

EDUCATION ASSISTANCE FOR MIDDLE-INCOME FAMILIES

Mr. MONDALE. Mr. President, I am pleased to submit an amendment to S. 2657, a bill to extend the Higher Education and Vocational Education Acts, that addresses the growing financial burdens upon middle-income families whose children want to attend postsecondary institutions. My amendment would increase the level of income at which families are eligible for the Federal interest payment in the guaranteed student loan program from its present \$15,000 to \$20,000. This current level was established at the program's inception in 1967. Since that time, the Consumer Price Index has increased by 65.6 percent; yet the level of income which qualifies for this subsidy has remained unchanged.

Mr. President, one of the problems in education that has caused me the greatest concern is this terrible cost squeeze on middle-income families. Both nationwide and in my home State of Minnesota, the greatest decrease in the numbers of students in higher education has occurred among these families.

There are several reasons for this serious crisis. One is that the cost of attending college has grown considerably in recent years, outstripping even the increases in cost-of-living. Another cause, that is only recently being understood, can be found in the increasing numbers of families who have more than one child enrolled in postsecondary education at the same time. This proportion has doubled in the last 10 years.

To send one, two, or three children to postsecondary institutions requires families to find suddenly several thousand dollars a year in extra income. The costs of sending two children to public colleges amount to one-fourth of the income of a family earning even \$22,000 a year. However, tragically, when middle income families turn to the existing Federal student aid programs for help, they are told that they are not eligible. As a result, increasing numbers of these families are painfully concluding that they just cannot afford the additional costs involved. And yet these are the families whose tax dollars pay for the aid programs that enable lower income students to attend college.

This situation is terribly unfair. Not only will it be an enormous loss for these families, their children, and society, but it is also creating tremendous bitterness in this country.

Since the guaranteed student loan pro-

gram was enacted, Congress has established the basic educational opportunity grants program and has increased significantly the funding for the campus-based student aid programs in order to address the critical needs of lower income families. There still remains considerable work to be done to improve educational opportunities for these lower income students, and I will continue to be in the forefront of this effort. At the same time, however, I believe that we must also respond to this new and growing problem of the cost squeeze on middle income families. If we do not, we are in danger of a situation in which postsecondary education will be available only to students from wealthy families or those few lower income students who are fortunate enough to receive a complete grant and loan scholarship package.

Mr. President, the guaranteed student loan program was created by Congress specifically in response to the needs of middle income families. The interest payment is a particularly important feature of this program. It relieves a part of the financial burden on students and their families during the period of their enrollment. Eligibility for this subsidy has also been shown to be one of the factors in the consideration of a student for a loan by private lending institutions. However, this subsidy is presently not available to many middle income families. Thus we are faced with a situation in which the very families that this program was established to help may be placed at a disadvantage in consideration for such a loan and are surely faced with a more difficult financial burden if they receive such assistance. My amendment would return the focus of the program to the beneficiaries that Congress originally intended. I hope that my colleagues will give it their support.

Mr. President, I ask unanimous consent that the amendment be printed in the Record.

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

AMENDMENT NO. 1377

On page 7, after line 24, add the following new subsection:

(c) (1) Section 428(a)(2)(B)(i) of the Act is amended by striking out "\$15,000" and inserting in lieu thereof "\$20,000".

(2) Section 428(a)(2)(B)(ii) of the Act is amended by striking out "\$15,000" and inserting in lieu thereof "\$20,000".

On page 8, line 1, strike out "(c)" and insert in lieu thereof "(d)".

On page 8, line 8, strike out "(d)" and insert in lieu thereof "(e)".

On page 8, line 14, strike out "(e)" and insert in lieu thereof "(f)".

On page 8, line 23, strike out "(f)" and insert in lieu thereof "(g)".

NOTICE OF HEARINGS

Mr. METCALF. Mr. President, on March 16, the Subcommittee on Minerals, Materials, and Fuels will hold a hearing on S. 2413, an administration proposal to amend the provisions of the Mineral Leasing Act of 1920 relating to oil shale leasing.

The hearing will begin at 10 a.m., in room 3110, Dirksen Senate Office Building.

Anyone wishing to testify should call D. Michael Harvey, deputy chief counsel of the committee, at 202/224-1076.

GOVERNMENT OPERATIONS COMMITTEE HEARINGS ON INTELLIGENCE OVERSIGHT

Mr. RIBICOFF. Mr. President, last week I indicated that the Government Operations Committee will conclude its hearings on S. 189, S. 317, S. 2865, S. 2893, and Senate Concurrent Resolution 4, proposals to create a new committee on intelligence oversight, on February 5 and 6. I wish to announce that the hearings on February 5 will be held in room 3302, Dirksen Senate Office Building, beginning at 11 a.m. Dr. Henry Kissinger will be the witness.

On February 6, the hearings will begin at 9:15 a.m., in room 1318, Dirksen Senate Office Building. The witnesses will be Hon. WALTER D. HUDLESTON, of Kentucky, and Attorney General Edward H. Levi.

ANNOUNCEMENT OF HEARINGS ON FINANCIAL ASSISTANCE 7(a) PROGRAM OF THE SMALL BUSINESS ADMINISTRATION

Mr. NELSON. Mr. President, I wish to announce that the Select Committee on Small Business will continue its oversight hearings of the Small Business Administration by focusing on its financial assistance 7(a) program. A hearing has been scheduled for February 23, 1976, at 10 a.m. in room 318 of the Russell Senate Office Building. Chairing the hearing will be the Senator from Colorado (Mr. HASKELL).

Further information on the hearing can be obtained from the offices of the committee, room 424, Russell Senate Office Building, telephone 224-5175.

ANNOUNCEMENT OF HEARINGS

Mr. ABOUREZK. Mr. President, I wish to announce that the Senate Judiciary Committee will hold 2 days of hearings on S. 1147 and S. 2900, bills to liquidate the liability of the United States for the massacre of Sioux Indians at Wounded Knee in December 1890.

The hearings will be held on February 5 at 9:30 and February 6 at 10 a.m. in room 2228 of the Dirksen Senate Office Building. Witnesses will include representatives from the Department of the Army and the Department of the Interior. Two respected professional historians, Robert Utley and Alvin Josephy, will also give testimony, as will representatives from the Wounded Knee Survivors' Association.

Any person wishing to appear and testify or submit a statement should contact Bill Milka in room 1418, Dirksen Senate Office Building, telephone 224-4434 or Jim Gleich in room 1105, Dirksen Senate Office Building, telephone 224-1635.

NOTICE OF HEARINGS

Mr. STEVENS. Mr. President, the Committee on Commerce will hold a hearing on S. 2924, a bill to authorize appropriations for the Coast Guard for

the procurement of vessels and aircraft and construction of shore and offshore establishments, to authorize for the Coast Guard an end-year strength for active duty personnel, to authorize for the Coast Guard average military student loads, and for other purposes, on Thursday, February 4 at 2 p.m. in room 5110, Dirksen Senate Office Building. This request legislation includes funding authority for fiscal year 1977 and fiscal year 1978. However, the hearing will be limited to the fiscal year 1977 request.

For further information, please contact Richard Daschbach, staff counsel, at 224-4958.

ADDITIONAL STATEMENTS

INDIAN HEALTH FACILITIES

Mr. GRAVEL. Mr. President, Thursday, January 29, Senator HUMPHREY introduced a resolution disapproving the proposed deferral of budget authority for Indian health facilities. I wish to join my distinguished colleague from Minnesota in support of this resolution.

The Interior Appropriations Bill, Public Law 94-165, was signed into law December 23, 1975. Sums of money for construction work on various Indian health facilities were appropriated by that law. While the sums appropriated were not the total amounts needed to complete the health facilities, the appropriations were sufficient to substantially initiate the construction process of these vitally needed facilities.

In a message from the President dated January 23, 1976, the Congress was notified of the deferral of these construction funds. The Office of Management and Budget stated that the funds were deferred because only part of the total costs were appropriated. OMB advises that "orderly planning for construction" can occur only if the total amount needed is appropriated in one lump sum. OMB's decision to defer these funds indicates a lack of understanding, both of the construction process, and of the urgent need for these Indian health facilities.

In Alaska the construction season is short: The Kuskokwim River, via which construction supplies are transported to Bethel, usually is not free of ice until the end of May. Ice returns to the river by September. A construction project, such as the proposed hospital at Bethel, will take several seasons to complete. It is vital that the \$1.5 million appropriated in Public Law 94-165 for construction of a hospital at Bethel, Alaska, be available to continue planning and to continue initial construction work this spring.

The \$1.5 million appropriation for fiscal year 1976 will allow completion of the architectural design documents and installation of the pile foundation. This initial work must not be delayed, as the short construction season in Alaska dictates that, already, completion of this project is several years in the future.

There are over 52 villages in the Yukon-Kuskokwim area of Alaska with a combined population of 14,000 to 15,000 people. An adequate hospital in Bethel will provide the key health resource for these communities. The residents of this area of Alaska are concerned that the hospital is still not built