

UNITED STATES



OF AMERICA

Congressional Record

PROCEEDINGS AND DEBATES OF THE 91st CONGRESS
SECOND SESSION

VOLUME 116—PART 13

MAY 25, 1970, TO JUNE 3, 1970
(PAGES 16851 TO 18274)

between government and the private sector. The private sector has great reservoirs of talent and inventiveness and the Government can help elicit this. In this regard, it is the task of creative government to devise incentive mechanisms that will encourage industry to turn its inventive genius, research talents and managerial techniques toward solution of the environmental problems that are directly and indirectly related to industrial processes.

The mining industry in the United States has always been progressive as well as vital. It does have a problem of environmental costs relating to production. This does not make the mining industry unique. Many—indeed most—industries have such costs incidental to their normal operations. As the President has said:

To the extent possible, the price of goods should be made to include the costs of producing and disposing of them without damage to the environment.

It is in all of our interests to avoid unnecessary price rises. To this end, we should welcome any advancements that make it efficient and inexpensive to reduce the monetary costs of avoiding or repairing the environmental damages of all kinds of enterprises. The kinds of study that this bill will encourage will add to the public stock of useful knowledge in this increasingly vital area.

Mr. President, this is why I hope S. 3112 will be amended as I propose, and will become law as part of a growing national drive for a better environment.

Mr. President, I ask that the amendment be printed at this point in the RECORD.

The PRESIDING OFFICER (Mr. CRANSTON). The amendment will be received and printed, and will be appropriately referred; and, without objection, the amendment will be printed in the RECORD.

The amendment (No. 674) was referred to the Committee on Interior and Insular Affairs, as follows:

AMENDMENT No. 674

Strike out all after the enacting clause and insert the following:

"That the Secretary of the Interior shall make a full and complete investigation and study (including necessary research) of methods of utilizing wastes resulting from mining and the processing of minerals and metals recovered.

"Such investigation and study shall include, but not be limited to: (1) the possible use of such waste as fuel, in manufacturing, industrial or chemical processing, as road-building material and as fill material, (2) the possible acquisition of land on which such waste is located through the power of eminent domain and the subsequent use of such land for public purposes, (3) the possible economic recovery of such wastes, and (4) the possible use of systems and processes which have been developed or are being studied by private individuals or companies.

"Sec. 2. The Secretary shall report to Congress not later than one year after the date of enactment of this Act, the results of such investigation and study together with recommendations, as well as those of the affected States (including any necessary legislation), and to uses for, and ways and means of removing, such wastes.

"Sec. 3. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act."

Amend the title so as to read: "A bill to require an investigation and study, including research, into possible uses of solid wastes resulting from mining and the processing of minerals recovered."

FOREIGN MILITARY SALES ACT—AMENDMENT

AMENDMENT NO. 675

Mr. GOLDWATER. Mr. President, I submit an amendment, intended to be proposed by me, to H.R. 15628, to amend the Foreign Military Sales Act, and ask unanimous consent to have the amendment printed in the RECORD.

The PRESIDING OFFICER (Mr. SCHWEIKER). The amendment will be received and printed and will lie on the table; and, without objection, the amendment will be printed in the RECORD.

The amendment (No. 675) is as follows:

AMENDMENT No. 675

On page 4, line 25, before "In" insert "(a)".
On page 5, between lines 18 and 19, insert a new subsection as follows:

"(b) In order to clarify its purpose to support the declared policies of the President toward Southeast Asia, the Congress hereby extends to the President its high commendation and praise for the recent courageous and timely action which he has taken toward an honorable settlement of the Vietnam conflict. The Congress expressly finds that the limited action across the Cambodian border by the United States Armed Forces has been extremely successful as a means—

"(1) to destroy and remove tremendous amounts of enemy military supplies, and seriously disrupt enemy staging and supply bases, illegally located within Cambodia in violation of that nation's neutral status and territorial integrity as guaranteed in the Geneva Accords of 1954, and

"(2) thereby to advance the President's efforts to achieve an honorable peace through Vietnamization by contributing to the establishment of conditions in which (A) the President can make continued major troop withdrawals from Southeast Asia, and (B) the South Vietnamese forces can maintain speedy progress in assuming full responsibility for protecting the security of the South Vietnamese people and their right to determine their future free of outside interference."

EMPLOYMENT AND TRAINING OPPORTUNITIES ACT OF 1970—AMENDMENT

AMENDMENT NO. 676

Mr. MONDALE. Mr. President, on behalf of myself and the Senator from New Jersey (Mr. WILLIAMS), I submit the migrant and seasonal farmworker amendment to S. 3867, the Employment and Training Opportunities Act of 1970.

As a member of the Subcommittee on Employment, Manpower, and Poverty, chaired by the Senator from Wisconsin (Mr. NELSON), and as the chairman of the Migratory Labor Subcommittee, I am particularly aware of the need to develop legislation to help assure that our Nation's manpower programs are meeting the needs of migrant and seasonal farmworkers. The Senator from New Jersey (Mr. WILLIAMS), who for 10 years chaired the Migratory Labor Subcommittee, knows, as well as many of my colleagues, firsthand the need to specifically include

farmworkers in the Nation's manpower programs.

The amendment that I submit today is designed to help guarantee that public service employment and training opportunities reach farmworkers, as well as to provide a focus for a comprehensive analysis of migrant and seasonal farmworker problems and needs.

The Migratory Labor Subcommittee, of which I am chairman, has been conducting a comprehensive investigation of migrant and seasonal farmworker problems during the 91st Congress. From these hearings, it is readily apparent that while the American economic system has worked reasonably well for everyone except the poor, it has abysmally failed the migrant farmworker. In fact, the migrant is practically excluded from the mainstream of our economic system. He is only a limited participant in manpower programs today, and his power to participate in, affect, or improve present manpower development and training programs is severely restricted.

My proposal deals specifically with traditional manpower and economic issues. Migrants have little or no income; their ability to earn is impaired; and their stream of earnings is sporadic and uncertain. More important, however, they lack or are denied the ability to control their income. Unemployment is high, and subemployment and underemployment are pervasive. Their ability to increase their economic power is restricted. Information about jobs is limited and faulty; skill, ability, educational, and motivational levels are low. The demand for their services in agriculture is diminishing due to developing technology and mechanization. Benefits of government programs designed to raise income and make it more certain now, and in the future, are limited or denied. Instead of controlling the economic system, the system controls them.

It is, therefore, not surprising that residents of rural areas lag far behind those in cities in employment, income, schooling, housing, and health care. The unemployment rate of agricultural workers was 6.5 percent in 1966, compared with an unemployment rate of 3.4 percent for workers in other industries. Farmworkers had a median yearly income of less than \$1,000 in 1968, compared with city income of close to \$7,000. Farmworkers had an average of 6.9 years of schooling in 1968, compared with 12.2 years for all men workers. The data on rural health is in like vein.

The causes of this tenuous economic position of farmworkers must be probed, and their exclusion from manpower programs to date must be corrected. There is a great need to carefully assess in detail the extent and nature of this situation and to arrive at solutions. When we know the specific causes and the scope of the economic and manpower problems of migratory farmworkers, we can better suggest remedies for improving the situation. With more complete knowledge and understanding we can hope to guarantee to migrant and seasonal farmworkers the individual sovereignty in our economy to which they are entitled.

The amendment that I submit today

will provide an opportunity for migrant and seasonal farmworkers to obtain their fair share of our Nation's efforts to permit and encourage the maximum development of our human resources. For a variety of reasons including their economic and political powerlessness, farmworkers have been excluded, explicitly or implicitly, from major social and worker benefit programs, and my amendment should lead the way toward correcting this injustice. It also provides for a national council to focus manpower programs on farmworkers, as well as requiring a yearly comprehensive evaluation of the causes and possible remedies of the economic and manpower problems of farmworkers. To accomplish the evaluation, a national advisory council composed of representatives from the agricultural industry, farmworkers, experts in the fields of rural health, education, and housing, and State and Federal officials is established.

The Council is directed to investigate various aspects of migrant work and develop demographic information with which to accurately describe this class of worker, including an analysis of who are migrant workers, and what constitutes migrancy. Also, data indicative of past and projected future trends in the size and demographic composition and comparative employment and earnings data of this group will be sought. The effect of the open border policy between Mexico and the United States on farmworker economic and manpower problems will also be studied.

The Council will also identify, collect, and appraise specific information, unfortunately not yet available, necessary to effectively and comprehensively analyze the migratory farm labor market. Level and variability of earnings and hours of work, nature and location of agricultural and nonagricultural jobs, other sources of income, as well as specific unemployment, underemployment, and subemployment data, and employment patterns of migratory farmworkers are included within the scope of the Council's responsibilities.

But, Mr. President, an analysis of farmworker economic and manpower problems that consists only of a theoretical overview of the migrant's plight in relation to our economy generally, and a collection of relevant demographic data and specification of areas where data are sorely needed is not enough. Neither is a description of the so readily apparent manifestations of existent economic and manpower problems sufficient, for it is necessarily incomplete without an effort to define what the causes of farmworker economic condition might be. It is the intention of my proposal to set in motion the processes which might once and for all define what is required to bring migrancy to an end.

And finally, Mr. President, the need for directing the kind of study proposed by my amendment, in view of the severe hardships, such as unemployment, high costs, and wasteful misuse of manpower resources, is that it was conclusively shown at the Migratory Labor Subcommittee hearings in April 1970 that no such effort is yet being made by any governmental or private unit. An annual

study authorized by my amendment will no doubt be valuable for the work of the Congress, as well as the public and private sector, in finding answers to the problems of seasonal unemployment in the construction industry.

Mr. President, if anything is indicative of farmworker manpower and economic problems, it is that no serious consideration has been given to a sophisticated analysis of the causes of their continued powerlessness. This explains, at least in part, why this Nation appears to have no overall economic or manpower policy to effect change in the economic condition of migrants.

Only by attempting to pinpoint and define the causes can we work toward solution of the problem. Perhaps one benefit of our effort will be to stimulate public and private resources to assign priorities to one or more causes, in order that this Nation can proclaim and implement a commitment to incorporating migrants into the mainstream of the American economic life.

It is for this reason that I submit this amendment. I think it is imperative that farmworkers, who have so long been excluded from this Nation's social and worker benefit programs, be guaranteed the employment and training opportunities provided by this important legislation. I think it is urgent that a national council be established, and that an annual study of this nature be made.

Mr. President, I ask unanimous consent that a copy of my amendment be printed in the RECORD at the close of my remarks.

The PRESIDING OFFICER (Mr. SCHWEIKER). The amendment will be received and printed, and will be appropriately referred; and, without objection, the amendment will be printed in the RECORD.

The amendment (No. 676) was referred to the Committee on Labor and Public Welfare, as follows:

AMENDMENT No. 676

At the end thereof add the following:

TITLE VII—MIGRANT AND SEASONAL FARMWORKER MANPOWER SERVICES

STATEMENT OF FINDINGS AND PURPOSE

SEC. 701. The Congress finds and declares that—

(1) chronic seasonal unemployment, underemployment, and subemployment in the agricultural industry substantially affected by recent advances in technology and mechanization, constitutes a substantial portion of the Nation's rural manpower problem, and substantially affect the entire National economy;

(2) this severe employment pattern has led to below poverty level family incomes, with resulting hardships and adverse effects on the health, education, and welfare of families and particularly of children;

(3) much of the migrant and seasonal farmwork force is untrained, unaccustomed to, and ill-equipped for, the requirements of steady, gainful employment;

(4) there is a compelling need for the modification and adaptation of manpower training and employment programs that have heretofore not included migrant and seasonal farmworkers within their scope;

(5) because of the special nature of certain farmworker manpower problems, particularly those which are interstate in nature, such programs can best be administered at the National level.

ESTABLISHMENT OF AN OFFICE OF MIGRANT AND SEASONAL FARMWORKER MANPOWER SERVICES

SEC. 702. There is hereby established in the Department of Labor an Office of Migrant and Seasonal Farmworker Manpower Services which, under the direction of the Secretary of Labor, shall have responsibility for administering the Migrant and Seasonal Farmworker Manpower Services Program authorized by this title.

ELIGIBLE ACTIVITIES

SEC. 703. The programs and activities for which funds under this title may be expended shall include but not be limited to the programs and activities authorized under other titles of this Act, and such other programs and activities as the Secretary deems necessary to carry out the purposes of this title.

MIGRANT AND SEASONAL FARMWORKER MANPOWER NATIONAL ADVISORY COUNCIL

SEC. 704. (a) The Secretary shall appoint a Migrant and Seasonal Farmworker Manpower National Advisory Council which shall consist of—

(1) four individuals, appointed from private life, to represent the farmer who shall be individuals actively engaged in, and whose livelihoods are dependent upon agriculture, and who employ labor in connection therewith;

(2) four individuals, appointed from private life, to represent the migratory agricultural workers;

(3) four individuals, appointed from private life, who shall have a demonstrated interest in and knowledge of the problems relating to agricultural labor, including the problems of the seasonal agricultural worker, his employer, and the community;

(4) four individuals, appointed from private life, who are or have been actively engaged in activities aimed at determining and solving the health, education, housing and welfare problems of the agriculture worker and his family; and

(5) three individuals who have had experience as State officials and who are knowledgeable of the problems relating to agricultural labor.

(6) The Secretary of Labor, the Secretary of Agriculture, the Secretary of Health, Education, and Welfare, the Secretary of the Interior, the Secretary of Housing and Urban Development, and the Director of the Office of Economic Opportunity shall be non-voting members of the Council, and are authorized to use, in connection with the Council's work, whatever technical and support personnel from their agencies as they deem necessary.

(b) From the members appointed to such Council, the Secretary shall designate a Chairman and a Vice-Chairman. Such Council shall hold not less than twelve meetings during each calendar year. The appointed members of the Council shall be paid compensation at a rate not to exceed the per diem equivalent of GS-18 while engaged in the work of the Council, including travel time and shall be allowed travel expenses and per diem in lieu of subsistence as authorized by law (5 U.S.C. 5703) for persons in the Government service employed intermittently and receiving compensation on a per diem when actually employed basis.

DUTIES OF COUNCIL

SEC. 705(a) Such Council or any duly established subcommittee thereof, shall from time to time make recommendations to the Secretary concerning problems and policies relating to employment and manpower and to the carrying out of his duties under this title.

(b) For the purposes of assessing and meeting migrant and seasonal farmworkers' manpower needs, developing necessary resources, and involving local citizens in the development and implementation of manpower programs authorized by this Act, the

Secretary must be satisfied, upon the basis of evidence supplied by each applicant, and evaluated and approved by the Council, that persons broadly representative of all elements of the population to be served have been given an opportunity to participate in the development of such programs, and will be given an opportunity to participate in the implementation of such programs.

ANNUAL REPORT

SEC. 706. (a) It shall be the duty of the Council to advise the President, the Secretary, and the Congress, with respect to (1) the operation of Federal, State, and local laws, regulations, programs, and policies relating to any and all aspects of agricultural labor; and (2) any and all other matters relating to agricultural labor.

(b) It shall also be the duty of the Council to consider, analyze, and evaluate the problems relating to agricultural labor with a view to devising plans and making recommendations for the establishment of policies and programs designed to meet such problems effectively. In carrying out such duty, the Council shall consider, among others, the following matters:

(1) the effect of existing laws, regulations, programs, and policies on the various problems relating to agricultural labor, including the problems of the migratory agricultural workers, his employer, and the local area in which he is employed;

(2) the effect of the open border policy between Mexico and the United States upon such problems as: (a) the labor supply; (b) the living and working conditions in border areas; (c) the need for American residents along the border to migrate north in search of better paying jobs; and, (d) the entire National farm labor and rural economy;

(3) the extent that adequate labor market information: (a) improves or limits farmworkers' opportunities to find jobs and to increase earnings; (b) alleviates the problems of underemployment and unemployment; and, (c) provides the means for improving coordination of Federal, state, county and local public and private policies and programs relating to agricultural labor;

(4) the need for more effective programs for the recruitment, transportation, housing, and full employment, on and off season, of the farm work force;

(5) the provision of a non-profit manpower corporation and other ways to help regularize the employment of hired farmworkers, particularly seasonal farmworkers, including the provision of employment opportunities in rural areas that complement the seasonal job demands of agriculture;

(6) the development of a comprehensive manpower program to train and develop workers for increased mechanization of farm jobs, for non-farm jobs in rural areas, and, for meeting urban job opportunities;

(7) the future demand for farmwork including an accurate appraisal of the changing levels of demands and requirements for employees, particularly in the face of increasing impact of mechanization;

(8) the relationship of such factors as poor worker ability, employer attitudes, low skill levels, and inadequate educational levels to the entire manpower problem;

(9) the effect of farmworkers' substantial exclusion from major social and worker benefit programs enacted into law;

(10) the means to familiarize farmworkers with program benefits, or basic civil rights, such as voting, that might be available to help them participate in the American economic mainstream;

(11) the policies that have been developed, and efforts made to implement, or that must be made to implement those policies by the government, in the area of rural to urban migration and relocation and resettlement programs;

(12) the effect of the exclusion of farmworkers from legislation protecting the right to organize and encourage collective bargaining; and,

(13) the relationship to the institution of migrancy, and those factors which cause it, to overall poverty in this country.

(c) The Council shall study, investigate, conduct research, and prepare a report containing its findings and recommendations, and shall transmit such report to the Secretary and the President no later than August 1, and to the Congress no later than October 1, of each year.

SECOND SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR ENDING JUNE 30, 1970—AMENDMENTS

AMENDMENTS NOS. 677 AND 678

Mr. MONDALE. Mr. President, as the national unemployment rate continues to climb, employment opportunities for youth become more and more scarce. The situation this summer promises to be particularly serious, with responsible predictions of hundreds of thousands of unemployed students. In view of the crisis in the lack of summer jobs for students, I am submitting two amendments intended to be proposed by me to the second supplemental bill of 1970 to increase funding of the summer components of the college work-study program and of the vocational education work study program by \$20 and \$10 million respectively.

The unemployment rate among college-aged youth in April was 10 percent, a 25-percent increase over the 7.5 percent unemployed last year at the same time. With students looking for summer work, the unemployment rate in their age group will probably go up to 11.5 percent, meaning over one million college-aged youth seeking but not finding the work often essential to their ability to return to college in the fall.

Increasing the appropriations to the college work-study and vocational education work-study programs will help to alleviate the plight of these students. Both programs have substantial summer employment components. Under the former, colleges pay students directly to work for them or to work for a public or private nonprofit institution in the community. During the school year, students may only work 15 hours per week, but during vacation periods, the program has been set up to give the students full-time employment. The \$20 million for this program would go directly to the colleges and universities participating in the program, and could provide up to 30,000 jobs.

The \$10 million for the vocational education work-study program would be given to the State vocational education institutions responsible for the State program, and would provide summer employment for youths participating in a vocational education program. Most of these youth would be high school age. This amount could fund well upward of 15,000 jobs.

Every effort must be made to employ our youth this summer, and the passage of these supplemental appropriations

would be two more steps in the right direction. But more can and must be done, even at this late date. I am cosponsoring the amendment of the Senator from New York (Mr. JAVITS), increasing appropriations for the Neighborhood Youth Corps summer employment program by \$100 million, and I will shortly introduce a bill to establish a Senate student intern employment program enabling Senators to hire students for work on projects which will have both educational relevance and public service value.

These are the efforts that we in the legislative branch can make to soften this crisis. We must also call upon the executive branch to redouble its efforts and the scale of its already significant programs to hire youth in the summer. The President can do much to increase such hiring by the executive agencies. The largest potential employer, as always, is the business sector, and I call upon the business community to join in this effort to find meaningful summer employment for college students seeking to finance their education and to gain experience in business, industry, and public service.

The PRESIDING OFFICER (Mr. SCHWEIKER). The amendments will be received, and printed and appropriately referred.

The amendments (Nos. 677 and 678) were referred to the Committee on Appropriations.

ADDITIONAL COSPONSORS OF AN AMENDMENT

AMENDMENT NO. 648

Mr. HARTKE. Mr. President, I ask unanimous consent that, at the next printing, the names of the Senator from California (Mr. CRANSTON), the Senator from Michigan (Mr. HART), the Senator from Wisconsin (Mr. NELSON), the Senator from Rhode Island (Mr. PELL), and the Senator from Ohio (Mr. YOUNG) be added as cosponsors of amendment No. 648 to H.R. 15628, a bill to amend the Foreign Military Sales Act.

The PRESIDING OFFICER (Mr. McGOVERN). Without objection, it is so ordered.

COMPREHENSIVE HIGHWAY HEARINGS WILL BEGIN JUNE 9—SENATOR RANDOLPH OUTLINES AREAS OF CONSIDERATION

Mr. RANDOLPH. Mr. President, the Subcommittee on Roads of the Committee on Public Works has scheduled 2 weeks of general highway hearings to gather information on which to base new highway legislation.

These hearings will be conducted June 9 through 12 and July 13 through 16. We anticipate receiving testimony from individuals and organizations with a wide range of experience and varying viewpoints.

The major goal of these hearings will be to reassert the concept of highways as a means by which other broader public objectives can be achieved. We shall discuss numerous aspects of the subject, but we must keep in mind the philosophy