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that the maximum weekly benefit could be no less than 50 percent of the average wage in the State.

The final criteria for measuring the adequacy of unemployment compensation benefits is the length of the period in which benefits may be received. The amendment would require the States to entitle to 26 weeks of benefits persons who have had 39 or more weeks of work in the base year. States who permit workers to become eligible for benefits based on less than 39 weeks of work could provide this group of workers with a shorter period of benefits.

A State would be able to participate in the Federal-State program even if it did not meet these requirements. A State which did not meet the benefit requirements would continue to receive Federal grants for administrative purposes. Employers in the State would receive some tax credit for their State taxes, but the credit would be limited to the actual cost, over a 4-year period, of the benefits paid. For example, if a State's benefit costs averaged 2 percent, the credit allowed employers in that State would be limited to 2 percent, compared to the 2.7 percent credit which would be allowed if the State met the minimum benefit requirements of my amendment.

Mr. President, the Senate acted in 1966 to assure workers that the Federal-State program would provide minimally adequate unemployment insurance benefits. The amendment I am submitting will assure the same goal.

I ask unanimous consent that the text of my amendment be printed at this point in the RECORD.

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

The amendment (No. 489) was referred to the Committee on Finance, as follows:

AMENDMENT NO. 489

On page 6, line 9, strike out "3311" and insert in lieu thereof "3312".

On page 10, line 7, strike out "3311" and insert in lieu thereof "3312".

On page 32, between lines 20 and 21, insert the following:

"PART E—BENEFIT REQUIREMENTS

"SEC. 151. CERTIFICATION AND REQUIREMENTS.

"(a) Chapter 23 of the Internal Revenue Code of 1954 is amended by inserting after section 3310 (added by section 131(b)(1) of this Act) the following new section:

"'SEC. 3311. BENEFIT REQUIREMENTS.

"'(a) CERTIFICATION.—On October 31, 1972, and October 31 of each calendar year thereafter, the Secretary of Labor shall certify to the Secretary each State whose law he finds is in accord with the requirements of subsection (c) and has been in accord with such requirements for substantially all of the 12-month period ending on such October 31 and that there has been substantial compliance with such State law requirements during such period. The Secretary of Labor shall not withhold his certification to the Secretary unless, after reasonable notice and opportunity for hearing to the State agency, he finds that the State law is not in accord with the requirements of subsection (c) or has not been in accord with such requirements for substantially all of the 12-month period ending on such October 31 or that there has been a failure to comply substantially with such State law requirements during such period. For any State which is not certified under this subsection on any October 31, the Secretary of Labor shall within 10 days thereafter notify the Secretary of the reduction in the credit allowable to taxpayers subject to the unemployment compensation law of such State pursuant to section 3302(c)(4).

"'(b) NOTICE TO GOVERNOR OF NONCERTIFICATION.—If at any time the Secretary of Labor has reason to believe that a State may not be certified under subsection (a) he shall promptly notify the Governor of such State.

"'(c) REQUIREMENTS.—

"'(1) With respect to benefit years beginning on or after November 1, 1971—

"'(A) the State law shall not require that an individual have more than 20 weeks of employment (or the equivalent as provided in subsection (4)) in the base period to qualify for unemployment compensation;

"'(B) the State law shall provide that the weekly benefit amount of any eligible individual for a week of total unemployment shall be (i) an amount equal to at least one-half of such individual's average weekly wage as determined by the State agency, or (ii) the State maximum weekly benefit amount (exclusive of allowances with respect to dependents) payable with respect to such week under such law, whichever is the lesser;

"'(C) the State law shall provide for an individual with 39 weeks of employment (or the equivalent) in the base period, benefits in a benefit year equal to at least 26 times his weekly benefit amount.

Any weekly benefit amount payable under a State law may be rounded to an even dollar amount in accordance with such State law.

"'(2) The State maximum weekly benefit amount (exclusive of allowances with respect to dependents) shall be no less than 50 percent of the Statewide average weekly wage most recently computed before the beginning of any benefit year which begins after October 31, 1971.

"'(3) In determining whether an individual has 20 weeks of employment, there must be counted as a week, any week in which the individual earned at least 25 percent of the Statewide average weekly wage.

"'(4) For the purpose of subsections (c)(1)(A) and (C), the equivalent of 20 weeks of employment in a State which uses high-quarter wages is total base period wages equal to five times the Statewide average weekly wage, and either one and one-half times the individual's high-quarter earnings or forty times his weekly benefit amount, whichever is appropriate under State law.

"'(d) Definitions.—

"'(1) "benefit year" means a period as defined in State law except that it shall not exceed one year beginning subsequent to the end of an individual's base period.

"'(2) "base period" means a period as defined in State law but it shall be fifty-two consecutive weeks, one year, or four consecutive calendar quarters ending not earlier than six months prior to the beginning of an individual's benefit year.

"'(3) "high-quarter wages" means the amount of wages for services performed in employment covered under the State law paid to an individual in that quarter of his base period in which such wages were highest, irrespective of the limitation on the amount of wages subject to contributions under such State law.

"'(4) "individual's average weekly wage" means an amount computed equal to (A) one-thirteenth of an individual's high-quarter wages, in a State which bases eligibility on high-quarter wages paid in the base period or (B) in any other State, the amount obtained by dividing the total amount of wages (irrespective of the limitation on the amount of wages subject to contributions under the State law) paid to such individual during his base period by the number of weeks in which he performed services in employment covered under such law during such period.

"'(5) "Statewide average weekly wage" means the amount computed by the State agency at least once each year on the basis of the aggregate amount of wages, irrespective of the limitation on the amount of wages subject to contributions under such State law, reported by employers as paid for services covered under such State law during the first four of the last six completed calendar quarters prior to the effective date of the computation, divided by a figure representing fifty-two times the twelve-month average of the number of employees in the pay period which includes the twelfth day of each month during the same four calendar quarters, as reported by such employers.'

"(b) The table of sections for chapter 23 of such Code is amended by adding after the item relating to section 3310 (added by section 131(b)(1) of this Act) the following:

"'Sec. 3311. Benefit requirements.'

"SEC. 152. LIMITATION ON CREDIT AGAINST TAX.

"(a) Section 3302(c) of the Internal Revenue Code of 1954 is amended by adding at the end thereof a new paragraph (4) as follows:

"'(4) If the unemployment compensation law of a State has not been certified for a twelve-month period ending on October 31 pursuant to Section 3311(a), then the total credits (after applying subsections (a) and (b) and paragraphs (1), (2), and (3) of this subsection) otherwise allowable under this section for the taxable year in which such October 31 occurs in the case of a taxpayer subject to the unemployment compensation law of such State shall be reduced by the amount by which 2.7 percent exceeds the four-year benefit cost rate applicable to such State for such taxable year in accordance with the notification of the Secretary of Labor pursuant to section 3311(a).'

"(b) Subsection (c)(3)(C)(i) of section 3302 of such Code is amended by substituting the term "4-year" for the term "5-year".

"(c) Section 3302(d)(5) of such Code is amended to read as follows:

"'(5) 4-Year Benefit Cost Rate.—For purposes of subsection (c)(4) and subparagraph (C) of subsection (c)(3), the 4-year benefit cost rate applicable to any State for any taxable year is that percentage obtained by dividing—

"'(A) One-fourth of the total compensation paid under the State unemployment compensation law during the four-year period ending at the close of the first calendar year preceding such taxable year, by

"'(B) The total of the remuneration subject to contributions under the State unemployment compensation law with respect to the first calendar year preceding such taxable year. "Remuneration" for the purpose of this subparagraph shall include the amount of wages for services covered under the State law irrespective of the limitation of the amount of wages subject to contributions under such State law paid to an individual by an employer during any calendar year beginning with 1972, up to $4,200; for States for which it is necessary, the Secretary of Labor shall estimate the remuneration with respect to the calendar year preceding the taxable year.'"

ELEMENTARY AND SECONDARY EDUCATION AMENDMENTS OF 1969—AMENDMENT

AMENDMENT NO. 490
SCHOOL DESEGREGATION

Mr. MONDALE. Mr. President, I rise today to address myself again to the issues raised by amendment No. 463 concerning school desegregation policies

which may be offered to the Elementary and Secondary Education Act.

I wish to reaffirm my strong support for equal application of the civil rights laws in all sections of this country. I believe very deeply that it is our responsibility to insure that the laws of this land provide equal educational opportunity for all children—regardless of their color, race, or national origin.

I further recognize that racially segregated schools exist in all parts of our country.

As I indicated yesterday, the problems surrounding school desegregation involve some of the most fundamental issues facing our Nation. The amendment proposed by the Senator from Mississippi (Mr. STENNIS) raises legitimate and important questions, but provides no answers.

Amendment No. 463 is ambiguous at best. It may be meaningless or it may be mischievous. What, for example, is the legal consequence of the "policy declaration" used in this amendment? How would the term "segregation" be construed? What test of "desegregation" would be used in a situation of de facto segregation since existing guidelines simply require the disassembling of the dual school system? Would this amendment require that racial percentages be established in the guidelines? Would the amendment require more vigorous enforcement of the open housing law? Would it apply only to core cities or metropolitan areas? Why does it refer only to "race" and not "color" or "national origin"?

Most importantly, how would this amendment relate to existing law in this field, such as the provisions which limit the authority of HEW to deal with situations of "racial imbalance." While the apparent intent of the amendment is to break down the established distinction between de facto and de jure segregation, there is serious question about whether its effect would be to require movement against de facto segregation or restrict movement against de jure segregation.

The Commissioner of Education states that the intent of this amendment is unclear, many of the important terms in it are undefined, and its legal consequences are uncertain.

I do not believe that the serious problems associated with racial isolation and de facto segregation can be resolved responsibly by acting on this ambiguous amendment on the basis of floor debate alone. Senators on both sides of the aisle, and administration spokesmen, have expressed similar reservations about action at this time, and have urged that this amendment and others dealing with these problems be referred to committee for thorough review and recommendation.

I accept the challenge to develop a responsible approach to these problems.

I am, therefore, submitting at this point a substitute amendment for amendment No. 463 which would create a Select Committee on Equal Educational Opportunity to be charged with the responsibility to study and make recommendations concerning the problems related to de facto segregation of the schools. In order to develop a reasonable recommendation concerning these problems, it is my belief that this select committee would have to consider among others, the following questions:

Would new policies need to be adopted concerning residential living patterns and the enforcement of fair housing legislation?

Would new policies need be adopted to encourage more low-income housing, more widely dispersed?

Is a new policy regarding busing as a means for eliminating or reducing racial isolation in public schools necessary?

Is a new policy insuring equal employment opportunity necessary to reduce racial isolation? Do we need a national program of public service employment?

Do we need a new program to insure excellence in education in all schools so that children will have equal access to employment and housing opportunities?

Would existing provisions in existing laws such as in the Civil Rights Act of 1964 and the Elementary and Secondary Education Act with respect to racial imbalance need to be modified or repealed?

Should programs of Federal assistance be established to enforce or encourage a new national policy relating to racial isolation in the schools?

This select committee would be composed of members of the Committee on Labor and Public Welfare, the Committee on the Judiciary, and Members of the Senate at large.

The select committee would be required to submit an interim report with recommendations to the Senate no later than August 1, 1970, and submit its final report no later than January 31, 1971.

The PRESIDING OFFICER. The amendment will be received and printed, and will lie on the table.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, February 10, 1970, he presented to the President of the United States the enrolled bill (S. 2214) to exempt potatoes for processing from marketing orders.

NOTICE OF HEARINGS ON S. 1530

Mr. BIBLE. Mr. President, I wish to announce that hearings on S. 1530, a bill to authorize the appropriation of additional funds necessary for the purchase of private lands at the Point Reyes National Seashore, Marin County, Calif., will be held by the Subcommittee on Parks and Recreation of the Interior Committee, on Thursday, February 26.

This hearing will begin at 10 a.m. in room 3110, New Senate Office Building.

Members of Congress or others wishing to participate in this hearing should notify the Interior Committee staff promptly.

FOR MILLIONS THERE IS A RECESSION NOW, A NEW ANTI-INFLATION STRATEGY IS NEEDED

Mr. PELL. Mr. President, when the present administration took office a year ago, it announced its intention to halt inflation and prevent a recession. This goal was to be accomplished by a reduction of Federal spending and by a reduction in the Nation's money supply.

The anti-inflation effort of the administration was supposed to be one of the major differences which distinguished it from the previous administration.

I would like to suggest, as I mentioned once before, following the President's anti-inflation veto of the HEW appropriations bill, that the present emphasis on monetary policy and domestic cutbacks is no more likely to end inflation and stop a recession than unfunded domestic programs were likely to end poverty.

I would also suggest, taking the analogy one step further, that while the past democratic administration developed a credibility gap with its so-called major constituent group, the disadvantaged, the present administration is also developing a credibility gap with its inflation effort with its own self-proclaimed constituent group, the silent majority.

It is the average worker, the small businessman, and the pensioner who are suffering right now the burden of a recession, as is pointed out in a recent newspaper article written by Sylvia Porter. I ask unanimous consent that her article, published in the February 5, 1970, Providence Journal, be printed following the conclusion of my remarks.

If this administration is going to halt this recession, if it is seriously concerned about the welfare of the silent majority, I would then suggest it change its anti-inflationary strategy. Rather than veto the domestic programs designed for the less influential in our society and reduce the supply of money needed to build their homes, I think it is time for serious consideration to be given, on one hand, to the implementation of wage, price, and credit controls as a means of controlling excessive demand, and, on the other hand, to increase expenditures for those education and manpower programs serving those sectors of economy where inflation is caused by a lack of skilled manpower needed to meet the demand for services.

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

FOR MILLIONS RECESSION'S HERE

(By Sylvia Porter)

Avoidance of recession is a key goal of economic policy in 1970, the President has tried to make clear in his economic and budget messages—and in view of what a significant decline in our economy would mean to the jobs, paychecks and profits of millions of voters, you wouldn't expect any other statement from so masterful a politician as Richard Nixon.

But who's kidding whom? For millions of us—and the number is mounting by the week—recession is already here and now. What's more, as I'll document below, for millions recession has been here for a startlingly prolonged period.

I'm not writing in this column in the technical baffle-gab which defines a national recession as two calendar quarters of decline in real Gross National Product (the dollar total of our output adjusted to eliminate price increases). I'm writing in terms of you and me—and in these terms, a recession is what the dictionary says it is.

It's a "retreat." It's a moving or sliding