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EQUAL EDUCATIONAL OPPORTUNITIES ACT, 1972

The Senate continued with the consideration of the bill (H.R. 13915) to further the achievement of equal educational opportunities.

Mr. JAVITS. Mr. President, I yield 20 minutes to the Senator from Minnesota (Mr. MONDALE).

Mr. MONDALE. Mr. President, I thank the Senator from New York for yielding some time to me in which to discuss the so-called equal educational opportunities measure.

Mr. MONDALE. Mr. President, I rise in opposition to H.R. 13915, the so-called Equal Educational Opportunities Act. For the third time this year the Senate faces a major debate over school desegregation.

For the third time we are asked to join in a vain effort to overturn the 14th amendment's prohibition against racial discrimination, through legislation which we know to be unconstitutional.

There are 11 million children attending 1,500 desegregating school districts in the country today.

For the third time this year we are asked to put the Congress against the courts, to plunge 1,500 school districts into confusion over what the law requires, to damage, perhaps beyond repair, the educational opportunities of 11 million children.

Twice this year the Senate and the Congress have risen to the challenge.

After two long and bitter debates, we enacted the Emergency School Aid Act.

That bill would provide up to \$2 billion over 2 years to help school districts desegregate in a way that benefits all the children involved.

It would pay the burdensome costs of transportation. It would provide extra teachers and counselors. It would help school districts adopt team teaching, individualized instruction, and other innovative educational techniques to ease the process of desegregation. It would provide desperately needed bilingual education and other special help.

And the Congress adopted the so-called Mansfield-Scott amendment which stressed the Supreme Court's ruling that no transportation will be required which risks the health of students or impinges on the educational process.

Last July we stood with the Constitution. We stood for eliminating officially sponsored racial segregation in public education in a reasonable way, on a case-by-case basis.

For the third time we are asked to oppose the Constitution. We are asked to make the judgment that Chief Justice Burger, Justice Blackmun, Justice Rehnquist, Justice Douglas, Justice White, Justice Brennan, Justice Marshall, Justice Harlan, and Justice Stewart are not capable of assuring that desegregation proceeds in a reasonable way.

We are asked to reverse by legislation the Supreme Court's April 1971 ruling in Swann against Charlotte-Mecklenburg and its companion cases that transportation—beyond the "next nearest school"—may be required in individual cases to overcome the effects of past discrimination.

We are asked to do this even though the Congress cannot reverse the Supreme Court's rulings, and can only create confusion and disunity. We are asked to act now even though the Supreme Court this session will act—in cases involving Denver, Colo., Richmond, Va., and perhaps even Detroit—to clarify constitutional requirements where the law is now unclear.

Those court orders which have provoked the greatest concern—court orders requiring integration across school district lines in Richmond, Va., and Detroit, Mich.—have not been implemented. They are still on appeal. And the Supreme Court should be given the opportunity to resolve these very difficult cases without the added complication of misleading, extreme and clearly unconstitutional enactments—which attempt to reopen and relitigate virtually every school desegregation case decided since Brown against Board of Education in 1954.

Mr. President, H.R. 13915, the so-called Equal Educational Opportunities Act is a complex measure. It deals with one of the great constitutional issues of our time. And it deals with the future of millions of American schoolchildren.

Yet this important bill comes before the Senate in the pressure of closing days of the session, without even the benefit of hearings and a report by the appropriate Senate committee.

This bill was sent to the Senate by the House of Representatives 6 weeks ago, shortly before the Republican Convention.

But instead of permitting it to be considered by the Committee on Labor and Public Welfare, the bill was held at the Senate desk.

In the past that unusual procedure of circumventing the committee system has been justifiably and where the committee has established a clear record of being a graveyard for the legislation being held at the desk. But in this case just the reverse is true. The Committee on Labor and Public Welfare has repeatedly reported school desegregation measures for Senate debate, and I would bet that if we clocked the amount of time spent on school desegregation and discrimination in this Congress, more time has been spent on that issue than on any other single domestic issue before the Senate. And all of those issues have been reported out by the Committee on Labor and Public Welfare. We have held long hearings, and we have heard from practically anyone who wanted to testify; we spent days and days in Senate debate and in conference with the House; and we were perfectly prepared, as the distinguished chairman of the committee, the Senator from New Jersey (Mr. WILLIAMS) pointed out, to take the bill and act responsibly on it.

Instead of that, the highly unusual procedure of holding the bill at the desk was restorted to, that action was unwarranted and unwise on its face, and an insult to the committee system. It is war on action which undermines the basic processes of the Senate, and it should be rejected, if for no other reason than it establishes a precedent which has serious and profound repercussions

over matters as they come before the Senate.

Mr. ROBERT C. BYRD. Mr. President, will the Senator yield?

Mr. MONDALE. I yield to the Senator from West Virginia.

VISIT TO THE SENATE BY THE HONORABLE WINSTON CHURCHILL, A MEMBER OF THE BRITISH HOUSE OF COMMONS

Mr. ROBERT C. BYRD. Mr. President, I thank the able Senator from Minnesota for yielding. I have asked him to do so at this time—and I apologize for the attendance at the present time, but it has been explained to our distinguished visitor—because I wanted Senators who are here to know about the presence of a very distinguished guest. I shall yield to our able colleague from Maryland (Mr. MATHIAS) so that he might have the honor to present a distinguished visitor to the Senate.

Mr. MATHIAS. Mr. President, I thank the distinguished assistant majority leader for his courtesy.

Mr. President, it is a great honor and privilege for me to introduce to the Senate Mr. Winston Churchill, a Member of the House of Commons.

[Applause, Senators rising.]

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Senate stand in recess for 2 minutes.

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

RECESS

Thereupon, at 3:30 p.m. the Senate took a recess until 3:32 p.m. During the recess Mr. Winston Churchill was greeted by Members of the Senate.

On expiration of the recess, the Senate reassembled when called to order by the Senator from Tennessee (Mr. Brock).

EQUAL EDUCATIONAL OPPORTUNITIES ACT, 1972

The Senate continued with the consideration of the bill (H.R. 13915) to further the achievement of equal educational opportunities.

Mr. MONDALE. Mr. President, I yield to the Senator from Alabama such time as the Senator may require to take up an FHA extension bill, without losing my right to the floor.

Mr. ROBERT C. BYRD. Mr. President, will the Senator limit that to not to exceed 5 minutes?

Mr. MONDALE. Mr. President, I so modify my request.

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

TEMPORARY EXTENSION OF CERTAIN HOUSING PROGRAMS

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of order No. 1204, House Joint Resolution 1301.

The PRESIDING OFFICER. The joint resolution will be stated by title.

The legislative clerk read the joint resolution by title, as follows:

A joint resolution (H.J. Res. 1301) to extend the authority of the Secretary of Hous-

ing and Urban Development with respect to the insurance of loans and mortgages under the National Housing Act.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the joint resolution, which had been reported from the Committee on Banking, Housing and Urban Affairs with an amendment to strike out all after the resolving clause and insert:

(a) Section 2(a) of the National Housing Act is amended by striking out "October 1, 1972" in the first sentence and inserting in lieu thereof "April 30, 1973".

(b) Section 217 of such Act is amended by striking out "October 1, 1972" and inserting in lieu thereof "April 30, 1973".

(c) Section 221(f) of such Act is amended by striking out "October 1, 1972" in the fifth sentence and inserting in lieu thereof "April 30, 1973".

(d) Section 235(m) of such Act is amended by striking out "October 1, 1972" and inserting in lieu thereof "April 30, 1973".

(e) Section 236(n) of such Act is amended by striking out "October 1, 1972" and inserting in lieu thereof "April 30, 1973".

(f) Section 809(f) of such Act is amended by striking out "October 1, 1972" in the second sentence and inserting in lieu thereof "April 30, 1973".

(g) Section 810(k) of such Act is amended by striking out "October 1, 1972" in the second sentence and inserting in lieu thereof "April 30, 1973".

(h) Section 1002(a) of such Act is amended by striking out "October 1, 1972" in the second sentence and inserting in lieu thereof "April 30, 1973".

(i) Section 1101(a) of such Act is amended by striking out "October 1, 1972" in the second sentence and inserting in lieu thereof "April 30, 1973".

Sec. 2. Section 3 of the joint resolution entitled "Joint resolution to extend the authority of the Secretary of Housing and Urban Development with respect to interest rates on insured mortgages, to extend and modify certain provisions of the National Flood Insurance Act of 1968, and for other purposes", approved December 22, 1971, as amended, is amended by striking out "for a period of nine months after the date of approval of this joint resolution" and inserting in lieu thereof "until April 30, 1973".

Sec. 3. Section 10 of the United States Housing Act of 1937 is amended—

(1) by striking out "and \$225,000,000 on July 1, 1971," in subsection (e) and inserting in lieu thereof "\$225,000,000 on July 1, 1971, and \$150,000,000 on July 1, 1972,";

(2) by striking out the proviso in subsection (b); and

(3) by striking out the second proviso in subsection (c).

Sec. 4. The first sentence of section 103 (b) of the Housing Act of 1949 is amended by striking out "and by \$1,500,000,000 on July 1, 1971" and inserting in lieu thereof "by \$1,500,000,000 on July 1, 1971, and by \$250,000,000 on July 1, 1972".

Mr. SPARKMAN. Mr. President, I ask unanimous consent that the staff director of the Housing Subcommittee have the privilege of the floor during the consideration of this measure.

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

Mr. SPARKMAN. Mr. President, this measure is for the purpose of extending, for a short period of time, various housing programs some of which expired a week ago. We have amended the House

measure, and that is what we are seeking to pass at this time.

By the way, the Senator from Massachusetts (Mr. KENNEDY) had an amendment that he was planning to offer. He is out of the city. He called me a little while ago, telling me to go ahead and present the bill and he would not offer his amendment. I wanted to make that explanation.

Mr. BENNETT. Mr. President, the measure as it came from the House had the date of June 30, 1973, as the date of extension. In the committee, after some discussion, we suggested the date of April 30; but, after further discussion, I am proposing that the bill be amended to restore the date of June 30, 1973, as it appears in the House measure.

Mr. SPARKMAN. Mr. President, I am in favor of accepting that amendment. The Presiding Officer (Mr. Brock), who is a member of the committee, knows we have been trying to get a bill that the House would accept. We think it would come nearer to being accepted by the House if we included their date.

The PRESIDING OFFICER. Is the amendment suggested by the Senator from Utah being offered?

Mr. BENNETT. Mr. President, I offer the amendment.

The PRESIDING OFFICER. Is there objection to the amendment of the Senator from Utah to change the date from "April 30, 1973" in the committee amendment to "June 30, 1973"?

Without objection, the amendment is agreed to.

The question is on agreeing to the committee amendment, in the nature of a substitute, as amended.

The committee amendment, as amended, was agreed to.

The amendment was ordered to be engrossed, and the joint resolution to be read a third time.

The joint resolution (H.J. Res. 1301) was read the third time, and passed.

Mr. SPARKMAN. Mr. President, I move to reconsider the vote by which the joint resolution was passed.

Mr. JAVITS. Mr. President, will the Senator give me 1 minute?

Mr. SPARKMAN. Mr. President, I will withdraw my motion, and yield to the Senator from New York. I will say to him that we are operating under a limitation of time.

Mr. JAVITS. I understand. If I may have 2 minutes, I want to just say that we understand what the Senator is doing in forwarding the whole housing program. He was kind enough to ask me how I felt about it. We simply understand the greater good which is involved.

I wish to express to him my deep concern about the situation of the mass transit provisions which were contained in the Senate housing bill and the public works bill, and we now understand there is some problem with the provision that we had here, especially for operating expenses for mass transit systems, which was stricken out on a point of order in the other body, and I wanted to get some expression of opinion from the Senator from Alabama as to where he sees us going in the mass transit situation.

Mr. SPARKMAN. The Senator knows,

of course, that from the very first, I supported the mass transit program.

Mr. JAVITS. Of course.

Mr. SPARKMAN. As a matter of fact, when it was first brought up by the Senator from New Jersey (Mr. WILLIAMS) as a separate bill, he recommended it be made a title in the omnibus housing bill. It was. That is where it was started. It has been there ever since. I am strongly for it.

The Senator knows that what we are trying to do here is get essential programs extended. The Senator from New Jersey (Mr. WILLIAMS), in the committee, very graciously said he would not insist on adding an amendment like that to this bill, which would be controversial.

Mr. JAVITS. May we count, then, on the continued support of the Senator from Alabama and his continued effort to find a way to effectuate the Senate purpose, as shown by this amendment to the housing bill and the public works bill with respect to urban mass transit?

Mr. SPARKMAN. I will stick to the bill out of our committee.

Mr. JAVITS. Let us stick to that.

Mr. SPARKMAN. I have supported it in the past, I support it now, and I will continue to support it in the future.

Mr. JAVITS. I thank the Senator.

Mr. SPARKMAN. Mr. President, I renew my motion to reconsider the vote by which the joint resolution was passed.

Mr. BENNETT. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. SPARKMAN. I thank the Senator from Minnesota, who likewise is a member of our committee.

Mr. MONDALE. I thank the Senator from Alabama.

EQUAL EDUCATIONAL OPPORTUNITIES ACT, 1972

The Senate continued with the consideration of the bill (H.R. 13915) to further the achievement of equal educational opportunities.

Mr. MONDALE. Mr. President, before I leave the last point, I think a study of that particular parliamentary tactic will show that it is rarely used. And on the few occasions when it has been successfully used, there has been an unarguable case that the committee that is being denied the referral of legislation has a solid historic record of serving not as the committee to responsibly consider the proposal involved, but as its graveyard, and therefore that it is futile and hopeless to refer the bill to the committee.

In this instance, the Senate Labor and Public Welfare Committee has dealt, in this Congress alone, with two separate measures, held hearings, and reported bills.

Again, I think more time has been spent in this Congress on school discrimination issues than on any other domestic issue, on the basis of bills which were reported out of the Senate Labor and Public Welfare Committee.

Mr. THURMOND. Mr. President, will the Senator from Minnesota yield for about 10 or 11 minutes, with the under-

standing that he will not lose his right to the floor, and with the further understanding that my short address will come at some other place in the RECORD, and that the Senator may continue as soon as I finish?

Mr. MONDALE. I yield to the Senator from South Carolina.

The PRESIDING OFFICER (Mr. Brock). The Chair inquires as to who is yielding time.

Mr. MONDALE. I am sorry; the time is under the control of the Senator from New York.

Mr. JAVITS. May we know the state of the time situation, Mr. President?

Mr. ROBERT C. BYRD. How much time does the Senator want?

Mr. THURMOND. About 10 minutes.

Mr. JAVITS. I will arrange it. We will work it out.

Mr. ROBERT C. BYRD. I thought I would yield in behalf of the Senator from Alabama.

Mr. JAVITS. That is exactly what I had in mind. I have just ascertained that this was a speech on the other side.

Mr. ROBERT C. BYRD. Mr. President, I yield 10 minutes to the distinguished Senator from South Carolina from the time allotted to the distinguished Senator from Alabama (Mr. ALLEN).

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Minnesota will not lose his right to the floor.

Mr. THURMOND. Mr. President, the issue before us in H.R. 13915 is one that has caused great controversy in the halls of Congress and has generated much public debate. In addition, it has become a very sensitive issue.

Although the overwhelming majority of the American people, including members of both races, are opposed to the use of forced busing to achieve school desegregation, there are those who have charged that the motive behind this legislation is, in essence, racism. That places an extra burden upon the Members of this body to insure that our deliberations not only reflect the will of the American people, but also properly consider the feelings of those who, through misunderstanding, may believe that our actions cast doubt on the American commitment to freedom and justice for all.

The history of race relations in the country is filled with both division and reconciliation, both bitterness and good will. Indeed, debate and controversy over school desegregation have accompanied many of the changes which have occurred in our school systems since the Brown decision in 1954. Motives both noble and ignoble have characterized both sides of this controversy and have generated much emotion that has yet to disappear.

Mr. President, it has been said that those who do not remember the past are doomed to repeat it. I do not believe that we can discuss the issue of school busing in an intellectual vacuum. We cannot ignore the recent past, the changes which this era has brought and the effect of these changes on the thinking of the people. Nevertheless, I am convinced that we are not prisoners of history, and that we can fashion a law which protects the

people against the excesses which have come in the wake of school desegregation. Also we can assure all Americans that our actions are based on a desire to preserve and extend the right of all Americans to receive a good education in a non-discriminatory school system.

It is clear that the great majority of our citizens oppose racial segregation in the public schools and believe strongly that our children deserve an equal opportunity to achieve an education. It is also clear that the vast majority of Americans believe that the use of busing to accomplish racial integration is harmful to the very educational process it seeks to enhance. A Gallup poll taken on October 31, 1971, showed the following figures regarding sentiment on busing across the Nation:

In the East, 71 percent against, 22 percent for.

In the South, 82 percent against, 14 percent for.

In the Midwest, 77 percent against, 16 percent for.

In the Far West, 72 percent against, 21 percent for.

In addition, another Gallup poll taken last March showed that people who favored desegregation of the schools by 66 to 24 percent also opposed compulsory busing by 69 to 20 percent. This public sentiment is not relegated to the white community alone. One poll has shown that blacks in Detroit opposed busing by 63 to 29 percent and the National Black Caucus at its national convention last March passed a resolution in opposition to busing.

Mr. President, although busing is a controversial issue, it is not one that has divided the American people into racial camps. People generally oppose busing for the very obvious reason that they believe long rides to and from school every day are harmful to the best interest of their children, particularly their young children. They also oppose busing because it destroys the neighborhood school as the unifying focal point of their community, be it a small town or an urban neighborhood. It further lessens the accountability of the school officials and faculty to the parents, and inhibits the constructive influence and interest of parents in creating a good educational environment in the school.

Mr. President, I urge my colleagues to support this legislation, as I believe it is in the best interests of providing the best possible education for the young people of this country. It is in this spirit that we should pass it, and in this spirit that we should discuss it.

I thank the distinguished Senator from Minnesota for his courtesy in yielding to me at this time.

I also thank the assistant majority leader for his courtesy.

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum, without prejudice to the rights of the distinguished Senator from Minnesota.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President,

I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. JAVITS. Mr. President, I yield 10 minutes to the Senator from Minnesota.

Mr. MONDALE. Mr. President, I believe there will be occasion early next week when I might extend my remarks further.

Let me just attempt now to describe what the courts are doing. That is at the heart of this debate.

This bill is designed to undermine, frustrate, and paralyze the courts from enforcing the Constitution of the United States. The courts are not acting on some national theory of racial balance which says that you need a computer printout to determine how many blacks and whites and others have to be in each school. I do not think the courts have ever said that is necessary or required. Indeed, as I read the court decisions, they have said just the reverse.

What the Constitution reaches is simply the question of discrimination.

What do we mean by discrimination? We mean that where a school district has been deliberately sorting children out on the basis of race—that is, putting black children in one school and white children in another school and keeping them separated deliberately—that violates the 14th amendment, because such distinctions cannot be drawn. When such actions are found, the courts have ruled that you have to stop it; you have to stop discriminating.

Sometimes, in the course of disestablishing a discriminatory school system, it has been necessary, among the remedies, to require some transportation of students.

Let us turn to the issue of busing. The courts have not been resorting, as we hear from time to time, to systems of massive forced busing to achieve racial balance. I do not know of a single court order that has done that.

As a matter of fact, only 3 percent of the busing occurring in the United States today has had anything to do with court orders. In several States of this country which have been under court orders to eliminate discrimination there is less busing going on today than there was before. I know of three States in the South where, when the court said, "You have to stop the official policy of separating children on the basis of race," when they were forced to do that by court order, there was less busing following the court order than there was before.

As a matter of fact, busing was originally a key technique used to achieve discrimination.

Let us take a northern community. There are not innocent, inadvertent situations. This is what the Court found in South Holland, Ill.: They found that the schools were located in the center rather than at the boundaries of segregated residential areas in order to achieve school segregation. In other words, they found that the school district deliberately located new schools in order to keep the kids separated.

Second, they found that the school assignment policies were such that black

children living nearer to white schools attended black schools and white children living nearer to black schools attended white schools. In other words, the school district was saying, "Even though this white child lives closer to that school, what you might call his neighborhood school, we will disregard the neighborhood and send him further in another direction to keep the children separated."

Third, they found that school buses were used to transport students out of their neighborhoods in order to achieve segregation. That is, a neighborhood school system was totally ignored for the purpose of discrimination.

Fourth, the teachers were assigned on a racial basis. That is what the courts are getting at. They are getting at specific examples, which must be proved, of a school system deliberately separating children on the basis of race; and where they find them, they find that the Constitution has been violated, and it is necessary to disestablish a discriminatory school system.

I have heard people say, "Well, we are against discrimination and we are against busing." There are some situations in which you can disestablish a discriminatory school system without requiring any busing. There are other instances, as the Supreme Court in *Swann* against Charlotte-Mecklenburg found, in which you cannot.

The question now is whether we are going to seek to undermine and paralyze the court from enforcing the Constitution of the United States.

We meet in a time just before a presidential election, when emotions are very high, and when this issue, in my opinion, has been inflated out of all proportions and all reality. I do not know how much the facts of this situation are going to be discussed, but in the last minute and a half or 2 minutes I have tried to explain what the courts are doing. I do not think the courts have been insane; I do not think they have been irresponsible; I do not think they have gone off on some irrational binge.

The present Supreme Court of the United States, speaking through the new Chief Justice of the United States, nominated by the President of the United States, confirmed by the U.S. Senate, unanimously said that it is unconstitutional to permit discrimination and that you cannot in all cases restrict orders so that busing is not required. Not that busing is necessary in all instances. Certainly, racial balance is not necessary; but from time to time, if you want to eliminate discrimination, transportation is one of the tools that must be available to the court in order to do so.

The measure at the desk would deny, for all practical purposes, any such remedy. So there would be a right without a remedy, which, to put it differently, would say that we have an unconstitutional amendment which prohibits discrimination, but we will now have a law which, although it is prohibited, permits it nevertheless.

Mr. President, I will perhaps speak more fully on this matter on Monday, and I yield the floor.

FEDERAL-AID HIGHWAY ACT OF 1972

Mr. ROBERT C. BYRD. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 3939.

The PRESIDING OFFICER (Mr. Brock) laid before the Senate the amendment of the House of Representatives to the bill (S. 3939) to authorize appropriations for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes, which was to strike out all after the enacting clause, and insert:

TITLE I

SHORT TITLE

SEC. 101. This title may be cited as the "Federal-Aid Highway Act of 1972".

REVISION OF AUTHORIZATION FOR APPROPRIATIONS FOR THE INTERSTATE SYSTEM

SEC. 102. Subsection (b) of section 108 of the Federal-Aid Highway Act of 1956, as amended, is amended by striking out "the additional sum of \$4,000,000,000 for the fiscal year ending June 30, 1974, the additional sum of \$4,000,000,000 for the fiscal year ending June 30, 1975, and the additional sum of \$4,000,000,000 for the fiscal year ending June 30, 1976", and by inserting in lieu thereof the following: "the additional sum of \$3,500,000,000 for the fiscal year ending June 30, 1974, the additional sum of \$3,500,000,000 for the fiscal year ending June 30, 1975, the additional sum of \$3,500,000,000 for the fiscal year ending June 30, 1976, the additional sum of \$3,500,000,000 for the fiscal year ending June 30, 1977, the additional sum of \$3,500,000,000 for the fiscal year ending June 30, 1978, and the additional sum of \$2,500,000,000 for the fiscal year ending June 30, 1979."

AUTHORIZATION OF USE OF COST ESTIMATE FOR APPORTIONMENT OF INTERSTATE FUNDS

SEC. 103. The Secretary of Transportation is authorized to make the apportionment for the fiscal years ending June 30, 1974, and June 30, 1975, of the sums authorized to be appropriated for such years for expenditures on the National System of Interstate and Defense Highways, using the apportionment factors contained in revised table 5, of House Public Works Committee Print Numbered 92-29.

HIGHWAY AUTHORIZATIONS

SEC. 104. (a) For the purpose of carrying out the provisions of title 23, United States Code, the following sums are hereby authorized to be appropriated:

(1) For the Federal-aid primary system in rural areas, out of the Highway Trust Fund, \$700,000,000, for the fiscal year ending June 30, 1974, and \$700,000,000 for the fiscal year ending June 30, 1975. For the Federal-aid secondary system in rural areas, out of Highway Trust Fund, \$400,000,000 for the fiscal year ending June 30, 1974, and \$400,000,000 for the fiscal year ending June 30, 1975.

(2) For the Federal-aid urban system, out of the Highway Trust Fund, \$700,000,000 for the fiscal year ending June 30, 1974, and \$700,000,000 for the fiscal year ending June 30, 1974, and \$700,000,000 for the fiscal year ending June 30, 1975. For the extensions of the Federal-aid primary and secondary systems in urban areas, out of the Highway Trust Fund, \$400,000,000 for the fiscal year ending June 30, 1974, and \$400,000,000 for the fiscal year ending June 30, 1975.

(3) For forest highways, out of the Highway Trust Fund, \$33,000,000 for the fiscal year ending June 30, 1974, and \$33,000,000 for the fiscal year ending June 30, 1975.

(4) For public lands highways, out of the Highway Trust Fund, \$18,000,000 for the fis-

cal year ending June 30, 1974, and \$18,000,000 for the fiscal year ending June 30, 1975.

(5) For forest development roads and trails, \$170,000,000 for the fiscal year ending June 30, 1974, and \$170,000,000 for the fiscal year ending June 30, 1975.

(6) For public lands development roads and trails, \$10,000,000 for the fiscal year ending June 30, 1974, and \$10,000,000 for the fiscal year ending June 30, 1975.

(7) For park roads and trails, \$30,000,000 for the fiscal year ending June 30, 1974, and \$30,000,000 for the fiscal year ending June 30, 1975.

(8) For parkways, \$20,000,000 for the fiscal year ending June 30, 1974, and \$20,000,000 for the fiscal year ending June 30, 1975.

(9) For Indian reservation roads and bridges, \$100,000,000 for the fiscal year ending June 30, 1974, and \$100,000,000 for the fiscal year ending June 30, 1975.

(10) For economic growth center development highways under section 143 of title 23, United States Code, out of the Highway Trust Fund, \$150,000,000 for the fiscal year ending June 30, 1974, and \$150,000,000 for the fiscal year ending June 30, 1975.

(11) For carrying out section 319(b) of title 23, United States Code (relating to landscaping and scenic enhancement), \$10,000,000 for the fiscal year ending June 30, 1974, and \$10,000,000 for the fiscal year ending June 30, 1975.

(12) For necessary administrative expenses in carrying out section 131, section 136 and section 319(b) of title 23, United States Code, \$3,000,000 for the fiscal year ending June 30, 1974, and \$3,000,000 for the fiscal year ending June 30, 1975.

(13) For carrying out section 215(a) of title 23, United States Code—

(A) for the Virgin Islands, not to exceed \$5,000,000 for the fiscal year ending June 30, 1974, and not to exceed \$5,000,000 for the fiscal year ending June 30, 1975.

(B) for Guam not to exceed \$2,000,000 for the fiscal year ending June 30, 1974, and not to exceed \$2,000,000 for the fiscal year ending June 30, 1975.

(C) for American Samoa not to exceed \$500,000 for the fiscal year ending June 30, 1974, and not to exceed \$500,000 for the fiscal year ending June 30, 1975.

Sums authorized by this paragraph shall be available for obligation at the beginning of the fiscal year for which authorized in the same manner and to the same extent as if such sums were apportioned under chapter 1 of title 23, United States Code.

(14) Nothing in the first ten paragraphs or in paragraph (13) of this section shall be construed to authorize the appropriation of any sums to carry out section 131, 136, 319 (b), or chapter 4 of title 23, United States Code.

(b) Any State which has not completed Federal funding of the Interstate System within its boundaries shall receive at least one-half of 1 per centum of the total apportionment for each of the fiscal years ending June 30, 1974, and June 30, 1975, under section 104(b)(5) of title 23, United States Code, or an amount equal to the actual cost of completing such funding, whichever amount is less. In addition to all other authorizations for the Interstate System for the two fiscal years ending June 30, 1974, and June 30, 1975, there are authorized to be appropriated out of the Highway Trust Fund not to exceed \$50,000,000 for each such fiscal year for such system.

SUBMISSION OF CERTAIN REPORTS

SEC. 105. The Secretary of Transportation is hereby directed to forward to the Congress within thirty days of the date of enactment of this Act final recommendations proposed to him by the Administrator of the Federal Highway Administration in accordance with section 105(b)(2), section 121, and section