

ing legislation. In other words, you would really never know the true intent of legislation that would be enacted if it were enacted—interpreted or construed by the Office of Education or any other department in the manner that the present legislation as I understand is being construed.

I may be all wrong but I sat here this morning trying to listen to the testimony the best I could.

Mr. Howe. Mr. Perkins, I think the appropriations process being a separate one really traps you and us in the point you raised here because whatever the appropriation we have to find some logical way to fit it into the formula which the authorization has created and that is what we have endeavored to do with the appropriations that we have.

We may not fully meet your intentions but this comes back again to the fact that the appropriations process is a separate one, a matter on which you should be instructing me, not I you.

Chairman PERKINS. I hardly see any way you could fund except to follow the law in the distribution of funds. That is the puzzling point to me. Were we not to include this floor provision for no loss of funds by a State from 1967 to 1968, there would, I believe, be a few States that would suffer considerably.

Mr. ESTES. That is correct. But you do raise a good point. It is appropriate to include the floor provisions.

Mr. BURTON. Mr. Chairman.

Chairman PERKINS. Mr. Burton.

Mr. BURTON. When we act on this legislation as a whole it reflects a balancing out as best we are able to determine of where we think our resources should go. When you ignore portions of the clear intention of ours you then thoroughly distort and totally frustrate our will.

We may not be especially gifted in terms of judgment but it is our will for better or for worse. Now the large cities were under the impression that they would be able to obtain additional support financially and the fact of the matter is it was, as one of my colleagues stated with reference to this whole matter, an exercise in futility.

A lot of us spent a good deal of time and effort on this provision and found out we may as well not have embodied it at all.

I am really dumfounded that our view in this particular has been to all intents and purposes completely ignored.

Commissioner Howe. I think we have to agree with you that there is a problem of funding in terms of your expectations.

Mr. BURTON. To make it worse the Appropriations Subcommittee does not even have the benefit of deciding if they want to reject your request for the funding of these various policies because the issue is not even raised with them. Your requests are such—so much lower than that which was authorized and also not reflecting these new policy considerations that they have not turned you down, you have not given them an opportunity to turn you down much less adopt what we have recommended as the policy committee.

I find that very difficult to understand or justify.

Chairman PERKINS. Mrs. Green.

Mrs. GREEN. What is the intent of the chairman?

Chairman PERKINS. It is my plan to recess until approximately a quarter of or 2 o'clock. I thought if you wanted to ask some ques-