

ment with them on the merit of the program—at 75 percent. When we get to crippled children they have decided in their wisdom that a little less than 10 percent of what we authorized would be an appropriate sum to expend.

I notice that you, like all other friends of this legislation who have appeared before you, spoke favorably to the chairman's suggestion of longer authorizations, maybe even 5 years at a time.

But it would seem that the authorization and the program are drawing further and further apart here in the Congress and that maybe this committee will have to assert itself. I don't think we can strike but I think we may have to find some more effective way of making our wishes heard with regard to the educational needs of the country.

I think it is a sad commentary on the 90th Congress after the great start, and it was just a start, made in this field by the 89th Congress that we are now sitting here in the middle of March talking about 49 percent of funding.

I was also interested in your comments with regard to title V(b). There is concern over the interpretation of the present language made by the Office of Education that this would authorize the Governors of the several States to appoint a planning agency which may or may not be the regular State educational agency.

In Public Law 89-10 we wrote a definition which is somewhere between the position you take which is that the planning should always be done by the State educational agency and the position taken by the Office of Education that the State educational agency might but is not necessarily the one to do the planning.

In that definition we said that a State educational agency was that agency which normally had control of elementary and secondary schools but in the absence of agency with such clearly defined authority such agency as the legislature or the Governor might designate.

Would you find any objection to substituting that kind of definition for the language we presently have in the bill?

Mr. BIEMILLER. No; I have no objection to that, Congressman Ford. We were using the phrase "State educational agency" generically rather than the specific term.

I am aware of the problem you state where some of the State educational agencies may have a different title and they may have different powers.

As you say in those instances obviously the State legislature would have to act.

Mr. FORD. It is fair to infer from what you said that you are supporting the position this committee has previously taken that in those States where by statute or constitution there is a clearly defined State agency with such responsibility that that should be the agency for planning, and if there is something else to be arranged there should be latitude for the State to make such provisions.

Mr. BIEMILLER. I have no quarrel with that whatsoever.

Mr. FORD. Thank you, Mr. Biemiller, and the rest of you gentlemen. For myself I would like to say this is now the third time that you have appeared as a part of the panel concerning the legislation before this committee not only in this area but in several other areas of