When the Senate completes its business tomorrow, it will stand in adjournment, under House Concurrent Resolution 429 until 11 a.m. on Tuesday, October 26, 1971.

Mr. President, the distinguished majority leader has asked me to state that beginning on Tuesday next, there will be plenty of work, long days and long hours. The Senate will keep its nose to the grindstone in its efforts to meet the objective of adjournment by November 15 or certainly not later than December 1, 1971.

ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 5 minutes p.m.) the Senate adjourned until tomorrow, Thursday, October 21, 1971, at 12 o'clock noon.

NOMINATION

Executive nomination received by the Senate October 20, 1971:

DEPARTMENT OF DEFENSE

Albert C. Hall, of Maryland, to be an Assistant Secretary of Defense.

# HOUSE OF REPRESENTATIVES—*Wednesday, October 20, 1971*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

*With Thee is the foundation of life: in Thy light shall we see light.*—Psalms 36: 9.

O Thou who art ever revealing Thyself to Thy children and who dost seek to guide the affairs of men in ways good for all, deepen within us the sense of Thy presence and lead us with Thy wisdom as we set out upon the tasks of this day.

When our worries would weary us help us to put our trust in Thee and not be afraid. When the road is rough and the going tough give us to know that Thou art with us and that with Thee is strength sufficient for our need. When the spirit is willing and the flesh weak grant unto us Thy grace that we may not stumble but continue steadfast unto the end.

O Thou source of light and hope draw us and our Nation to Thee that we may not wander from Thy way but may find in Thee healing for our hurts, strength for our day, and peace for our world. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 8629) entitled "An act to amend title VII of the Public Health Service Act to provide increased manpower for the health professions, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 8630) entitled "An act to amend title VIII of the Public Health Service Act to provide for training increased numbers of nurses."

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 215. An act to provide procedures for calling constitutional conventions for proposing amendments to the Constitution of the United States, on application of the legislatures of two-thirds of the States, pursuant to article V of the Constitution; and

S. 748. An act to authorize payment and appropriation of the second and third installments of the U.S. contributions to the Fund for Special Operations of the Inter-American Development Bank.

DIRECTING THE SECRETARY OF STATE TO FURNISH TO THE HOUSE OF REPRESENTATIVES CERTAIN INFORMATION CONCERNING THE ROLE OF OUR GOVERNMENT IN THE EVENTS LEADING TO AN UNCONTESTED PRESIDENTIAL ELECTION IN SOUTH VIETNAM ON OCTOBER 3, 1971

Mr. MORGAN. Mr. Speaker, I call up House Resolution 632 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 632

*Resolved*, That the Secretary of State is directed to furnish to the Committee on Foreign Affairs of the House of Representatives, not later than fifteen days following the adoption of this resolution—

(1) all documents and other pertinent information available to him, including instruction sheets, relative to the conduct of public opinion surveys which were financed by the United States in South Vietnam and concern the election scheduled for Sunday, October 3, 1971, in South Vietnam;

(2) all documents and other pertinent information available to him relating to the use by the authorities of South Vietnam, with respect to that election, of radio and television facilities financed by the United States;

(3) all press releases by officials of the United States in Saigon relating to that election;

(4) all communications between officials of the Governments of South Vietnam and the United States relating to that election; and

(5) all representations made to the participants in that election by officials of the United States concerning the desire of the United States that the election be free and contested.

The SPEAKER. The Chair recognizes the gentleman from Pennsylvania.

Mr. MORGAN. Mr. Speaker, I intend to move to table this resolution. Although I understand that the motion to table is not debatable, I will yield briefly for the sponsor of the resolution to make a statement.

I will not debate the resolution myself. The action of the committee and the report of the committee speak for themselves. I will take a minute, however, to present some additional information.

I direct your attention to page 3 of the committee report, the last two paragraphs of Assistant Secretary of State Abshire's letter of October 8, which read as follows:

The United States Information Agency has informed us that the Joint United States Public Affairs Office in Vietnam has not conducted any polls or surveys, formal or informal, concerning or involving the Vietnamese election.

We have also sent a telegram to our Embassy in Saigon requesting further documentation on these matters. I will be pleased to forward these additional materials to you when received.

The Department of State has received additional information from Vietnam.

There were polls conducted that related to the forthcoming presidential election in October 1970, November 1970, January 1971, and February 1971. Copies of these polls have been sent to the Committee on Foreign Affairs, and they, together with the other documents which have been supplied, are available for inspection by Members of Congress in the Foreign Affairs Committee room in the Rayburn Building.

I believe that anyone who sees the questions asked and the answers received will not feel that they had any impact on the results of the election or on the decision of any candidate not to run.

They asked whether people knew that there was going to be an election. Over 60 percent did.

They asked what kind of man the people wanted to see run in the election.

The two most popular qualities were—

First, that the candidates should be virtuous, unselfish, and work hard; and

Second, that they should be willing to do something for the people.

The voters were asked whether in the last few weeks the Government of Vietnam had done anything they liked or approved of. Most of them said "No."

Another question was whether the Government of Vietnam had done anything they disliked or disapproved of. About three-fourths of them said "No."

Mr. Speaker, I believe that the Secretary of State is trying to cooperate with the committee and the Congress, and has been and is trying to dig out and make available the information called for by the resolution, except for communica-

tions between the Government of the United States and officials of the Government of Vietnam. I do not see how diplomatic relations between governments can be carried on if the classification of such communications is not respected.

I yield 5 minutes to the gentleman from New York for debate only.

Mr. WOLFF. Mr. Speaker, I thank the chairman of the committee for yielding to me at this time.

Mr. Speaker, as the principal sponsor of House Resolution 632 and House Resolution 638, resolutions of inquiry regarding the U.S. role in South Vietnamese politics, I would like to explain briefly to the House the reasons behind these resolutions and the events which have taken place since their introduction.

I introduced the resolutions with the cosponsorship of 38 of our colleagues because of a conviction that the uncontested presidential election in South Vietnam represented a basic failure in the U.S. policy of providing the people of that country with a truly democratic form of government.

The list of cosponsors follows:

COSPONSORS OF HOUSE RESOLUTION 632

Mr. Wolff (for himself, Mr. Abourezk, Mr. Addabbo, Mr. Anderson of Tennessee, Mr. Aspin, Mr. Badillo, Mr. Biaggi, Mr. Bingham, Mr. Brasco, Mr. Burton, Mr. Carey of New York, Mr. Dow, Mr. Gibbons, Mr. Gude, Mr. Halpern, Mr. Jacobs, Mr. Karth, Mr. Leggett, Mr. Mikva, Mr. Patten, Mr. Podell, Mr. Rees, Mr. Roe, Mr. Rosenthal, and Waldie.)

COSPONSORS OF HOUSE RESOLUTION 638

Mr. Wolff (for himself, Mrs. Abzug, Mr. Brademas, Mr. Drinan, Mr. Dellums, Mr. Fauntroy, Mr. Helstoski, Mrs. Mink, Mr. Mitchell, Mr. Moss, Mr. Ryan, Mr. Scheuer, Mr. Stokes, Mr. Tiernan, and Mr. Koch).

No less an authority than Maj. Gen. E. G. Lansdale, who served in Vietnam and was sent to Vietnam on a presidential mission, said in a letter to me:

"Whoever is elected as President of Vietnam this year is going to need to know for sure that the Vietnamese people want him as their leader." My Vietnamese friends agreed wholeheartedly with this—including some who have been part of the Thieu Administration. Most of them went on to stress rather emotionally that an honest election is the only thing that will save their country in the long haul. They go on to point out that with U.S. encouragement, Thieu is sewing up the electoral machinery, although he really isn't that skillful politically and has left big gaps which a competent opponent could use and still win. Several of these Vietnamese also predicted that Thieu would win and that this would lead to his violent overthrow, probably in 1973 if not in 1972, since he would win in ways that would disgust large and significant segments of the Vietnamese population.

It was the intention of the resolutions to determine to the fullest extent possible the actual U.S. role in the no-contest election so that those of us here in the Congress would be best able to discharge our responsibilities regarding the conduct of U.S. policy in Indochina. We were especially concerned with the reports that President Thieu had made political use of U.S.-financed public opinion polls and broadcast facilities.

I show you a story in the New York Times, Tuesday, February 2, under the byline of Gloria Emerson, and I quote:

National surveys of Vietnamese public opinion, which are prepared and analyzed by the United States mission here, are being used to assist President Nguyen Van Thieu in his re-election campaign this year. A 26-year-old pacification worker who asked that his name be withheld, said "some of the special questions in these surveys are designed to insure the re-election of President Thieu." It is not known how many Vietnamese answered the special questions, nor what the results were. They are classified "secret" at the Civil Operations Agency headquarters here. One pacification worker said that he had been told by an important member of the pacification studies group that Ambassador Colby, on seeing the results of the November survey, marked them with a red pencil "not for dissemination." This means the results are not to be made available to Americans working for the agency in South Vietnam. The results, however, of the surveys are made known to the Government of South Vietnam. "Thieu asked Colby to send out the teams to make a study of the people's feelings toward the 1971 Presidential election so that Thieu would know where his strong points were and where he'd have to arrange something (like quickly appointing new officials) which would make sure that he'd come out ahead in a given area." Mr. Winslow, a pacification official, wrote in his letter dated December 24, 1970: "I asked, 'You mean, the U.S. has decided to use its resources to assure Thieu's re-election?'" The answer was "Yes, it has been decided at the very highest levels that Thieu's re-election is essential to the national interest of the U.S."

I have in my hand a sworn statement of another former CORDS pacification officer of our AID team and I quote from this in reference to the story that appeared in the New York Times:

I can personally attest to its accuracy. Months before it appeared, I was told by the men who ran these surveys at the CORDS MACV Pacification Studies Group in Saigon that the only Vietnamese officials permitted to see the new political surveys were in the presidential office. The political survey results were for the eyes of Thieu supporters only.

Since the resolutions were introduced the Department of State has indicated it will make much more information available regarding the U.S. role in the South Vietnamese election. Much of this material is included in the reports on the resolutions. Among the items is a declassified version of testimony delivered to an executive session of the Foreign Affairs Committee by Marshall Green, Assistant Secretary of State for East Asian and Pacific Affairs.

While, Mr. Green, whom I respect, was generally responsive to the resolutions on behalf of the Department of State, adequate answers were not provided as regards items 4 and 5 of the resolution.

However, the distinguished chairman of the Foreign Affairs Committee, Mr. MORGAN, who has been most cooperative, and the chairman of the Subcommittee on Asian and Pacific Affairs, Mr. GALLAGHER, have advised me that hearings will be held during the first week of November to gather more complete information on the U.S. role in the South Vietnamese no-contest election.

Mr. Speaker, may I have your attention. I ask for confirmation of the fact that hearings will be held in the first week of November by the subcommittee of the gentleman from New Jersey (Mr. GALLAGHER) regarding the obtaining of further information on the Vietnamese election.

Mr. MORGAN. I believe that is correct. I met with the gentleman from New Jersey (Mr. GALLAGHER) and I am sure the gentleman agreed to that.

Mr. WOLFF. I thank the chairman.

Pending those hearings I have advised the chairman and the cosponsors of my resolutions that I would not object to a motion today to table the resolutions. I naturally reserve the right to reinstigate action on this matter of Vietnam elections at a later date if, for any reason, the November hearings and subsequent events do not provide the Members with adequate information on this very important matter.

Mr. MORGAN. Mr. Speaker, I yield 5 minutes to the gentlewoman from New York (Mrs. ABZUG).

Mrs. ABZUG. Mr. Speaker, I want to thank the chairman for recognizing me, late though it is, just as our discussion of this issue is late, since it is postelection instead of preelection, as called for in my original resolution of inquiry on the subject. Unfortunately, we never had the opportunity to debate that item.

This great election, which was held in South Vietnam, which is the subject of this resolution of inquiry, was recently referred to by Governor Reagan of the State of California as comparable to the reelection of George Washington in this country. This comment would be amusing if the whole Vietnam situation were not so ghastly.

It is interesting to note that as we sit here very quietly, unconcerned with the role of America in that election, that for 3 days young people in South Vietnam have been demonstrating in the streets in opposition to that election.

It is also interesting to note that this House has not yet received full information on this nonelection.

I want to make something very clear to the House and to the members of the Foreign Affairs Committee. A resolution of inquiry intends that there be made available to the total House, facts which are relevant to the duties of the Members in representing their constituents.

I set up a briefing by the State Department on the issue of communications between our State Department and our representatives in Vietnam, and between our representatives in Vietnam and the participants in that election. In the course of that briefing, representatives of the State Department stated that they would not and could not make available to us the contents of any communications concerning those elections.

I say the Congress has the right to know. I say that it is necessary to the purpose for which we are sent here by our constituents. I say we need these facts to be able to represent them in the formulation of and carrying out of political policy by the Government of the United States. We cannot do that in a proper or a responsible manner if the executive branch refuses to tell us what it is doing in the name of our Nation.

According to the gentleman from New York (Mr. WOLFF) and the chairman of the Foreign Affairs Committee the State Department still takes the position it does not believe it has to inform this Congress about its communications to our representatives in Saigon and the communications between our representatives and the candidates. It has delivered papers and the chairman (Mr. MORGAN) says it will hold hearing on matters in the resolution, except on those communications.

Despite the fact that the whole world knows as well as we do that it was a nonelection and a rigged election, the Government of the United States has yet to admit that this election was wrong and fraudulent and that we should disavow the Thieu government. In fact, we are sending Mr. Connally, our Secretary of the Treasury, to be present at the inauguration of General Thieu. I do not know what he is bringing to Saigon. Perhaps it is Mr. Nixon's new economic policy. But, in any case, he should not be attending in our name after a rigged election which was a fraud not only upon the people of Saigon but also upon the people of the United States. It is our citizens—American citizens—who are still being forced to continue this war without this body getting the kind of information that it needs in order properly to reach a position, to act on it and to represent the people by debating it and voting on it.

Based on my reading of the report of the committee and the information from the chairman, I submit that the Members of this body are in no better position to discharge their responsibilities to their constituents by virtue of any information which we have received from the State Department. Based on my experience, I doubt that the State Department will give us any information in the upcoming hearings. The sad truth is that in voting to table the pending resolution, as in failing to obtain a clear vote on the Mansfield amendment yesterday, this House is continuing in its failure to exert itself toward setting a date for complete withdrawal of our forces from Vietnam. We are failing to keep informed the people in this country who want so overwhelmingly to get out of Vietnam. We are failing to let them know about the election frauds that have taken place.

I will vote against the motion to table and I will reserve the right to bring on a resolution of inquiry seeking these and other facts that I feel this Congress of the United States must have.

Mr. MORGAN. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. HAYS).

Mr. HAYS. Mr. Speaker, I do not need 2 minutes. I listened to the remarks of the gentlewoman from New York (Mrs. ABZUG) who seems to be an expert on fraudulence of the election in South Vietnam. I wonder if she is equally expert on how honest the elections in North Vietnam are.

Mr. MORGAN. Mr. Speaker, I move to lay the resolution on the table.

The SPEAKER. The question is on the motion offered by the gentleman from Pennsylvania.

The motion was agreed to.

A motion to reconsider was laid on the table.

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## DIRECTING THE SECRETARY OF STATE TO FURNISH TO THE HOUSE OF REPRESENTATIVES CERTAIN INFORMATION CONCERNING THE ROLE OF OUR GOVERNMENT IN THE EVENTS LEADING TO AN UNCONTESTED PRESIDENTIAL ELECTION IN SOUTH VIETNAM ON OCTOBER 3, 1971

Mr. MORGAN. Mr. Speaker, I call up House Resolution 638 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 638

*Resolved*, That the Secretary of State is directed to furnish to the Committee on Foreign Affairs of the House of Representatives, not later than fifteen days following the adoption of this resolution—

(1) all documents and other pertinent information available to him, including instruction sheets, relative to the conduct of public opinion surveys which were financed by the United States in South Vietnam and concern the election scheduled for Sunday, October 3, 1971, in South Vietnam;

(2) all documents and other pertinent information available to him relating to the use by the authorities of South Vietnam, with respect to that election, of radio and television facilities financed by the United States;

(3) all press releases by officials of the United States in Saigon relating to that election;

(4) all communications between officials of the Governments of South Vietnam and the United States relating to that election; and

(5) all representations made to the participants in that election by officials of the United States concerning the desire of the United States that the election be free and contested.

Mr. MORGAN (during the reading). Mr. Speaker, I ask unanimous consent that the resolution be considered as read, since this is an identical resolution to the one we just disposed of. It was filed 14 days later. I ask unanimous consent that it be printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MORGAN. Mr. Speaker, I move to lay the resolution on the table.

The SPEAKER. The question is on the motion offered by the gentleman from Pennsylvania.

The motion was agreed to.

A motion to reconsider was laid on the table.

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## THE LATE HONORABLE SAM RUSSELL

(Mr. BURLESON of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BURLESON of Texas. Mr. Speaker, it is with sadness and regret that I announce the death of my immediate predecessor in the Congress, the Honorable Sam Russell of Stephenville, Tex.

As I look at the present membership here today I find only a comparative few who served with Judge Sam Russell—but those who did will no doubt remember him as a man with strong convictions and with courage to support those convictions. You will remember him as one of the most dedicated men who ever held this high and responsible position. He was thoroughly dedicated to his country, to his State and to the people he represented.

I was associated with Judge Russell here in his office for a brief time in the early months of World War II. He became my mentor and in fact, we decided then that when the war was ended and if I were in the position to offer as a candidate for this House seat, he would want to retire and return to his law practice in Texas. This is what occurred. Judge Russell voluntarily retired at the close of the 79th Congress, after having rendered 6 years of distinguished service.

Prior to his election to Congress Judge Russell had a remarkable career. He served his Nation with commendations in the famed 46th Machine Gun Division, U.S. Army in World War I. Afterwards the people of Erath County elected him as their county attorney and later as district attorney. After 4 years in this office he became district judge of the 29th Judicial District and from that position came to the U.S. Congress.

Judge Sam Russell was recognized for his ability in jurisprudence and was immediately assigned to the prestigious Committee on the Judiciary where he made great contributions.

Former Congressman Sam Russell was blessed with a lovely family. He is survived by his wife, Lorena, and two daughters, Laverne and Mary Louise. To them I extend a deep sympathy. May they receive the Lord's blessing to comfort them. They have the memory of a devoted husband and father and I know this is a source of solace to them. The friends and associates of Sam Russell are beneficiaries of inspiration from his noble character. His integrity stands as an example for all of us who knew him—as an individual, as a public official, and as a dedicated citizen.

It seems to me that just about the most that can be said of anyone is that he was a good man. This was Judge Sam Russell.

Mr. BOGGS. Mr. Speaker, will the gentleman yield?

Mr. BURLESON of Texas. I am glad to yield to the distinguished majority leader.

Mr. BOGGS. Mr. Speaker, I must say that I am very saddened to listen to the announcement by the distinguished gentleman from Texas of the passing of my dear friend from Texas, Sam Russell.

Mr. Speaker, I was one of those, along with the gentleman from Texas (Mr. MAHON), the gentleman from Louisiana (Mr. HÉBERT), the gentleman from Texas (Mr. BURLESON), and the gentleman from Mississippi (Mr. ABERNETHY) who served with Sam Russell. I remember him very well. I must say that I agree completely with the description of the gentleman

from Texas (Mr. BURLESON) of the type of Member Sam Russell was. He was a dedicated, hard-working public servant. He made friends; a great many friends.

If I remember correctly, he left here voluntarily to be succeeded by Mr. BURLESON. The gentleman from Texas (Mr. BURLESON) has always spoken so highly of him and I was always very pleased that he did so.

Having served with Sam Russell, I remember him with great affection and I extend to those who survive him my deepest sympathy.

Mr. BURLESON of Texas. I thank the majority leader for those kind remarks.

Mr. ARENDS. Mr. Speaker, will the gentleman yield?

Mr. BURLESON of Texas. I yield to the gentleman from Illinois.

Mr. ARENDS. Mr. Speaker, as one of those who had the privilege of serving with the gentleman from Texas, Mr. Russell, I join in expressing my sympathy to his bereaved family.

I was saddened when I learned of the death of this fine man. He was indeed an outstanding Member of this House during the time he was privileged to be here. He was a hard-working, dedicated American, a true public servant, an individual who always gave of his best. He was one of the most sincere persons I have ever known. He was an outstanding Member and I am sorry to learn that he has passed away.

Mr. BURLESON of Texas. I thank the distinguished minority whip for his kind remarks.

Mr. MAHON. Mr. Speaker, will the gentleman yield?

Mr. BURLESON of Texas. I yield to the gentleman from Texas.

Mr. MAHON. Mr. Speaker, I wish to join the gentleman from Texas (Mr. BURLESON) in paying tribute to the memory of Sam Russell. He was a rugged American. He was a stanch friend of his fellow man. He was in every sense of the word a good man. He was devoted to the Nation's welfare. He brought credit to his district and the State of Texas as a legislator.

He made an imprint here which has been remembered through the intervening years since he served in this body. He was my warm personal friend for whom I had great respect and admiration.

Mr. Speaker, I wish to join in tribute to his memory and extend my deepest sympathy to the surviving family of this distinguished Texan.

Mr. BURLESON of Texas. I thank the distinguished chairman of the Committee on Appropriations for his kind remarks.

Mr. HÉBERT. Mr. Speaker, will the gentleman yield?

Mr. BURLESON of Texas. I yield to the gentleman from Louisiana.

Mr. HÉBERT. Mr. Speaker, I want to join with those who have preceded me in paying tribute to Sam Russell.

I was one of the few who were here when he came to the Congress and fondly remembered him after he left.

Mr. Speaker, in the days when he was in this House, he became close to all of the Members. He was a dedicated individual, an excellent legislator and a typically fine man. Anything further which I could say would be repetitious to those things that have already been said about this gentleman at this time.

Mr. BURLESON of Texas. I thank the distinguished chairman of the Committee on Armed Services for his remarks.

Mr. ABERNETHY. Mr. Speaker, will the gentleman yield?

Mr. BURLESON of Texas. I yield to the gentleman from Mississippi.

Mr. ABERNETHY. Mr. Speaker, I would like to join with my friend, the gentleman from Texas (Mr. BURLESON), in paying tribute to Sam Russell who in my judgment was one of the finest men to ever come to this body. I knew him exceedingly well. I knew him as a friend and as a dedicated Representative of the people from the State of Texas. He was a great American.

I think the one thing that has been said this morning that describes Sam Russell the best perhaps was said by our colleague, the gentleman from Texas (Mr. MAHON) when he described Sam Russell as a rugged American. Indeed he was rugged. He was not rough. He was courteous, he was kind but was aggressive, thorough, and constructive and a very forthright person. I am saddened to learn of his passing. Our country has lost a very fine citizen.

Mr. BURLESON of Texas. I thank my friend, the gentleman from Mississippi.

Mr. SIKES. Mr. Speaker, it is with great regret that I learn of the passing of a former colleague and close friend, Sam Russell. Judge Russell and I came to Congress at the same time in January 1941. There are not many of us left. It was a privilege and a constant inspiration to serve with him. I recall him as a very able and dedicated public servant—a man of great energy and a man whose friendship I was proud to enjoy. He served very capably on the Judiciary Committee and on the Committee on the District of Columbia. To both of these he gave dedicated and conscientious attention.

I extend to his family my deep sympathy and condolences.

Mr. FISHER. Mr. Speaker, I was shocked and grieved by the sad news of the death of Sam Russell. He was elected to Congress in 1941 and served for 6 years before he voluntarily retired because the Washington climate was not agreeable with him. During his tenure here he was on the Judiciary Committee, where his vast storehouse of legal knowledge was put to good use. He had previously served as a prosecutor and on the bench.

Mr. Russell was in many ways an extraordinary man. He was fiercely patriotic. He was a student of the law and of government. To him honor and integrity came first. In the House he was courageous, alert, and worked hard in the search for solutions of the big problems that came along. In that respect he made many valuable contributions. The Nation was better off because he served here. He was in truth and in fact a great American.

To me Sam Russell was a personal friend. When he and his family lived here we were neighbors, and enjoyed many pleasant social visits. He was always affable, friendly, cheerful, and interested in the welfare of others. To Mrs. Russell and the two daughters I extend my deepest sympathy in their bereavement.

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## GENERAL LEAVE

Mr. BURLESON of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days during which to extend their remarks on the life and service of the late Honorable Sam Russell.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

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## UNPRECEDENTED ACTION BY HEW IN CLOSING DRUG TREATMENT FACILITY

(Mr. WRIGHT asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. WRIGHT. Mr. Speaker, I rise to report to the House a precipitate action taken by the Department of Health, Education, and Welfare which is just almost incredible. On Friday, October 8, while a House-Senate conference committee was debating the future of a facility treating drug addicts, the Department of Health, Education, and Welfare ordered the facility summarily closed by nightfall, and all 92 patients sent home.

These were patients committed under the Narcotics Addiction Rehabilitation Act. Some of them had been committed in lieu of prosecution. None of them had completed their treatment. None of them, according to the doctors treating them, were ready for release at the time they were summarily sent home.

Mr. Speaker, I shall enter into the record a report on what happened to some of these people. Since that time investigators for a House committee have been inquiring, and I am sure that somewhere in the Department of Health, Education, and Welfare there is some administrator who might have a passing interest in the fact that a former drug pusher from New Orleans whom he let loose is now pushing drugs again on the streets of New Orleans.

He might also be interested in the sad tale of the poor fellow who was sent back to Las Cruces, who was involved in a wreck, attacked his probation officer, and then wound up pleading to be put back in somewhere before he got in any more trouble.

These are only two of many illustrations. They are far from isolated examples. I invite the attention of my colleagues to the material which I shall develop for the record later in today's proceedings.

The SPEAKER. The time of the gentleman has expired.

## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE SUMMARILY CLOSES NARCOTICS TREATMENT FACILITY

(Mr. BOGGS asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. BOGGS. Mr. Speaker, I take this time to commend the gentleman from Texas (Mr. WRIGHT), for the statement he has just made. To me it is in comprehensible that without notice the Department of Health, Education, and Welfare has closed this hospital. I attended a meeting at the White House some time ago, the announced purpose of which was to set up a national program to do something about narcotics addiction in the United States. Maybe that program is going forward, if it is, I know nothing about it, but there are only two hospitals solely for the purpose of the treatment of drug addiction; there is one in Fort Worth, and one in Lexington, Ky. At the Fort Worth hospital there were a number of addicts from all over the country, and there were a particularly large number of addicts from my home city of New Orleans, where I understand there are now some 6,000 drug addicts.

In addition to that, and even more difficult to understand is the fact that the Congress voted here specifically when the appropriation was up for HEW to increase the funds for the public health service hospitals in this country and instructed the Department of Health, Education, and Welfare not to close these hospitals.

Frankly, I do not know what is happening. If we are determined to fight drug addiction, we must have facilities in which these people can be treated.

In one breath to be attending a White House conference on drug addiction with a lot of fanfare and in the next breath for the administration to be closing one of the two existing hospitals simply does not make sense to me.

Mr. ROGERS. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I yield to the gentleman.

Mr. ROGERS. Mr. Speaker, I share the gentleman's concern as he knows and as he stated, this House passed a resolution that these facilities not be closed and now we hear of 92 people being turned out, with the knowledge and approval of Dr. Jerome Jaffee, the President's special assistant on drug abuse.

Unfortunately, in view of the current problem of drug addiction and announcements by the President about mounting a program against drug addiction in this Nation, it is shocking and unbelievable that this could happen and the Congress ought to take some action.

Mr. BOGGS. Mr. Speaker, this is a direct violation of an act of Congress, as I reiterate, just a few weeks ago.

Mr. BROOKS. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I yield to the gentleman.

Mr. BROOKS. Mr. Speaker, I share the gentleman's concern about this unwarranted departure from the stated intent of the Congress in trying to provide narcotic addicts with places for treatment.

An offshoot of this effort is the determined effort by the Office of Management and Budget through the HEW to close the public health service hospitals located throughout this country that have been serving merchant seamen, Coast Guardsmen and their dependents, active and retired military personnel and their families and other Federal Government employees for 173 years. They are making a determined effort to close these hospitals. This recommendation is extremely damaging and particularly difficult to understand when we consider that this Congress, and I believe this administration are really concerned about training additional medical doctors to serve the people of this Nation.

These hospitals are a vital part of that training.

Mr. BOGGS. I thank the gentleman.

## DRUGS

(Mr. ROGERS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROGERS. Mr. Speaker, I also am concerned about another problem on the drug scene and that is the pressure that is evidently now being put on the Food and Drug Administration to have methadone identified as a new drug despite the lack of evidence that it is effective in actually curing drug addiction.

When we first looked at methadone we hoped it might be the answer to heroin addiction, but the more we see of methadone, the larger and larger the problem becomes.

It is not the answer and I feel it is a grave error for the Federal Government to give its official stamp of approval on methadone as a new drug. It should be continued in the investigational status where strict control can be maintained over it.

Right now we have too many people dispensing this; some 300 are licensed in this even in the investigational stage and, actually, there are probably two or three times that number dispensing the drug. We do not know how many people are being given this drug. It is estimated that there are between 30,000 and 50,000 people in this Nation.

These people are maintaining people in a state of addiction. They are not giving us information which is usually required of investigators of investigational new drugs. They are simply giving it out to people.

Also, I am very much concerned that the young men in Vietnam coming back may be made addicts on methadone instead of heroin.

I am afraid that the American public is being misled into thinking that methadone is the answer to the problem of addiction. It has not been found to be a cure for addiction.

## VIETNAM—SUPPORT FOR WITHDRAWAL MOUNTS

(Mr. ADDABBO asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. ADDABBO. Mr. Speaker, yesterday the House of Representatives rejected a motion to instruct the House conferees on the military authorization bill to oppose a Senate-passed amendment calling for total troop withdrawals from Vietnam following the release of U.S. prisoners of war and the commencement of cease-fire negotiations. That action by the House and the prior vote narrowly defeating the previous question was a historic and dramatic shift in this Chamber's attitude on the Vietnam war.

The antiwar feeling and the frustration over the continuing delays in ending our commitment in Southeast Asia have increased year by year until now the House has the opportunity to write the final chapter of this tragic account of escalation, death and misery. As I have before, I voted yesterday against the previous question and against instructing our conferees in the hopes that the amendment offered by Senator MANSFIELD in the other body will be adopted by the Congress as a reasonable position on troop withdrawal.

Those votes yesterday were technical and clouded by parliamentary procedures not known to most Americans. That is unfortunate and consequently those actions did not really constitute a test of the real position of the House of Representatives on the issue of troop withdrawal. For those reasons, I urge my colleagues in the House who will serve as conferees on the military authorization bill to either yield to the Senate-passed language on this question or at the very least to bring the question back to the full House of Representatives for a direct vote.

I believe the time has finally come when all the frustrations and all the rhetoric about the pursuit of peace will make a difference and the House will stand up and say once and for all "end the war."

## AMTRAK'S EXPENSIVE LOBBYING

(Mr. VANIK asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. VANIK. Mr. Speaker, this morning my office received a news release from the Office of the Secretary of Transportation announcing that Secretary John A. Volpe is today asking Congress to authorize an additional $170 million for Amtrak, the National Railroad Passenger Corporation.

It is interesting that today's Washington Post carried a full page ad Amtrak entitled, "Amtrak. We're Making the Trains Worth Traveling Again—All we ask from you is a little patience." A similar ad appeared in this morning's New York Times and last night's Evening Star.

Secretary Volpe's press release makes it clear that Amtrak is asking for more than a little patience. It is asking for $170 million in addition to the $40 million Federal grant given in October 1970—a total of $210 million in outright

grants and $100 million in loan guarantees.

I have checked with the three newspapers in which these full page ads appeared and the cost to Amtrak of just these three ads appears to be about $15,000.

I would suggest, Mr. Speaker, that Amtrak would not need to consume so much of the taxpayer's money, if it cut down on the number of its ads, which are so clearly directed at influencing pending legislation.

## FULTON APPLAUDS DR. SUTHERLAND—NOBEL PRIZE WINNER

(Mr. FULTON of Tennessee asked and was given permission to address the House for 1 minute and to revise and extend his remarks, and to include extraneous matter.)

Mr. FULTON of Tennessee. Mr. Speaker, it is with the greatest pleasure that I call to my colleagues' attention the high honor last week awarded Dr. Earl W. Sutherland, Jr., professor of physiology at the Vanderbilt University School of Medicine, and 1971 recipient of the Nobel Prize in medicine and physiology.

Dr. Sutherland, who for the past 25 years has served this Nation and mankind as a medical researcher and has worked since 1963 on the Vanderbilt Medical School staff, will receive his high international award for discovery of the body cell chemical cyclic adenylate—cyclic AMP—a missing link in the chain of biological control mechanisms.

He will formally accept the honor, and the accompanying $88,000 cash prize in Stockholm, Sweden, December 10, on the anniversary of Swedish Chemist/Inventor Alfred B. Nobel's death. Nobel, discoverer of dynamite, established the prize to encourage the work of those interested in furthering humanity.

Dr. Sutherland was humble upon learning that his research had earned him the prize. He said:

> I guess I am a slow worker—it has taken me 25 years to do this.

Praise, however, has not been slow coming to Dr. Sutherland; in recent years he has accepted at least six major honors for his studies, including the Gairdner Foundation Award—Canada's "Nobel Prize"—and the American Heart Association's lifetime career investigator post—one of only 13 to achieve this.

The importance of the cyclic AMP discovery can be understood in this explanation given by Dr. Sutherland:

> Cyclic AMP mediates the action of about half of the hormones of the body and the other half of the hormones are released by Cyclic AMP—so in one way or another, all hormones are affected by it.

Early results indicate the chemical can kill certain types of cancer cells, and can contain the growth of others.

Dr. Sutherland has proven himself a pioneer, succeeding, accomplishing, encouraging others to join him in his research accomplishments. He points with pride to the fact that though when he started his studies, only two or three were doing similar work, at the present time some 2,000 scientists worldwide are following up his efforts.

I am sure my House colleagues join me in offering warmest congratulations to Dr. Sutherland, his family, and Vanderbilt University. His selection means a proud day for Nashville, and for America.

## THE SURGEON GENERAL OF THE UNITED STATES

(Mr. HALL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HALL. Mr. Speaker, apropos the order closing the narcotic treatment facility in Texas per remarks of our colleagues, it would be very difficult to rationalize why any organization, any department or branch of Government would close such facilities as these of the U.S. Public Health Services at the same time that the Congress is legislating into law additional help for people in the ghettos and in the deprived areas of the cities, and those who are disadvantaged and need quality medical care, especially for rehabilitation or treatment of drug dependency.

However, Mr. Speaker, I want to point out that in a sense the Congress itself may be responsible for this sad state of affairs, because for far too long we have degraded the Surgeon General of the U.S. Public Health Service, who by statute is the Surgeon General of the United States. We and our committees have stood idly by, basically, Mr. Speaker, and allowed the bleeding heart, the social worker, the patronage appointee, and others to preside over the demise of the oldest form of interstate and international health care, that of the U.S. Public Health Services.

In a word, we have allowed the physicists, the Ph. D.'s, the nonprofessionals, and the social workers to make professional decisions within the realm of Government instead of the professional of the U.S. Public Health Service Commissioned Officer Corps. I first warned of this planned demise before the committee having oversight, surveillance and jurisdiction in 1965. It is in the hearing record and I would be willing to wager that it was the Department, and not the head of the Commissioned Officers Corps, U.S. Public Health Service that issued the order.

## SENTIMENT OF THE HOUSE ON THE CHINA QUESTION

(Mr. SIKES asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. SIKES. Mr. Speaker, a week ago, a bipartisan group of Congressmen presented to President Nixon a petition signed by 337 Members of the House of Representatives, which included the leadership of both parties.

The petition read as follows:

> We, the undersigned Members of Congress, are strongly and unalterably opposed to the expulsion of the Republic of China from the United Nations.

The Department of State and the U.S. mission to the United Nations have been apprised in detail of this action. Representatives of the group have also expressed a willingness to deliver the signed statement to Ambassador Bush at the U.N. in order to strengthen U.S. efforts in behalf of the Republic of China.

In the meantime, it is intended that the views of this overwhelming majority in the House—representing almost 180 Americans—in support of Nationalist China be brought to the immediate attention of the member nations of the U.N. through the State Department and the U.S. mission to the U.N.

It should now be clear to all governments that Congress views the status of Free China as a serious and most important question.

It is also worthy of note that many of the 337 Members who signed the petition to the President have expressed serious concern over the present level of funding provided by the United States to the U.N. There is strong feeling that the taxpayers of America are being called upon to provide much more than a fair share of the costs of the U.N. The procedures involved in the disposition of such serious matters as the China question do not strengthen congressional confidence in the U.N.

Mr. Speaker, I make this statement on behalf of the House Members who were designated to deliver the House petition to President Nixon.

## CONFERENCE REPORT ON H.R. 9844, MILITARY CONSTRUCTION AUTHORIZATION, 1972

Mr. HÉBERT. Mr. Speaker, I call up the conference report on the bill (H.R. 9844) to authorize certain construction at military installations, and for other purposes, and ask unanimous consent that the statement of the managers be read in lieu of the report.

The Clerk read the title of the bill.

## CALL OF THE HOUSE

Mrs. ABZUG. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. BOGGS. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 310]

| | | |
|---|---|---|
| Alexander | Evins, Tenn. | Mills, Ark. |
| Anderson, Tenn. | Flynt | Patman |
| Ashbrook | Foley | Pelly |
| Baring | Gallagher | Pryor, Ark. |
| Belcher | Gray | Railsback |
| Bingham | Hagan | Rees |
| Blatnik | Halpern | Roybal |
| Brown, Ohio | Hammer-schmidt | Scheuer |
| Buchanan | Hicks, Mass. | Smith, Calif. |
| Carey, N.Y. | Hutchinson | Smith, N.Y. |
| Chisholm | Johnson, Pa. | Steiger, Wis. |
| Clark | Karth | Stephens |
| Clay | Landrum | Teague, Calif. |
| Corman | Long, La. | Waggonner |
| Culver | McDonald, Mich. | Wampler |
| Derwinski | Macdonald, Mass. | |
| Diggs | Mathis, Ga. | |
| Eckhardt | | |
| Edwards, La. | | |

The SPEAKER. On this rollcall, 378 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

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CONFERENCE REPORT ON H.R. 9844, MILITARY CONSTRUCTION AUTHORIZATION, 1972

The SPEAKER. Is there objection to the request of the gentleman from Louisiana (Mr. HÉBERT) that the statement of the managers be read in lieu of the report?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of October 13, 1971.)

Mr. HÉBERT (during the reading). Mr. Speaker, in view of the fact that the conference report has been printed in the RECORD, I ask unanimous consent that the further reading of the statement of the managers be dispensed with.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HÉBERT. Mr. Speaker, we bring before you today the conference report on H.R. 9844, the military construction authorization bill for fiscal year 1972. There were approximately 100 differences in the House and Senate versions. However, we were able to arrive at an agreement on each one. I will not go into a lot of detail because the statement of managers explains the action of the conferees.

There were some projects included in the House version which had to be dropped in conference in order to reach a compromise.

Likewise, we were able to retain many projects not included in the Senate version. In other words, we had to do some plain old horse trading. The new adjusted total for fiscal year 1972 is $1,986,323.

In the family housing section of the bill, we originally recommended no increase in the average per unit cost limitation, but rather than reduce the amount requested for family housing construction our committee suggested the addition of more units. During the conference, we were convinced that the average unit price must be increased over the present limitation and we, therefore, agreed to increase the average unit cost by $1,000 and the Senate agreed to add 178 housing units to the number requested.

In the general provisions, the Senate agreed to the House addition of the new language concerning leasing in general and also the provision on Camp Pendleton.

The Senate added, as a section in the general provisions, the bill H.R. 2566, the land exchange at Fort Bliss, Tex., which the House passed last week. We agreed to leave it in this bill since it would eliminate the necessity for any further legislative action.

Also added to the Senate version is a new section (207) in the Navy title which calls for a study by the Secretary of Defense on the Culebra complex. We went along with this after the Senate agreed to the deletion of certain objectionable language.

After giving a little here and taking a little there, we have brought to the House a good bill, and I urge the adoption of the conference report.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. HÉBERT. I yield to the gentleman from Iowa.

Mr. GROSS. Do I correctly understand that the new limit for a housing unit in the United States is $24,000?

Mr. HÉBERT. That is correct.

Mr. GROSS. The report goes on to state that there is an "absolute" cost of $42,000. What is the meaning of that? Is the $42,000 for housing for the generals and the admirals; or what?

Mr. HÉBERT. The $24,000 figure is the average cost per unit. I will say to the gentleman from Iowa, we have not given any preference to generals or admirals. We treat them the same as we treat everybody else.

Mr. GROSS. If the gentleman will yield for a further question, the new limit in this country is $24,000. Why is there a limit in Puerto Rico of $35,000?

Mr. HÉBERT. That is because of the cost index in that particular area. In other words, $24,000 is the average cost in this country, though some units may cost more in one section of the United States than in another section of the United States. In this particular instance this figure reflects the cost level in Puerto Rico.

Mr. GROSS. What makes the cost so high in Puerto Rico? I understand that costs in Alaska are higher, and that costs in Hawaii may be higher than they are domestically. But what makes the cost so much higher in Puerto Rico?

Mr. HÉBERT. I can only answer the gentleman from Iowa by saying that I am not familiar with the construction business in Puerto Rico. I can only follow the index we are guided by.

Mr. GROSS. Something is out of gear somewhere when it costs $11,000 more to build a housing unit for a serviceman and family in Puerto Rico than in the domestic United States.

Mr. HÉBERT. It not only costs more for the servicemen's units in Puerto Rico but it also costs more for the citizens to build homes. I share the gentleman's concern about the inflationary spiral, but there is nothing we can do about it.

Mr. GROSS. One further question. What progress are we making in relation to closing unneeded military installations in the country? A number of installations were proposed to be closed a couple of years ago, and for some mysterious reason there was a halt in that program. Are these unneeded bases still on the list for closing, or is it anticipated that they will be?

Mr. HÉBERT. I do not think that there are any bases which are not being closed if they are not needed. If the gentleman is familiar with the procedure, a lot of the bases which were closed during the McNamara regime were closed at great expense, loss, and waste of money to the Government. The Armed Services Committee of the House is very cognizant and very alert to the necessity of economy in the military, and particularly in the area of real estate, the closing or opening of bases.

We have a special real estate subcommittee under the chairmanship of the distinguished gentleman from New York (Mr. STRATTON) and we have been able to protect the Government's interest at all times.

Mr. BADILLO. Mr. Chairman, will the gentleman yield?

Mr. HÉBERT. I yield to the gentleman from New York.

Mr. BADILLO. Mr. Chairman, I would like to help clarify the question of Puerto Rico and point out what I have said on the floor of this House time and time again when we have considered legislation for housing and education and other matters for American citizens, that it costs much more to do anything in Puerto Rico. I think it is tragic, although ironic, that when it comes to military appropriations for Puerto Rico we are willing to include 50 percent more than for the rest of the country, but when it comes to welfare and housing for civilians we include Puerto Rico at less than half of the amounts for the rest of the country.

Mr. HÉBERT. I will say to the gentleman the concern which he expresses can well be a concern, but the solution of that problem does not rest with the Armed Services Committee.

Mr. BADILLO. I am just suggesting that, since we are willing to include 50 percent more for military purposes for Puerto Rico, I hope the gentleman will remember that when we get to matters having to do with health and safety and housing for the people of Puerto Rico. I hope he will be willing to do the same in those matters.

Mr. HÉBERT. If it is a proper motion, I will support it.

Mr. CAMP. Mr. Speaker, will the gentleman yield?

Mr. HÉBERT. I yield to the gentleman from Oklahoma.

Mr. CAMP. Mr. Speaker, I would like to ask a question of the gentleman from Louisiana with respect to the information on page 10 with respect to Vance Air Force Base, where it is indicated that the amount for Vance Air Force Base was cut from $1,770,000 to $62,000.

Mr. HÉBERT. This is an area in which, as I explained and as the gentleman knows, in conferences we give a little and take a little. It is really a horse-trading proposition to get the best deal we can, and we have to give up something to get something. It is the only answer I can give the gentleman.

Mr. CAMP. I can understand very well why these things happen, but in looking at the other requests that were granted for the other bases in the Air Training Command, there is quite a difference in the totals of what was agreed upon.

Mr. HÉBERT. I assure the gentleman the committee tries to determine the totals in connection with what the military needs.

Mr. CAMP. Vance Air Force Base has more flying hours per year than any other base in the Air Training Command, and it also graduates more students than any other place in the Air Training Command.

Mr. Speaker, I appreciate very much the gentleman yielding.

Mr. HOWARD. Mr. Speaker, will the gentleman yield?

Mr. HÉBERT. I yield to the gentleman from New Jersey.

Mr. HOWARD. Mr. Speaker, I am disturbed by one aspect of this military construction conference report which concerns water pollution in the area of the military installation at Fort Monmouth, N.J.

The municipalities in the region of Fort Monmouth several years ago banded together to form the Northeast Regional Sewage Authority hoping to reduce or to eliminate the amount of pollution in the nearby Shrewsbury River. It was the wish of the people in the area and the Army at that time that Fort Monmouth be included in this sewage system.

For 3 straight years the Army requested that Fort Monmouth be included in this system to help clean up pollution in this vital area of the eastern New Jersey shore. Each of those years when the Army requested these funds, the Armed Services Committee properly asked how is the present facility for sewage treatment at Fort Monmouth working, and they asked does it meet the State standards. The answer at that time was that it does meet the State standards. The Armed Services Committee said we have priorities, we do not want to pollute, but we have other uses for our money, so as long as they are complying we do not want to include these funds.

This year the Army did not request the funds be included for the sewage system. But after the Armed Services Committee reported its bill, information came to us from the State of New Jersey Department of Environmental Protection—one was in a letter to me saying they had resurveyed the area—and they found that, yes, indeed, New Jersey's water policy standards are being violated due to the sewage effluent from the Fort Monmouth installation.

Additionally, there was a letter sent from the Department of Environmental Protection of the State of New Jersey to Fort Monmouth, which stated they were polluting and said:

> I can assure you that if the sewage discharges from Fort Monmouth were, in fact, originating from a municipality or an industry we would have initiated legal measures to achieve compliance with this State's water pollution control laws.

Based on this new information I requested that the $1.4 million for inclusion of Fort Monmouth in this regional sewage system be included in the House bill. The chairman was sympathetic. He stated that the bill had been through the Rules Committee and was on the floor and they did not desire at that time to accept amendments to the bill, although perhaps it might be included in the other body, at which time they might accept it in conference.

As it happened, the other body did include the provision for the $1.4 million in this bill, and now we have come out of conference and we find that the House conferees strongly objected to the inclusion of this, and it has been dropped.

So even though we have the information that they are polluting now, that they are not meeting State standards, this money was eliminated in the conference.

The Army did not request it this year because they did not at that time have the information they were not meeting State standards.

So, Mr. Speaker, on behalf of the people of my district and the great installation we have at Fort Monmouth, of which we are very proud, I should like to ask the chairman not only why this happened but also what we might hope for in the future in the interest of the Federal Government cooperating with local areas in cleaning up our environment.

Mr. HÉBERT. Of course I cannot tell the gentleman the answer to his second question, as to the part the government will play. I can answer the first question.

As the gentleman knows, I was very sympathetic to his proposition, but the answer is very simple, the Army did not ask for it and it was not in the budget. It was not put in by the House Committee. It was put in as a floor amendment by the Senate, and still not agreed to by the Bureau of the Budget.

Certainly the Committee on Armed Services of the House has been consistent in holding the line on the budget, and even cutting, if possible.

If the Army asks for it next year, and if the Bureau of the Budget approves it for next year, I can assure the gentleman we will have a full hearing and give it full consideration.

Mr. HOWARD. I thank the gentleman.

I should like to say that the information we have from the State of New Jersey now seems to take away the one objection the House Committee on Armed Services has had during the past several years, that of meeting State standards.

I thank the gentleman.

Mr. YATES. Mr. Speaker, will the gentleman yield?

Mr. HÉBERT. I yield to the gentleman from Illinois.

Mr. YATES. Will the chairman state how many ABM installations are authorized for construction in this bill?

Mr. HÉBERT. None.

Mr. YATES. None?

Mr. HÉBERT. That is correct.

Mr. YATES. How much money is allocated for existing ABM installations under this report?

Mr. HÉBERT. Nothing.

Mr. YATES. Nothing for the ABM; is that correct?

Mr. HÉBERT. That is correct.

I do not want to mislead the gentleman from Illinois. All the money for the ABM is in the procurement bill. There is nothing in this bill.

Mr. YATES. Nothing in this bill relates to the antiballistic missile?

Mr. HÉBERT. No. That money to which the gentleman refers is in the procurement bill.

Mr. YATES. Which is in conference?

Mr. HÉBERT. That is in conference, yes.

Mr. YATES. I thank the gentleman.

Mr. BRAY. Mr. Speaker, will the gentleman yield?

Mr. HÉBERT. I yield to the gentleman from Indiana.

Mr. BRAY. This conference agreement is $90 million less than what was requested by the Department of Defense.

I agree with the chairman that with respect to this matter not only in the committee but also later in conference every effort was made to give what was needed, but not to put in more than was needed. There was less difference between the House and Senate versions of the bill than has ever been in previous military construction bills.

Mr. HÉBERT. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on the conference report.

Mrs. ABZUG. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were refused.

The SPEAKER. The question is on the conference report.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mrs. ABZUG. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 371, nays 26, not voting 32, as follows:

[Roll No. 311]

YEAS—371

| | | |
|---|---|---|
| Abbitt | Bow | Cleveland |
| Abernethy | Brademas | Collier |
| Abourezk | Brasco | Collins, Tex. |
| Adams | Bray | Colmer |
| Addabbo | Brinkley | Conable |
| Anderson, Calif. | Brooks | Conte |
| Anderson, Ill. | Broomfield | Cotter |
| Andrews, Ala. | Brotzman | Coughlin |
| Andrews, N. Dak. | Brown, Mich. | Crane |
| Annunzio | Broyhill, N.C. | Daniel, Va. |
| Archer | Broyhill, Va. | Daniels, N.J. |
| Arends | Buchanan | Danielson |
| Ashbrook | Burke, Fla. | Davis, Ga. |
| Ashley | Burke, Mass. | Davis, S.C. |
| Aspin | Burleson, Tex. | Davis, Wis. |
| Aspinall | Burlison, Mo. | de la Garza |
| Baker | Burton | Delaney |
| Baring | Byrne, Pa. | Dellenback |
| Barrett | Byrnes, Wis. | Dennis |
| Begich | Byron | Dent |
| Bell | Cabell | Devine |
| Bennett | Caffery | Dickinson |
| Bergland | Carney | Dingell |
| Betts | Carter | Donohue |
| Bevill | Casey, Tex. | Dorn |
| Biaggi | Cederberg | Dow |
| Biester | Celler | Dowdy |
| Blackburn | Chamberlain | Downing |
| Blanton | Chappell | Drinan |
| Boggs | Clancy | Dulski |
| Boland | Clark | Duncan |
| Bolling | Clausen, Don H. | du Pont |
| | Clawson, Del | Dwyer |
| | | Edmondson |

Edwards, Ala.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Evins, Tenn.
Fascell
Findley
Fish
Fisher
Flood
Flowers
Foley
Ford, Gerald R.
Ford, William D.
Forsythe
Fountain
Fraser
Frelinghuysen
Frenzel
Frey
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Garmatz
Gaydos
Gettys
Giaimo
Gibbons
Goldwater
Gonzalez
Goodling
Grasso
Green, Oreg.
Griffin
Griffiths
Gross
Grover
Gude
Hagan
Haley
Hall
Hamilton
Hanley
Hanna
Hansen, Idaho
Hansen, Wash.
Harrington
Harsha
Harvey
Hastings
Hathaway
Hays
Hébert
Heckler, Mass.
Henderson
Hicks, Wash.
Hillis
Hogan
Holifield
Horton
Hosmer
Howard
Hull
Hungate
Hunt
Ichord
Jacobs
Jarman
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Jones, Tenn.
Karth
Kazen
Keating
Kee
Keith
Kemp
King
Kluczynski
Koch
Kuykendall
Kyl
Kyros
Landgrebe
Landrum
Latta
Leggett
Lennon
Link
Lloyd
Long, Md.
Lujan
McClory
McCloskey
McClure
McCollister
McCormack
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
McKay
McKevitt
McKinney
McMillan
Macdonald, Mass.
Madden
Mahon
Mailliard
Mann
Martin
Mathias, Calif.
Matsunaga
Mayne
Mazzoli
Meeds
Melcher
Metcalfe
Michel
Mikva
Miller, Calif.
Mills, Md.
Minish
Minshall
Mizell
Mollohan
Monagan
Montgomery
Moorhead
Morgan
Morse
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nedzi
Nelsen
Nichols
Obey
O'Hara
O'Konski
O'Neill
Passman
Patten
Pelly
Pepper
Perkins
Pettis
Peyser
Pickle
Pike
Pirnie
Poage
Podell
Poff
Powell
Preyer, N.C.
Price, Ill.
Price, Tex.
Pucinski
Purcell
Quie
Quillen
Railsback
Randall
Rarick
Reid, N.Y.
Reuss
Rhodes
Riegle
Roberts
Robinson, Va.
Robison, N.Y.
Rodino
Roe
Rogers
Roncalio
Rooney, N.Y.
Rooney, Pa.
Rostenkowski
Roush
Rousselot
Roy
Runnels
Ruppe
Ruth
St Germain
Sandman
Sarbanes
Satterfield
Saylor
Scherle
Schmitz
Schneebeli
Schwengel
Scott
Sebelius
Seiberling
Shoup
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Snyder
Spence
Springer
Staggers
Stanton, J. William
Stanton, James V.
Steed
Steele
Steiger, Ariz.
Stratton
Stubblefield
Stuckey
Sullivan
Symington
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Terry
Thompson, Ga.
Thomson, Wis.
Thone
Tiernan
Udall
Ullman
Van Deerlin
Vander Jagt
Vanik
Veysey
Vigorito
Waggonner
Ware
Whalen
Whalley
White
Whitehurst
Whitten
Widnall
Wiggins
Williams
Wilson, Bob
Wilson, Charles H.
Winn
Wolff
Wright
Wyatt
Wydler
Wylie
Wyman
Yates
Yatron
Young, Fla.
Young, Tex.
Zablocki
Zion
Zwach

NAYS—26

Abzug
Badillo
Camp
Chisholm
Clay
Collins, Ill.
Conyers
Dellums
Denholm
Edwards, Calif.
Green, Pa.
Hawkins
Hechler, W. Va.
Helstoski
Kastenmeier
Miller, Ohio
Mitchell
Nix
Rangel
Rees
Rosenthal
Ryan
Scheuer
Stokes
Thompson, N.J.
Waldie

NOT VOTING—32

Alexander
Anderson, Tenn.
Belcher
Bingham
Blatnik
Brown, Ohio
Carey, N.Y.
Corman
Culver
Derwinski
Diggs
Eckhardt
Edwards, La.
Flynt
Gray
Gubser
Halpern
Hammerschmidt
Hicks, Mass.
Hutchinson
Lent
Long, La.
Mathis, Ga.
Mills, Ark.
Mink
Patman
Pryor, Ark.
Roybal
Shipley
Steiger, Wis.
Stephens
Wampler

So the conference report was agreed to.

The Clerk announced the following pairs:

Mr. Blatnik with Mr. Belcher.
Mr. Shipley with Mr. Hammerschmidt.
Mr. Culver with Mr. Halpern.
Mr. Corman with Mr. Gubser.
Mr. Flynt with Mr. Brown of Ohio.
Mr. Diggs with Mr. Derwinski.
Mr. Gray with Mr. Steiger of Arizona.
Mr. Stephens with Mr. Hutchinson.
Mr. Mills of Arkansas with Mr. Lent.
Mr. Pryor of Arkansas with Mr. Wampler.
Mr. Roybal with Mr. Eckhardt.
Mr. Patman with Mrs. Mink.
Mr. Carey of New York with Mr. Anderson of Tennessee.
Mr. Alexander with Mr. Bingham.
Mrs. Hicks of Massachusetts with Mr. Long of Louisiana.

Messrs. NIX and COLLINS of Illinois changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

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## PROVIDING FOR THE SETTLEMENT OF LAND CLAIMS OF ALASKA NATIVES

Mr. HALEY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 10367) to provide for the settlement of certain land claims of Alaska Natives, and for other purposes.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 10367, with Mr. NATCHER in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday, the Clerk had read through the first section, ending on page 1, line 4 of the bill. If there are no amendments to be proposed to this section, the Clerk will read.

The Clerk read as follows:

DECLARATION OF POLICY

SEC. 2. (a) Congress finds and declares that—

(1) there is an immediate need for a fair and just settlement of all claims by Natives and Native groups of Alaska, based on alleged aboriginal land titles;

(2) the settlement should provide for a grant to the Natives of title to forty million acres of land, $425,000,000 from the United States Treasury payable over a ten-year period, and an additional $500,000,000 payable out of revenues received from the leasing or sale of minerals in the public lands in Alaska;

(3) the settlement should be accomplished rapidly, with certainty, in conformity with the real economic and social needs of Alaska Natives, without litigation, with maximum participation by Natives in decisions affecting their rights and property, without establishing any permanent racially defined institutions, rights, privileges, or obligations, without creating a reservation system or lengthy wardship or trusteeship, and without adding to the categories of property and institutions enjoying special tax privileges or to the legislation establishing special relationships between the United States Government and the State of Alaska;

(4) no provision of this Act is intended to replace or diminish any right, privilege, or obligation of Alaska Natives as citizens of the United States or of Alaska, or to relieve, replace, or diminish any obligation of the United States or of the State of Alaska to protect and promote the rights of welfare of Alaska Natives as citizens of the United States or of Alaska;

(5) no provision of this Act shall constitute a precedent for reopening, renegotiating, or legislating upon any past settlement involving land claims or other matters with any Native organizations, or any tribe, band, or indentifiable group of American Indians.

DEFINITIONS

SEC. 3. For the purposes of this Act, the term—

(a) "Secretary" means the Secretary of the Interior;

(b) "Native" means a citizen of the United States who is a person of one-fourth degree or more Alaska Indian, Eskimo, or Aleut blood, or combination thereof. The term includes any Native as so defined either or both of whose adoptive parents are not Natives. It also includes, in the absence of proof of a minimum blood quantum, any citizen of the United States who is regarded as an Alaska Native by the Native village or Native group of which he claims to be a member and whose father or mother is (or, if deceased, was) regarded as Native by such village or group. Any decision of the Secretary regarding eligibility for enrollment shall be final;

(c) "Native village" means any tribe, band, clan, group, village, community, or association in Alaska listed in sections 9 and 13 of this Act which the Secretary determines was, on the 1970 census enumeration date (as shown by the census or other evidence satisfactory to the Secretary, who shall make findings of fact in each instance) composed of twenty-five or more Natives;

(d) "public land" means all Federal land and interests therein situated in Alaska, including land selections of the State of Alaska which have been tentatively approved but not patented under the Alaska Statehood Act, as amended (72 Stat. 341, 77 Stat. 223), but excepting any improved land used in connection with the administration of any Federal installation;

(e) "Corporation" means a regional corporation established under the laws of the State of Alaska in accordance with the provisions of this Act;

(f) "person" means any individual, firm, corporation, association, or partnership; and

(g) "incorporated Native village" means any Native village incorporated as a governmental unit under the laws of the State of Alaska, or incorporated under the laws of Alaska as a membership business corporation in which all village residents are members: *Provided*, That the articles of incorporation and bylaws for a membership business corporation must have been approved by the board of directors of the regional corporation for the region in which the village is located.

DECLARATION OF SETTLEMENT

SEC. 4. (a) All prior conveyances of public land and water areas in Alaska, or any interest therein, pursuant to Federal law shall be regarded as an extinguishment of the aboriginal title thereto, if any.

(b) All alleged aboriginal titles and claims of aboriginal title in Alaska based on use and occupancy, including any alleged aboriginal hunting and fishing rights that may exist, are hereby extinguished.

(c) All claims against the United States, the State, and all other persons that are based on alleged aboriginal right, title, use, or occupancy of land or water areas in Alaska, or that are based on any statute or treaty of the United States relating to Alaska Native use and occupancy, including any such claims that are pending before any court or the Indian Claims Commission, are hereby extinguished.

ENROLLMENT

SEC. 5. (a) The Secretary shall prepare within two years from the date of this Act a roll of all Natives who were born on or before, and who are living on, the date of this Act. Any decision of the Secretary regarding eligibility for enrollment shall be final.

(b) The roll prepared by the Secretary shall show for each Native, among other things, the region and the village or other place in which he resided on the date of the 1970 census enumeration, and on the most recent date available.

A Native eligible for enrollment who is not, when the roll is prepared, a resident of one of the twelve regions established pursuant to section 6 shall be enrolled by the Secretary in one of the twelve regions, giving priority in the following order to—

(1) the region where the Native resided on the 1970 census date if he had resided there without substantial interruption for two or more years,

(2) the region where the Native previously resided for aggregate of ten years or more,

(3) the region where the Native was born, and

(4) the region from which an ancestor of the Native came.

ALASKA NATIVE REGIONAL CORPORATIONS

SEC. 6. (a) For purposes of this Act, the State of Alaska shall be divided by the Secretary within one year after the date of this Act into twelve geographic regions, with each region composed as far as practicable of Natives having a common heritage and sharing common interests. In the absence of good cause shown to the contrary, such regions shall approximate the areas covered by the operations of the following existing Native associations:

(1) Arctic Slope Native Association (Barrow, Point Hope);

(2) Bering Straits Association (Seward Peninsula, Unalakeet, Saint Lawrence Island);

(3) Northwest Alaska Native Association (Kotzebue);

(4) Association of Village Council Presidents (southwest coast, all villages in the Bethal area, including all villages on the Lower Yukon River and the Lower Kuskokwin River);

(5) Tanana Chiefs' Conference (Koyukuk, Middle and Upper Yukon Rivers, Upper Kuskokwin, Tanana River);

(6) Cook Inlet Association (Kenai, Tyonek, Eklutna, Iliamna);

(7) Bristol Bay Native Association (Dillingham, Upper Alaska Peninsula);

(8) Aleut League (Aleutian Islands, Pribilof Island and that part of the Alaska Peninsula which is in the Aleut League);

(9) Chugach Native Association (Cordova, Tatitlek, Port Graham, English Bay, Valdez, and Seward);

(10) Tlingit-Haida Central Council (southeastern Alaska, including Metlakatla);

(11) Kodiak Area Native Association (all villages on and around Kodiak Island); and

(12) Copper River Native Association (Copper Center, Glennallen, Chitina, Mentasta).

Any dispute over the boundaries of a region or regions shall be resolved by a board of arbitrators consisting of one person selected by each of the Native associations involved, and an additional one or two persons, whichever is needed to make an odd number of arbitrators, such additional person or persons to be selected by the arbitrators selected by the Native associations.

(b) Five incorporators within each region, named by the Native association in the region, are authorized to incorporate under the laws of Alaska a regional corporation which shall be eligible for the benefits of this Act so long as it is organized and functions in accordance with this Act. The articles of incorporation shall include provisions necessary to carry out the terms of this Act.

(c) The original articles of incorporation and bylaws shall be approved by the Secretary of the Interior before they are filed, and they shall be submitted for approval within eighteen months after the date of this Act. The articles of incorporation may not be amended during the first five years without the approval of the Secretary of the Interior. The Secretary may withhold approval under this section if in his judgment inequities among Native individuals or groups of Native individuals would be created.

(d) The management of the regional corporation shall be vested in a board of directors, all of whom, with the exception of the initial board, shall be stockholders in the corporation over the age of nineteen. The number, terms, and method of election of members of the board of directors shall be fixed in the articles of incorporation or bylaws of the regional corporation.

(e) The regional corporation shall be authorized to issue such number of shares of common stock, divided into such classes of shares as may be specified in the articles of incorporation to reflect the provisions of this Act, as may be needed to issue one hundred shares of stock to each Native enrolled in the region pursuant to section 5.

(f)(1) Except as otherwise provided in paragraph (2) of this subsection, stock issued pursuant to subsection (e) shall carry a right to vote in elections for the board of directors and on such other questions as properly may be presented to stockholders, shall permit the holder to receive dividends or other distributions from the corporation, and shall vest in the holder all rights of a stockholder in a business corporation organized under the laws of the State of Alaska, except that for a period of twenty years after the date of his Act the stock and any dividends paid or distributions made with respect thereto may not be sold, pledged, subjected to a lien or judgment execution, assigned in present or future, or otherwise alienated.

(2) Upon the death of any stockholder, ownership of such stock shall be transferred in accordance with his last will and testament or under the applicable laws of intestacy, except that (A) during the twenty-year period after the date of this Act such stock shall carry voting rights only if the holder thereof through inheritance also is a Native, and (B) in the event the deceased stockholder fails to dispose of his stock by will and has no heirs under the applicable laws of intestacy, such stock shall escheat to the corporation.

(3) On January 1 of the twenty-first year after the year in which this Act is enacted, all stock previously issued shall be deemed to be canceled, and shares of stock of the appropriate class shall be issued without restrictions to each stockholder share for share.

(g) All revenues received by each corporation from the subsurface estate patented pursuant to this Act shall be divided by the corporation among all twelve regional corporations organized pursuant to this section according to the number of Natives enrolled in each region pursuant to section 5.

(h) Any funds received and retained by the corporation from any source may be invested for the production of income. Not to exceed 60 per centum of any corporate funds that are not invested for the production of income and that are not distributed among all stockholders may be used for—

(1) payment of corporate administrative expenses,

(2) payment for professional technical services to Native villages in the region,

(3) loans and grants to improve the health, education, and welfare of the Natives of the region.

Any corporate funds that are not used for the foregoing purposes shall be distributed among the incorporated Native villages and one class of stockholders as provided in the following subsections.

(i) Funds distributed among incorporated Native villages shall be divided among them according to the ratio that the number of shares of stock registered on the books of the regional corporation in the names of residents of a village bears to the number of shares of stock registered in the names of residents in all villages.

(j) Funds distributed to an incorporated Native village may be withheld until the village has submitted a plan for the use of the money that is satisfactory to the regional corporation. The regional corporation may require a village plan to provide for joint ventures with other villages, and for joint financing of projects undertaken by the regional corporation that will benefit the region generally. In the event of disagreement over the provisions of the plan, the issues in disagreement shall be submitted to arbitration, as provided for in the articles of incorporation of the regional corporation.

(k) When funds are distributed among incorporated Native villages in a region, an amount computed as follows shall be distributed as dividends to the class of stockholders who are not residents of those villages: The amount distributed as dividends shall bear the same ratio to the amount distributed among the villages that the number of shares of stock registered on the books of the regional corporation in the names of nonresidents of villages bears to the number of shares of stock registered in the names of village residents: *Provided*, That an equitable portion of the amount distributed as dividends may be withheld and combined with village funds to finance projects that will benefit the region generally.

(l) The corporation may undertake on behalf of one or more of the incorporated Native villages in the region any project authorized and financed by them.

(m) Moneys received by the corporation from the Alaska Native Fund shall not constitute taxable income to the corporation for any purpose. This exemption shall not apply to income from the investment of such moneys.

(n) The accounts of the regional corporation shall be audited annually in accordance with generally accepted auditing standards by independent certified public accountants or independent licensed public accountants, certified or licensed by a regulatory authority of the State or the United States. The audits shall be conducted at the place or places where the accounts of the corporation are normally kept. All books, accounts, financial records, reports, files, and other papers, things, or property belonging to or in use by the corporation and necessary to facilitate the audits shall be available to the person or persons conducting the audits; and full facilities for verifying transactions with the balances or securities held by depositories, fiscal agent, and custodians shall be afforded to such person or persons. Each audit report or a fair and reasonably detailed summary

thereof shall be transmitted to each stockholder.

REVENUE SHARING

SEC. 7. (a)(1) There is hereby established in the United States Treasury an Alaska Native Fund into which the following moneys shall be deposited:

(A) $425,000,000 from the general fund of the Treasury, which are authorized to be appropriated according to the following schedule:

(i) $25,000,000 for the first fiscal year following the fiscal year in which this Act is enacted, and

(ii) $44,444,445 for each of the next nine fiscal years.

(B) $500,000,000 pursuant to the revenue sharing provisions of this section.

(2) After completion of the roll prepared pursuant to section 5, all money in the fund, except money reserved as provided in section 16 for the payment of attorney and other fees, shall be distributed at the end of each three months of the fiscal year among the twelve Alaska Native Regional Corporations organized pursuant to section 6 on the basis of the relative numbers of Natives enrolled in each region pursuant to section 5. The share of a corporation that has not been organized shall be retained in the fund until the corporation is organized.

(b) Each patent hereafter issued to the State of Alaska under the Alaska Statehood Act, including a patent of lands heretofore selected and tentatively approved, shall reserve for the benefit of the Natives, and for payment into the Alaska Native Fund, (1) a royalty of 2 per centum upon the gross value (as such gross value is determined for royalty purposes under any disposition by the State) of the minerals produced or removed from such lands, and (2) 2 per centum of all revenues derived by the State from rentals and bonuses from the disposition of minerals in such lands.

(c) With respect to conditional leases and sales of minerals heretofore or hereafter made pursuant to section 6(g) of the Alaska Statehood Act, and with respect to mineral leases of the United States that are or may be subsumed by the State under section 6(h) of the Alaska Statehood Act, the State shall pay into the Alaska Native Fund from the royalties, rentals, and bonuses received by the State (1) a royalty of 2 per centum upon the gross value (as such gross value is determined for royalty purposes under such leases or sales) of the minerals produced or removed from such lands, and (2) 2 per centum of all rentals and bonuses under such leases or sales, excluding bonuses received by the State at the September 1969 sale of minerals from tentatively approved lands and excluding rentals received pursuant to such sale before the date of this Act. Such payment shall be made within sixty days from the date the revenues are received by the State.

(d) All bonuses, rentals, and royalties received by the United States from the disposition by it of minerals in public lands in Alaska shall be distributed as provided in the Alaska Statehood Act, except that prior to calculating the shares of the State and the United States as set forth in such Act, (1) a royalty of 2 per centum upon the gross value of any minerals produced (as such gross value is determined for royalty purposes under the sale or lease), and (2) 2 per centum of all rentals and bonuses shall be deducted and paid into the Alaska Native Fund. The respective shares of the State and the United States shall be calculated on the remaining balance.

(e) The provisions of this section shall be enforceable by the United States for the benefit of the Natives, and in the event of default by the State in making the payments required, in addition to any other remedies provided by law, there shall be deducted annually by the Secretary of the Treasury from any grant-in-aid or from any other sums payable to the State under any provision of Federal law an amount equal to any such underpayment, which amount shall be deposited in the fund.

(f) Revenues received by the United States or the State of Alaska as compensation for estimated drainage of oil or gas shall, for the purposes of this section, be regarded as revenues from the disposition of oil and gas.

(g) The payments required by subsections (b), (c), and (d) of this section shall continue only until $500,000,000 has been paid into the Alaska Native Fund. Thereafter the provisions of this section shall not apply, and the reservation required in patents under this section shall be of no further force and effect.

(h) The provisions of this section shall not apply to revenues received from the Outer Continental Shelf.

STATUTE OF LIMITATIONS

SEC. 8. (a) Notwithstanding any other provision of law, any civil action to contest in any manner the validity of this Act shall be barred unless the complaint is filed within one year of the date of this Act, and no such action shall be entertained by any United States court unless it is commenced by a duly authorized official of the State of Alaska. The purposes of this limitation on suits is to insure that, after the expiration of a reasonable period of time, the right, title, and interest of the United States, the Natives, and the State of Alaska will vest with certainty and finality and may be relied upon by all other parties in their dealings with the State of Alaska, the Natives, and the United States.

(b) In the event that the State of Alaska initiates litigation or becomes a party to litigation to contest in any manner the provisions of this Act, all rights of land selection granted to the State of Alaska by the Alaska Statehood Act shall be suspended as to any public lands which are determined by the Secretary to be potentially valuable for mineral development, timber, or other commercial purposes, and no selections shall be made, no tentative approvals shall be granted, and no patents shall be issued for such lands during the pendency of such litigation. In the event of such suspension, the State of Alaska's right of land selection pursuant to section 6 of the Alaska Statehood Act shall be extended for a period of time equal of the period of time the selection right was suspended.

WITHDRAWAL OF PUBLIC LANDS

SEC. 9. (a)(1) The following public lands are withdrawn, subject to valid existing rights, from all forms of appropriation under the public land laws, including the mining and mineral leasing laws, and from selection under the Alaska Statehood Act, as amended:

(A) The lands in each township which encloses all or part of any Native village listed in subsection (f), and

(B) The lands in each township that is contiguous to or corners on the township that encloses all or part of such Native village.

The following lands are excepted from such withdrawal: lands withdrawn or reserved for national defense purposes, other than Naval Petroleum Reserve Numbered 4, and lands in the National Park System.

(2) During a period of one year from the date of this Act, each Native village listed in subsection (f) shall select, in accordance with rules established by the Secretary, the township in which all or a part of the village is located, plus an area equal to three townships or the maximum acreage to which the village is entitled under section 11, whichever is less. The selection shall be made from lands withdrawn in the townships that are contiguous to or corner on the township enclosing that village. All selections shall be contiguous and in reasonably compact tracts, except as separated by bodies of water.

(3) the lands selected pursuant to paragraph (2) of this subsection shall remain withdrawn until June 30, 1992. The withdrawal of any lands within the national wildlife refuge system and within Naval Petroleum Reserve numbered 4 that are not selected pursuant to paragraph (2) shall terminate one year from the date of this Act. The remainder of the lands withdrawn by this subsection shall be regarded as withdrawn under subsection (b). Notwithstanding any other provisions of this Act, a withdrawal by this subsection or by subsection (b) shall terminate when the Secretary finds that a village for which the withdrawal was made does not qualify under the definition of a village.

(b)(1) The following public lands are withdrawn subject to valid existing rights, from all forms of appropriation under the public land laws, including the mining and mineral leasing laws, and from selection under under the Alaska Statehood Act, as amended:

(A) The lands made subject to this subsection by paragraph (3) of subsection (a).

(B) The lands in each township that are contiguous to or corner on a township containing lands withdrawn by subsection (a). The following lands are excepted from such withdrawal: lands withdrawn or reserved for national defense purposes, including Naval Petroleum Reserve Numbered 4, lands in the national park system, and lands in the national wildlife refuge system.

(2) During a period of five years from the date of this Act, each Native village listed in subsection (f) shall select, in accordance with rules established by the Secretary, the additional lands withdrawn by this subsection to which it is entitled to receive a patent pursuant to subsections (a) through (i) of section 11: *Provided*, That selections under this paragraph and under paragraph (2) of subsection (a) from lands selected and tentatively approved under the Alaska Statehood Act shall not exceed a total acreage equal to three townships. All selections shall be contiguous and in reasonably compact tracts, except as separated by bodies of water.

(3) The lands selected pursuant to paragraph (2) of this subsection shall remain withdrawn until June 30, 1992. The withdrawal of the remainder of the lands shall terminate at the end of the five-year period.

(c)(1) All public lands, except—

(A) lands withdrawn or reserved for national defense purposes, other than Naval Petroleum Reserve Numbered 4, and

(B) lands in the national park system,

in each section located outside the areas withdrawn and selected pursuant to subsection (a) or outside the areas withdrawn by section 13(a), which encloses land occupied by a Native as a primary place of residence on December 31, 1970, are hereby withdrawn, subject to valid existing rights, from all forms of appropriation under the public land laws, including the mining and mineral leasing laws, and from selection under the Alaska Statehood Act, as amended. Determination of occupancy shall be made by the Secretary, whose decision shall be final, upon application of the Native occupant filed not more than two years from the date of this Act.

(2) The Secretary shall terminate the withdrawal of a section of land as made by this subsection when a patent is issued to the Native occupant pursuant to this Act, or when the Secretary determines that the Native's primary place of residence has been moved outside the withdrawn area, or when the Secretary determines that the Native applicant does not qualify for a patent.

(d) The townships and sections withdrawn by this section and by section 13 shall be as shown on current plats of survey or protraction diagrams of the Bureau of Land Management, or protraction diagrams of the State of Alaska where protraction diagrams

of the Bureau of Land Management are not available.

(e) Prior to a conveyance pursuant to section 11 of lands withdrawn by this section and section 13, the withdrawn lands shall be subject to administration by the Secretary under applicable laws and regulations, and his authority to make contracts and to grant leases, permits, rights-of-way, or easements shall not be impaired by the withdrawal.

(f) The Native villages subject to this section are as follows:

NAME OF PLACE AND REGION

Akiachak, Southwest Coastal Lowland.
Akiak, Southwest Coastal Lowland.
Akutan, Aleutian.
Alakanuk, Southwest Coastal Lowland.
Aleknagik, Bristol Bay.
Alatna, Koyukuk-Lower Yukon.
Allakaket, Koyukuk-Lower Yukon.
Ambler, Bering Strait.
Anaktuvuk Pass, Arctic Slope.
Andreafsey, Southwest Coastal Lowland.
Aniak, Southwest Coastal Lowland.
Anvik, Koyukuk-Lower Yukon.
Arctic Village, Upper Yukon-Porcupine.
Atka, Aleutian.
Atkasook, Arctic Slope.
Atmautluak, Southwest Coast Lowland.
Barrow, Arctic Slope.
Beaver, Upper Yukon-Porcupine.
Belkofsky, Aleutian.
Bethel, Southwest Coastal Lowland.
Bill Moore's, Southwest Coastal Lowland.
Biorka, Aleutian.
Birch Creek, Upper Yukon-Porcupine.
Brevig Mission, Bering Strait.
Buckland, Bering Strait.
Candle, Bering Strait.
Cantwell, Cook Inlet.
Canyon Village, Upper Yukon-Porcupine.
Chalkyitsik, Upper Yukon-Porcupine.
Chanilut, Southwest Coastal Lowland.
Cherfornak, Southwest Coastal Lowland.
Chevak, Southwest Coastal Lowland.
Chignik, Kodiak.
Chignik Lagoon, Kodiak.
Chignik Lake, Kodiak.
Chistochina, Copper River.
Chukwuktoligamute, Southwest Coastal Lowland.
Circle, Upper Yukon-Porcupine.
Clark's Point, Bristol Bay.
Copper Center, Copper River.
Crooked Creek, Upper Kushokwim.
Deering, Bering Strait.
Dillingham, Briston Bay.
Eagle, Upper Yukon-Porcupine.
Dot Lake, Tanana.
Eek, Southwest Coastal Lowland.
Egegik, Briston Bay.
Eklutna, Cook Inlet.
Ekuk, Bristol Bay.
Ekwok, Bristol Bay.
Elim, Bering Strait.
Emmonak, Southwest Coastal Lowland.
English Bay, Cook Inlet.
False Pass, Aleutian.
Fort Yukon, Upper Yukon-Porcupine.
Gakona, Copper River.
Galena, Koyukuk-Lower Yukon.
Gambell, Bering Sea.
Georgetown, Upper Kushokwim.
Golovin, Bering Strait.
Goodnews Bay, Southwest Coastal Lowland.
Grayling, Koyukuk-Lower Yukon.
Gulkana, Copper River.
Hamilton, Southwest Coastal Lowland.
Holy Cross, Koyukuk-Lower Yukon.
Hooper Bay, Southwest Coastal Lowland.
Hughes, Koyukuk-Lower Yukon.
Huslia, Koyukuk-Lower Yukon.
Igiugig, Bristol Bay.
Iliamna, Cook Inlet.
Inalik, Bering Strait.
Ivanof Bay, Aleutian.
Kaktovik, Arctic Slope.
Kalskag, Southwest Coastal Lowland.
Kaltag, Koyukuk-Lower Yukon.
Karluk, Kodiak.
Kasigluk, Southwest Coastal Lowland.
Kiana, Bering Strait.
King Cove, Aleutian.
Kipnuk, Southwest Coastal Lowland.
Kivalina, Bering Strait.
Kobuk, Bering Strait.
Koliganek, Bristol Bay.
Kokhanok, Bristol Bay.
Kongiganak, Southwest Coastal Lowland.
Kotlik, Southwest Coastal Lowland.
Kotzebue, Bering Strait.
Koyuk, Bering Strait.
Koyukuk, Koyukuk-Lower Yukon.
Kwethluk, Southwest Coastal Lowland.
Kwigillingok, Southwest Coastal Lowland.
Larsen Bay, Kodiak.
Levelock, Bristol Bay.
Lime Village, Upper Kuskokwim.
Lower Kalskag, Southwest Coastal Lowland.
McGrath, Upper Kuskokwim.
Mukok, Koyukuk-Lower Yukon.
Manokotak, Bristol Bay.
Marshall, Southwest Coastal Lowland.
Mary's Igloo, Bering Strait.
Medfra, Upper Kuskokwim.
Mekoryuk, Southwest Coastal Lowland.
Mentasta Lake, Copper River.
Minchumina Lake, Upper Kuskokwim.
Minto, Tanana.
Mountain Village, Southwest Coastal Lowland.
Nabesna Village, Tanana.
Naknek, Bristol Bay.
Napaimute, Upper Kuskokwim.
Napakiak, Southwest Coastal Lowland.
Napaskiak, Southwest Coastal Lowland.
Nelson Lagoon, Aleutian.
Newhalen, Cook Inlet.
Nenana, Tanana.
New Stuyahok, Bristol Bay.
Newtok, Southwest Coastal Lowland.
Nightmute, Southwest Coastal Lowland.
Nikolai, Upper Kuskokwim.
Nikolski, Aleutian.
Ninilchik, Cook Inlet.
Noatak, Bering Strait.
Nome, Bering Strait.
Nondalton, Cook Inlet.
Nooiksut, Arctic Slope.
Noorvik, Bering Strait.
Northeast Cape, Bering Sea.
Northway, Tanana.
Nulato, Koyukuk-Lower Yukon.
Nunapitchuk, Southwest Coastal Lowland.
Ohogamiut, Southwest Coastal Lowland.
Old Harbor, Kodiak.
Oscarville, Southwest Coastal Lowland.
Ouzinkie, Kodiak.
Paradise, Koyukuk-Lower Yukon.
Paulof Harbor, Aleutian.
Pedro Bay, Cook Inlet.
Perryville, Kodiak.
Pilot Point, Bristol Bay.
Pilot Station, Southwest Coastal Lowland.
Pitkas Point, Southwest Coastal Lowland.
Platinum, Southwest Coastal Lowland.
Point Hope, Arctic Slope.
Point Lay, Arctic Slope.
Portage Creek (Ohgsenakale), Bristol Bay.
Port Graham, Cook Inlet.
Port Lions, Kodiak.
Port Heiden (Meshick), Aleutian.
Quinhagak, Southwest Coastal Lowland.
Rampart, Upper Yukon-Porcupine.
Red Devil, Upper Kuskokwim.
Ruby, Koyukuk-Lower Yukon.
Russian Mission (Kuskokwim) (or Chauthalue), Upper Kuskokwim.
Russian Mission (Yukon) Southwest Coastal Lowland.
St. George, Aleutians.
St. Mary's, Southwest Coastal Lowland.
St. Michael, Bering Strait.
St. Paul, Aleutians.
Salamatof, Cook Inlet.
Sand Point, Aleutians.
Savonoski, Bristol Bay.
Savoonga, Bering Sea.
Scammon Bay, Southwest Coastal Lowland.
Selawik, Bering Strait.
Shageluk, Koyukuk-Lower Yukon.
Shaktoolik, Bering Strait.
Sheldon's Point, Southwest Coastal Lowland.
Shishmaref, Bering Strait.
Shungnak, Bering Strait.
Slana, Copper River.
Sleetmute, Upper Kuskokwim.
South Naknek, Bristol Bay.
Squaw Harbor, Aleutians.
Stebbins, Bering Strait.
Stevens Village, Upper Yukon-Porcupine.
Stony River, Upper Kuskokwim.
Tanacross, Tanana.
Tanana, Koyukuk-Lower Yukon.
Tatitlek, Chugach.
Telida, Upper Kuskokwim.
Teller, Bering Strait.
Tetlin, Tanana.
Togiak, Bristol Bay.
Toksook Bay, Southwest Coastal Lowland.
Tuluksak, Southwest Coastal Lowland.
Tuntutuliak, Southwest Coastal Lowland.
Tununak, Southwest Coastal Lowland.
Twin Hills, Bristol Bay.
Tyonek, Cook Inlet.
Ugashik, Bristol Bay.
Unalakleet, Bering Strait.
Unalaska, Aleutian.
Unga, Aleutian.
Uyak, Kodiak.
Venetie, Upper Yukon-Porcupine.
Wainwright Arctic Slope.
Wales. Bering Strait.
White Mountain, Bering Strait.

SURVEYS

SEC. 10. The Secretary shall survey the areas selected or designated for conveyance to incorporated Native villages pursuant to the provisions of this Act. He shall monument only exterior boundaries of the selected or designated areas at angle points and at intervals of approximately one mile on straight lines. No ground survey or monumentation will be required along meanderable water boundaries. He shall survey within the areas selected or designated land occupied as a primary place of residence, a primary place of business, and for other purposes, and any other land to be patented under this Act.

CONVEYANCE OF LANDS

SEC. 11. (a) Upon application prior to June 30, 1992, by any incorporated Native village listed in section 9 which the Secretary finds is qualified under the definition in section 3, the Secretary shall issue to the village a patent to the surface estate in the number of acres shown in the following table:

| If the village had on the 1970 census enumeration date a Native population between | It shall be entitled to a patent to an area of public lands equal to |
|---|---|
| 25 and 99 | 3 townships. |
| 100 and 199 | 4 townships. |
| 200 and 399 | 5 townships. |
| 400 and 599 | 6 townships. |
| 600 and 2,400 | 7 townships. |

The lands patented shall be those selected by the village pursuant to section 9(a) and any additional lands selected by the village from the surrounding townships withdrawn for the village by section 9(b).

(b) Upon application prior to June 30, 1992, by any incorporated Native village listed in section 13 which the Secretary finds is qualified under the definition in section 3, the Secretary shall issue to the village a patent to the surface estate in an area equal to one township. The lands patented shall be the lands within the township that enclose the village, and any additional lands selected by the village from the surrounding townships withdrawn for the village by section 13(a).

(c) If sufficient lands for the purpose of subsections (a) and (b) are not available

from the withdrawn lands surrounding a village, the shortage may be selected from lands withdrawn for, but not selected by, any other village in the same region. All selections shall be contiguous and in reasonably compact tracts according to Federal or State protraction diagrams or approved surveys except as separated by bodies of water.

(d) If selections by two or more villages conflict, the disagreement shall be submitted to arbitration, as provided for in the articles of incorporation of the regional corporations.

(e) Each patent issued pursuant to subsections (a) and (b) shall be subject to the following requirements:

(A) The village shall convey to any Native or non-Native occupant, without consideration, title to the surface estate in the tract occupied as a primary place of residence, or as a primary place of business, or as a subsistence campsite, or as headquarters for reindeer husbandry; and

(B) The village shall convey to the occupant, either without consideration or upon payment of an amount not in excess of fair market value, determined as of the date of initial occupancy and without regard to any improvements thereon, title to the surface estate in any tract occupied by a nonprofit organization.

(f) Upon application prior to June 30, 1992, the Secretary shall issue a patent to the surface estate of not to exceed one hundred and sixty acres of land withdrawn by section 9(c) to any Native whom the Secretary determines occupied the land as a primary place of residence on the date of this Act.

(g) The Secretary may apply the rule of approximation with respect to the acreage limitations contained in this section.

(h) When the Secretary issues a patent to the surface estate in lands pursuant to subsections (a), (b), (c), and (f), he shall issue to the regional corporation for the region in which the lands are located a patent to the subsurface estate in such lands, except lands located in the national wildlife refuge system and lands withdrawn or reserved for national defense purposes, including Naval Petroleum Reserve Numbered 4: *Provided,* That the right to explore, develop, or remove minerals from the subsurface estate in the lands within the boundaries of any village shall be subject to the consent of the village.

(i) All conveyances made pursuant to this section shall be subject to valid existing rights. Where, prior to patent of any land or minerals under this section, a lease, contract, permit, right-of-way, or easement (including a lease issued under section 6(g) of the Alaska Statehood Act) has been issued for the surface or minerals covered under such patent, the patent shall contain provisions making it subject to the lease, contract, permit, right-of-way, or easement, and the right of the lessee, contractee, permittee, or grantee to the complete enjoyment of all rights, privileges, and benefits thereby granted to him. Upon issuance of the patent, the patentee shall succeed and become entitled to any and all interests of the State or the United States as lessor, contractor, permitter, or grantor, in any such leases, contracts, permits, rights-of-way, or easements covering the estate patented, and a lease issued under section 6(g) of the Alaska Statehood Act shall be treated for all purposes as though the patent had been issued to the State. The administration of such lease, contract, permit, right-of-way, or easement shall continue to be by the State or the United States, unless the agency responsible for administration waives administration. In the event that the patent does not cover all of the land embraced within any such lease, contract, permit, right-of-way, or easement, the patentee shall only be entitled to the proportionate amount of the revenues reserved under such lease, contract, permit, right-of-way, or easement by the State or the United States which results from multiplying the total of such revenues by a fraction in which the numerator is the acreage of such lease, contract, permit, right-of-way, or easement which is included in the patent and the denominator is the total acreage contained in such lease, contract, permit, right-of-way, or easement.

(j) After the authority of the State to select land under the Alaska Statehood Act has expired, additional lands equal to the difference between forty million acres and the total acreage previously selected pursuant to section 9 shall be conveyed by the Secretary to the eleven regional corporations (excluding the regional corporation for southeastern Alaska) as follows:

(1) The number of acres each regional corporation is entitled to receive shall be computed (A) by determining on the basis of available data the percentage of all land in Alaska (excluding the southeastern region) that is within each of the eleven regions, (B) by applying that percentage to forty million acres after it is reduced by the acreage in the southeastern regional that was selected pursuant to section 9, and (C) by deducting from the figure so computed the number of acres previously selected within that region pursuant to section 9.

(2) The lands conveyed to each regional corporation must be located within the region, must be selected by the regional corporation prior to June 30, 1992, must be selected from lands that have not been withdrawn or reserved for Federal purposes and that have not been selected by the State, and the conveyance to the regional corporation shall be subject to valid existing rights.

(3) If the authority of the State to select land is extended by future amendment of the Alaska Statehood Act, regional corporation selections of land pursuant to this subsection may be made during the extended period if the Governor of the State concurs.

TIMBER SALE CONTRACTS

SEC. 12. Notwithstanding the provisions of existing national forest timber sale contracts that extend for a period of more than three years from the date of this Act, and are directly affected by conveyances authorized by this Act, the Secretary of Agriculture is authorized to modify any such contract, with the consent of the purchaser, by substituting to the extent practicable timber on other national forest lands approximately equal in volume, species, grade, and accessibility for timber standing on any land affected by such conveyances.

THE TLINGIT-HAIDA SETTLEMENT

SEC. 13. (a) All public lands in each township that encloses all or any part of a Native village listed below, and in each township that is contiguous to or corners on such township, except lands withdrawn or reserved for national defense purposes, are hereby withdrawn, subject to valid existing rights, from all forms of appropriation under the public land laws, including the mining and mineral leasing laws, and from selection under the Alaska Statehood Act, as amended:

Angoon, Southeast.
Craig, Southeast.
Hoonah, Southeast.
Hydaburg, Southeast.
Kake, Southeast.
Kasaan, Southeast.
Klawock, Southeast.
Klukwan, Southeast.
Saxman, Southeast.
Yakutat, Southeast.

(b) During a period of one year from the date of this Act, each Native village listed in subsection (a) shall select, in accordance with rules established by the Secretary, the township in which all or part of the village is located, plus withdrawn lands from the townships that are contiguous to or corner on such township, which are equal in total area to one township. All selections shall be contiguous and in reasonably compact tracts except as separated by bodies of water.

(c) The lands selected pursuant to subsection (b) shall remain withdrawn until June 30, 1992. The withdrawal of the remainder of the lands withdrawn by this section shall terminate at the end of the one-year period.

(d) The funds appropriated by the Act of July 9, 1968 (82 Stat. 307), to pay the judgment of the Court of Claims in the case of The Tlingit and Haida Indians of Alaska, et al. against The United States, numbered 479000, and distributed to the Tlingit and Haida Indians pursuant to the Act of July 13, 1970 (84 Stat. 431), are in lieu of the additional acreage to be conveyed to qualified villages listed in section 9.

REVOCATION OF INDIAN ALLOTMENT AUTHORITY IN ALASKA

SEC. 14. No Native covered by the provisions of this Act, and no descendant of his, may hereafter avail himself of an allotment under the provisions of the Act of February 8, 1887, as amended and supplemented (24 Stat. 389; 25 U.S.C. 334, 336), or the Act of June 25, 1910 (36 Stat. 363; 25 U.S.C. 337). Further, the Act of May 17, 1906, as amended (34 Stat. 197; 48 U.S.C. 357) is hereby repealed. Notwithstanding the foregoing provisions of this section, any application for an allotment that is pending before the Department of the Interior on the date of this Act may, at the option of the Native applicant, be approved and a patent issued in accordance with said 1887, 1910, or 1906 Act, as the case may be, in which event the Native shall not be eligible for a patent under section 11(f) of this Act.

REVOCATION OF RESERVATIONS

SEC. 15. (a) Notwithstanding any provision of law, and except where inconsistent with the provisions of this Act, the various reserves set aside by legislation or by Executive or secretarial order for Native use or for administration of Native affairs, including those created under the Act of May 31, 1938 (52 Stat. 593), are hereby revoked subject to any valid existing rights of non-Natives. This section shall not apply to the Annette Island Reserve established by the Act of March 3, 1891 (26 Stat. 1101).

(b) Notwithstanding any other provision of law or of this Act, any incorporated Native village may elect to acquire title to the surface and subsurface estates in any reserve set aside for its use or benefit prior to the date of this Act. In such event, the Secretary shall convey the land to the village, subject to valid existing rights, and the village shall not be eligible for any other land selections under this Act or to any distribution of regional corporation funds pursuant to section 6, and the enrolled residents of the village shall not be eligible to receive regional corporation stock.

ATTORNEY AND OTHER FEES

SEC. 16. (a) The Secretary of the Treasury shall hold in the Alaska Native Fund money sufficient to make the payments authorized by this section.

(b) A claim for attorney fees and out-of-pocket expenses may be submitted to the Chief Commissioner of the United States Court of Claims for legal services rendered before the date of this Act to any Native tribe, band, group, village, or association in connection with:

(1) the preparation and passage of this Act and previously proposed Federal legislation to settle Native claims based on aboriginal title, and

(2) the actual prosecution pursuant to an authorized contract of a claim before the Indian Claims Commission that is dismissed pursuant to this Act.

(c) A claim under this section must be filed with the clerk of the Court of Claims

within six months from the date of this Act, and shall be in such form and contain such information as the Chief Commissioner shall prescribe.

(d) The Chief Commissioner or his delegate is authorized to receive, determine, and settle such claims in accordance with the following rules:

(1) No claim shall be allowed if the claimant has otherwise been reimbursed.

(2) The amount allowed for legal services shall be based on the nature of the service rendered, the need for providing the service, whether the service was intended to be a voluntary public service or compensable, the existence of a bona fide attorney-client relationship with an identified client, and the relationship of the service rendered to the enactment of proposed legislation. The amount allowed shall not be controlled by any hourly charge customarily charged by the attorney, and shall not exceed the per diem or daily amount customarily paid at the time the service was rendered to persons compensated by the United States on a "when actually employed" basis.

(3) The amount allowed for out-of-pocket expenses shall not include office overhead, and shall be limited to expenses that were necessary and reasonable.

(4) The amounts allowed for services rendered and expenses incurred shall not exceed in the aggregate $1,000,000. If the approved claims exceed the aggregate amounts allowable, the Chief Commissioner shall authorize payment of the claims on a pro rata basis.

(5) Upon the filing of a claim, the clerk of the Court of Claims shall forward a copy of such claim to the individuals or entities on whose behalf services were rendered or fees and expenses were allegedly incurred, as shown by the pleadings, to the Attorney General of the United States, to the attorney general of the State of Alaska, to the Secretary of the Interior, and to any other person who appears to have an interest in the claim, and shall give such individual or entity ninety days within which to file an answer contesting the claim.

(6) The Chief Commissioner may designate a trial commissioner for any claim made under this section and a panel of three commissioners of the court to serve as a reviewing body. One member of the review panel shall be designated as presiding commissioner of the panel.

(7) Proceedings in all claims shall be pursuant to rules and orders prescribed for the purpose by the Chief Commissioner who is hereby authorized and directed to require the application of the pertinent rules of practice of the Court of Claims insofar as feasible. Claimants may appear before a trial commissioner in person or by attorney, and may produce evidence and examine witnesses. In the discretion of the Chief Commissioner or his designate, hearings may be held in the counties where the claimants reside if convenience so demands.

(8) Each trial commissioner and each review panel shall have authority to do and perform any acts which may be necessary or proper for the efficient performance of their duties, and shall have the power of subpena, the power to order audit of books and records, and the power to administer oaths and affirmations. Any sanction authorized by the rules of practice of the Court of Claims, except contempt, may be imposed on any claimant, witness, or attorney by either the trial commissioner, review panel, or Chief Commissioner. None of the rules, regulations, rules, findings, or conclusions authorized by this section shall be subject to judicial review.

(9) The findings and conclusions of the trial commissioner shall be submitted by him, together with the record in the case, to the review panel of commissioners for review by it pursuant to such rules as may be provided for the purpose, which shall include provision for submitting the decision of the trial commissioner to the claimant and any party contesting the claim for consideration, exception, and argument before the panel. The panel, by majority vote, shall adopt or modify the findings or the conclusions of the trial commissioner.

(10) The Court of Claims is hereby authorized and directed, under such conditions as it may prescribe, to provide the facilities and services of the office of the clerk of the court for the filing, processing, hearing, and dispatch of claims made pursuant to this section and to include within its annual appropriations the cost thereof and other costs of administration, including (but without limitation to the items herein listed) the salaries and traveling expenses of its auditors and the commissioners serving as trial commissioners and panel members, mailing and service of process, necessary physical facilities, equipment, and supplies, and personnel (including secretaries, reporters, auditors, and law clerks).

(e) The Chief Commissioner shall certify to the Secretary of the Treasury, and report to the Congress, the amount of each claim allowed and the name and address of the claimant. The Secretary of the Treasury shall pay to such person from the Alaska Native Fund the amounts certified. No award under this section shall bear interest.

(f) (1) No remuneration on account of any services or expenses for which a claim is made or could be made pursuant to this section shall be received by any person for such services and expenses in addition to the amount paid in accordance with this section, and any contract or agreement to the contrary shall be void.

(2) Any person who receives, and any corporation or association official who pays, on account of such services and expenses, any remuneration in addition to the amount allowed in accordance with this section shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than $5,000, or imprisoned not more than twelve months, or both.

(g) A claim for actual costs incurred in filing protests, preserving land claims, advancing land claim settlement legislation, and presenting testimony to the Congress on proposed Alaska Native land claims may be submitted to the Chief Commissioner of the Court of Claims by any bona fide association of Alaska Natives. The claim must be submitted within six months from the date of this Act, and shall be in such form and contain such information as the Chief Commissioner shall prescribe. The Chief Commissioner shall allow such amounts as he determines are reasonable, but he shall allow no amount for attorney fees and expenses, which shall be compensable solely under subsection (b) through (e). If the approved claims under this subsection aggregate more than $350,000, the approved claims of the Alaska Federation of Natives shall be authorized first and any balance shall be authorized for payment on a pro rata basis. The Chief Commissioner shall certify to the Secretary of the Treasury, and report to the Congress, the amount of each claim allowed and the name and address of the claimant. The Secretary of the Treasury shall pay to such claimant from the Alaska Native Fund the amount certified. No award under this subsection shall bear interest.

REVIEW BY CONGRESS

SEC. 17. The Secretary shall submit to the Congress annual reports on implementation of this Act. Such reports shall be filed by the Secretary annually until June 30, 1992. At the beginning of the first session of Congress preceding June 30, 1992, the Secretary shall submit, through the President, a joint report of the status of the Natives and Native groups in Alaska, and a summary of actions taken under this Act, together with such recommendations as may be appropriate.

APPROPRIATIONS

SEC. 18. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

PUBLICATION

SEC. 19. The Secretary is authorized to issue and publish in the Federal Register, pursuant to the Administrative Procedures Act, such regulations as may be necessary to carry out the purposes of this Act.

SAVING CLAUSE

SEC. 20. To the extent that there is a conflict between any provision of this Act and any other Federal laws applicable to Alaska, the provisions of this Act shall govern.

SEPARABILITY

SEC. 21. If any provision of this Act or the applicability thereof is held invalid the remainder of this Act shall not be affected thereby.

Mr. ASPINALL (during the reading). Mr. Chairman, I ask unanimous consent that further reading of the bill be dispensed with and that it be printed in the RECORD and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado?

Mr. DINGELL. Mr. Chairman, reserving the right to object, I should like to direct a question to my good friend from Colorado (Mr. ASPINALL), the chairman of the committee.

The question, Mr. Chairman, is this: The gentleman from Colorado has always been very fair, and I assume that there are no plans at this time which would limit debate so as to deny to any Member an opportunity to offer amendments or to be heard in a reasonable fashion with regard to the bill.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. I am happy to yield to the gentleman from Colorado.

Mr. ASPINALL. The gentleman is correct. The committee amendments will be considered first. The Udall and Saylor amendments will be considered in order, as the committee amendments are considered. We will return to the rest of the amendments at the desk, and we will take plenty of time to consider everything before the committee.

Mr. DINGELL. The reason I did this, Mr. Chairman, was because I have withheld any comments on the bill until general debate was over, because of the shortage of time, and I wanted to be sure I would not be foreclosed.

Mr. Chairman, I withdraw my reservation.

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado?

There was no objection.

COMMITTEE AMENDMENTS

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

Committee amendment: Page 3, line 7, strike "indentifiable" an insert "identifiable".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: On page 7, line 6, strike "Bethal" and insert "Bethel".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 7, line 20, strike "Grahman" and insert "Graham".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 14, after line 25, insert "until such time as the provisions of subsection (b) become operative".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 17, line 4, strike the word "purposes" and insert "purpose".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 18, strike out lines 14, 15, and 16, and insert the following: lands in the National Park System and lands withdrawn or reserved for national defense purposes other than Naval Petroleum Reserve Numbered 4. The Secretary shall, from other public lands in the State of Alaska, provide additional national wildlife refuge lands to replace any acreage in existing national wildlife refuges selected by native villages pursuant to this section.

Mr. ASPINALL. Mr. Chairman, I suggested to my friend from Michigan that I would protect him. He has an amendment to this particular committee amendment.

AMENDMENT TO THE COMMITTEE AMENDMENT OFFERED BY MR. DINGELL

The CHAIRMAN. The Clerk will report the amendment to the committee amendment offered by the gentleman from Michigan.

The Clerk read as follows:

Amendment to the committee amendment offered by Mr. DINGELL: Page 18, strike out lines 19 through 22, inclusive.

Page 19, between lines 8 and 9, insert the following:

"(3) At such time as all selections have been made pursuant to paragraph (2) of this subsection in each range and area within the National Wildlife Refuge System, the Secretary shall immediately determine the probable impact of each such selection upon the range or area, and shall, after consultation with appropriate Federal agencies including the Migratory Bird Conservation Commission and after taking into account all relevant factors, but not later than the close of the 15th month after the month in which this Act is enacted—

"(A) purchase at fair market value such interests (including easements) in the selected land as he deems necessary for the preservation of the range or area concerned; or

"(B) exchange, for any selected land which in his judgment should be retained in order to preserve the range or area concerned and after consultation with the Native village or Native concerned, public land of equal acreage which is withdrawn under subsection (b) of this section but not otherwise selected under that subsection, and any land received by a Native village or Native in exchange from the Secretary pursuant to this subparagraph shall be deemed to be, in all respects, an authorized selection made pursuant to paragraph (2) of this subsection; or

"(C) choose for inclusion within the National Wildlife Refuge System within the State of Alaska suitable public land which is equal in wildlife habitat value to all or part of the land selected within the range or area concerned pursuant to paragraph (2) of this subsection; or

"(D) take any such combination of the actions provided for in subparagraphs (A), (B), and (C) above as he deems appropriate to carry out the purposes of this paragraph; or

"(E) in the event any action under subparagraph (A), (B), or (C), or any combination thereof, is not adequate to protect the values for which the range or area was established, (i) reserve to the United States such interests (including easements) in the selected land as he deems necessary for the preservation of the range or area concerned and the patent issued pursuant to section 11 with respect to such land shall be subject to such interests of the United States, and (ii) pay just compensation to the Native village or Native concerned for any interests in land selected by that village or Native which are reserved to the United States under this subparagraph.

"(4) Each patent issued pursuant to section 11 with respect to any land selected within a range or area in the National Wildlife Refuge System shall be subject to the condition that in the event the patentee decides to dispose of any interest he has in such land by sale, lease, exchange or otherwise, then—

"(A) the Secretary shall be given written notice by the patentee of such intended disposal;

"(B) no such disposal may be made of such interest during the sixty-day period after the day on which the Secretary receives such notice; and

"(C) during such sixty-day period, the Secretary shall have the right of first refusal to acquire such interest at fair market value thereof determined as of the date of notice."

Page 19, line 9, strike out "(3)" and insert "(5)".

Mr. DINGELL (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The CHAIRMAN. The gentleman from Michigan (Mr. DINGELL) is recognized for 5 minutes in support of his amendment.

Mr. DINGELL. Mr. Chairman, yesterday in the Halls of the House of Representatives I had a map outlining the Alaska refuge system in the State of Alaska. Most of us are familiar with the fact that the bill would affect areas within national wildlifes. Involved in this refuge system and most particularly impinged upon by the bill now before us are the refuges which relate to the protection of the north Pacific fur seal, the Kodiak bear, and some of the refuges which provide almost the entire population of migratory waterfowl along the Pacific flyway.

In the CONGRESSIONAL RECORD of October 13, 1971, at page 36127, I inserted an explanation of the amendments to be offered by me today together with a list of the refuges affected according to the then most recent and current data of the Interior Department on the refuges concerned.

I also set out some explanatory material with regard to correspondence between me and the distinguished chairman of the Committee on Interior and Insular Affairs.

The committee has sought—and I think fairly so—to protect the refuge system. But I must say, I do not believe they have done so.

With 1 million acres, all cut out of a national refuge system whose goal is long short of being realized, we must recognize that conservation values are severely jeopardized by the legislation.

Mr. Chairman, in the beginning when the fact became known that this legislation would affect the refuges, I communicated with my good friend, the gentleman from Colorado (Mr. ASPINALL), regarding the refuges and the refuge system, and the effect of this bill on it. I asked that I be permitted to be heard and I further asked that if I could not be heard that the refuges be excluded from the bill since these are matters of particular concern of a subcommittee that I happen to have the honor to chair.

I rise today, Mr. Chairman, as the chairman of the Subcommittee on Fisheries and Wildlife Conservation, having general jurisdiction over wildlife refuges for the purpose of preservation of fish and wildlife, and as a member of the Migratory Bird Conservation Commission responsible for the protection and acquisition under the Migratory Bird Conservation Treaty of Refuges for the carrying out of our policies, and as one particularly concerned with these two responsibilities and conservation, to express concern over what this bill would do with respect to the Pribilof Islands and the treaty that exists between the United States, Canada, Russia, and Japan dealing with subjects such as the protection of the North Pacific fur seal.

Mr. Chairman, I do not want to oppose the bill although I am not entirely in agreement with the provisions of it. However, I would very much want to vote for this bill because I think the question of Native claims should be resolved.

But, Mr. Chairman, I do not believe it is necessary to resolve the question of Native claims by jeopardizing the functional integrity of many of the refuges.

Let us take a look at some of the refuges that would be affected. If my colleagues will check the record with me they will see that the Kodiak National Wildlife Refuge, the residence of the Kodiak bear and the greatest carnivore on earth, should not be diminished. The Kodiak bear has a very long and interesting history because of the unique characteristics of the animal. It is one which does not look kindly upon interference into his way of life. However, the refuge is subject to losing something like 822,000 acres of its total acreage.

Mr. Chairman, it is my view that this is a refuge that should continue to be so and because of its unique island characteristic should not be jeopardized. I rec-

ognize there is need to take care of the Native interests but the bill before us is drawn in such a way that it would affect our refuges and they are very much in danger.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

(By unanimous consent, Mr. DINGELL was allowed to proceed for 5 additional minutes.)

Mr. DINGELL. Mr. Chairman, another refuge which provides a very large percentage of migratory waterfowl along the western United States is the Clarence Rhode National Wildlife Range which would lose something on the order of 644,000 acres.

The other areas of particular concern to me are on the Pribilofs, which are the residence of the fur seal which is protected by a convention and a treaty between the United States, Japan, Russia, and Canada.

The legislation now pending before us bears real promise of endangering those species of fur seals that are on the Pribilof Islands and endangering their habitat and of abrogating the treaty between the United States, Canada, Japan, and Russia, and may even make it possible for the resumption of fur seal hunting on the high seas.

Mr. Chairman, what does the amendment do? It is very simple. It says that the Secretary has a right to exchange with the Natives for the lands that they get and it says he has a right to purchase either in fee or some other interest in the land selected by the Natives.

It says that he has the right to add additional lands to the refuge to replace with equal habitat acreage both to native selection within a refuge. It says in instances where no other way can possibly protect the functional integrity of the refuge that he may impose certain reservations upon the grant and pay full compensation in lieu thereof so that the Natives have the opportunity to engage in first of all fair negotiations by and with the Secretary.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. I am sorry that I cannot yield to the gentleman at this moment, as I wish to complete my presentation, but I will be happy to yield to the gentleman in just one moment, and I promise that I will try to do so if I have sufficient time.

So that the function here is to preserve and protect by this kind of power only those refuges where it is absolutely necessary that such be done as in the case of the Pribilof, and in the case of Kodiak and in other refuges, fair and open negotiations would take place by and between the Secretary and the native population resident therein. This would enable the Natives to have just compensation and to have an opportunity to have lands given them elsewhere, or to simply have minor reservations imposed in the grants so as to enable the Secretary to protect the important refuge values.

This amendment and substitute to this legislation has the support of every nationwide conservation organization, such as the Audubon Society, the Sierra Club, Ducks Unlimited, National Wildlife Federation, and other great conservation organizations.

I would have my colleagues know that it is not going to jeopardize the rights of the Natives, it is going to give them full opportunity to receive lands, full opportunity to receive in most instances the lands involved in their selective patent, their selective request for patent, and it is my purpose not to jeopardize them.

Mr. PELLY. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. I yield to the gentleman from Washington.

Mr. PELLY. Mr. Chairman, I rise in full and complete support of the amendment offered by my colleague (Mr. DINGELL), the distinguished chairman of the Subcommittee on Fisheries and Wildlife Conservation, Committee on Merchant Marine and Fisheries.

It has only been recently in the history of this Nation that its citizens and elected representatives have awakened to the need for a more vigorous protection and conservation of our once abundant natural resources, fish and wildlife. Significant strides have been made in the past few years to acquire additional lands, at great expense to the American taxpayer, for the preservation of wildlife and scenic and natural beauty by the designation of national parks and wildlife refuges. We all have come to realize that the mistakes of the past—in failing to preserve these resources—cannot be adequately solved by future corrective action. Damage done to Nature's scheme at the hands and direction of Man is, many times, irreparable.

The great lands of Alaska comprise the only remaining untouched, natural areas of beauty and wildlife habitat in the entire United States. Acceptance of the amendment proposed by the gentleman from Michigan (Mr. DINGELL) will insure that these existing wildlife refuges are not adversely affected by providing an equitable procedure and criteria whereby the Secretary of Interior will have the ability to fully evaluate the importance of maintaining the integrity of these refuges while at the same time rendering just compensation for the Native claims of the Alaskans. The salmon fishery resource is not only important to the States of Washington and Alaska, but to the Nation as well, for it represents a major source of fish protein consumed by all Americans. This country has expended tremendous sums of money over the past years to further the growth and propagation of the salmon species by artificial fishery hatcheries located in many of the Western and Eastern States. Yet at the same time, under the provisions of this bill—and herein lies the paradox—if not amended as suggested by the gentleman from Michigan (Mr. DINGELL) this Nation stands to lose an irreplaceable natural resource—salmon spawning grounds—by reducing the number of acres within the wildlife refuge and by incompatible land development and uses surrounding the refuge.

The amendment as I understand offered by my colleague (Congressman DINGELL) pertains to the need for the preservation of existing seal rookeries on the islands of St. George and St. Paul. In extensive hearings before the Subcommittee on Fisheries and Wildlife Conservation chaired by the distinguished gentleman from Michigan (Mr. DINGELL) on the subject of the further protection, conservation, and development of all marine mammals, including the fur seal, testimony was developed which pointed to the need for greater protection efforts if this country is to preserve our ocean mammal resource and prevent their ultimate extinction due to man's assault on the processes of nature. The International Convention on the Conservation of the North Pacific Fur Seal, and the implementing domestic statute, the Fur Seal Act of 1966, has been hailed as a milestone by conservationists and environmentalists in insuring the continued existence of the fur seal—which was near the brink of extinction due to unrestrained taking of seals on the high seas by foreign nations.

Under the existing provisions of the bill, the Secretary, acting pursuant to the authority granted him, would be abrogating our international treaty obligations by administrative action. This possibly could have the effect of resulting in the failure of the United States to satisfy the terms of such a treaty, and thus result in the treaty's abrogation by signatory foreign nations with a subsequent resumption of "pelagic" or high seas taking of fur seals.

Adoption of the amendment proposed by the chairman of the Fisheries and Wildlife Conservation Subcommittee (Mr. DINGELL) would have the net effect of protecting this important marine mammal, insuring this country's continued observance of the treaty, and also provide for just compensation to the Native Alaskan claims in regard to the islands of St. George and St. Paul within the Pribilof Island grouping.

Mr. Chairman, the alternatives between the approaches embodied in the existing bill and those contained within Congressman DINGELL'S amendment leave no doubt in my mind, nor I hope in the minds of the majority of my colleagues, that acceptance of these two amendments will reflect the wisdom of this body in continuing to take concerted and dynamic action to preserve our dwindling natural wildlife resources for the enjoyment and benefit of all future generations.

Of special significance to the State of Washington is the fact that the adoption of the amendment offered by the gentleman from Michigan (Mr. DINGELL) will serve to further preserve an important migratory bird—the blackbrandt, whose breeding grounds and nesting areas are contained in these Alaskan refuges.

So, Mr. Chairman, I urge the committee to adopt the Dingell amendments.

Mr. DINGELL. Mr. Chairman, I want to thank my good friend, the gentleman from Washington (Mr. PELLY), who is the senior minority member on the Subcommittee on Fisheries and Wildlife

Control, and to thank him for his support of this amendment.

Mr. KYL. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. I yield to the gentleman from Iowa.

Mr. KYL. Mr. Chairman, the gentleman spoke of the Kodiak reservation, and the necessity for keeping man out of that area because the Kodiak bears are a somewhat disappearing species, and I wonder about the motivation here.

Is it not true that we now permit the hunting of Kodiak bears in that area?

Mr. DINGELL. That is correct. All my amendment would do with regard to the Kodiak refuge is probably to allow the Natives to make their selection for refuge purposes for the protection of the Kodiak bears, and the protection of the refuge which would prohibit any major cattle ranges on the reservation, something which is not now permitted, and to permit the Natives to maintain in most cases their traditional ways of life in which they have always engaged.

Mr. KYL. Mr. Chairman, will the gentleman yield further?

Mr. DINGELL. I will be glad to yield to the gentleman.

Mr. KYL. Mr. Chairman, I would appreciate the gentleman's evaluation of this question:

Does the gentleman think that the best way to preserve these bears is by permitting the Natives the selection of a small portion of the acreage, or would it be better to stop the killing of the bears by hunters?

Mr. DINGELL. I would state to the gentleman from Iowa that we have found by long history that the hunter process does not do much to destroy the population of wildlife.

Mr. KYL. I thank the gentleman.

Mr. DINGELL. Mr. Chairman, with your permission I would like to read excerpts from Assistant Secretary of the Interior's letter to me of June 17, 1971—which incidentally would be applicable to the bill under consideration today as evidenced by a letter to me of September 3, 1971, from the Deputy Assistant Secretary—which clearly expresses my concern over these refuges. The excerpts are as follows:

As we interpret the Administration's proposal (then H.R. 7432 but now H.R. 10367) it could reduce our holdings at seven refuges in Alaska . . .

Highest reductions could occur at Kodiak and Clarence Rhode Refuges . . .

The Kodiak National Wildlife Refuge is the primary refuge concerned with the preservation of the habitat of Alaska brown bear. This unique ecosystem—wilderness with an interspersion of salmon spawning grounds—cannot be replaced. Lands subject to reduction are in coastal regions and past studies have shown that these areas include the most important bear habitat as well as streams providing substantial support to the multimillion-dollar salmon industry of Kodiak . . .

You will observe that the villages on Kodiak Refuge are along the shore and presently provide the access route into various parts of this refuge. It is possible that lands patented to villages could block access to refuge lands inland from patented tracts . . .

Also, future land use patterns of patented lands could have an indirect adverse effect on refuge management . . .

It is not only the amount of land withdrawn, but also the subsequent development and use of that land which would have an impact on refuge objectives . . .

Mr. Chairman, as previously indicated, it was my sincere wish that wildlife refuges would be excluded from Native selection under this bill. However, since the Committee on Interior and Insular Affairs did not, in its wisdom, honor my request, I now feel compelled to offer amendments to the bill which would require the Secretary of the Interior to take the necessary steps to see that wildlife refuges in the State of Alaska are given the protection to which they are entitled.

Mr. Chairman, I would like to again stress the importance of these amendments. Of the 40 million acres of lands authorized for Native selections, my amendments would affect only those areas selected by the Native villages within 1 year after date of enactment of the legislation, which will amount to approximately 18 million acres. It has been determined by the Secretary of the Interior that as much as 1 million of the 18 million acres could be, and is likely to be, selected within wildlife refuges.

I sincerely feel that the adoption of my amendments is the least we can do as concerned citizens and as Members of this distinguished body to minimize the devastating effects Native selections will have on these areas of such national significance and importance.

Mr. Chairman, I urge the immediate adoption of my amendments.

Mr. STEIGER of Arizona. Mr. Chairman, I rise in opposition to the amendment.

I think everybody recognizes that the gentleman from Michigan has a very sincere desire to protect the wildlife refuges he has mentioned. I think the contribution of the bill itself toward the protection of the wildlife refuges is irrefutable regardless of the replacement acreage. The committee spent some time on this matter and this seemed to us at the time a very happy compromise—the replacement of acres outside the wildlife refuge for those taken by the natives from within the refuge.

I would like my colleagues for a moment to consider priorities here. For years the Federal Government has played a role with the American Indian and the Alaskan Natives of speaking with a forked tongue. As far as I am concerned, here we come again, if this amendment is passed, speaking to the Alaskan Native with a forked tongue.

There are approximately 10 villages that will be affected that may select from within the wildlife refuges. I ask that the Members carefully examine the specific language of the amendment offered by the gentleman from Michigan. What we tell the residents of these 10 villages is we have made a settlement with you, you are entitled to select from around the villages where you now live for lands to be held in fee by you, but once you have selected it, the Secretary, the Great White Father, under this language, must come in and purchase that land from you or limit your use of that land or some combination of the three that will not permit you to use the land as you would like to.

Mr. DINGELL. Mr. Chairman, will the gentleman yield?

Mr. STEIGER of Arizona. Not at this point, but I will yield to the gentleman before I am out of time.

Mr. Chairman, that is the direct effect, whether it is the intent of the gentleman or not. The priority that is involved here is not just the priority of whether the native or the bear has precedence in this area. It is not the threat of the cow range in that area. It is nonexistent. If Members think they are going to pick a contest, if they think it is tough for a bear to live with people, I ask the Members to consider how tough it is for the cow to live with the bear.

I would only ask that we recognize the gentleman from Michigan is very sincere in his effort to protect the wildlife refuges, but we must also realize that we are making a commitment to the natives which we are going to violate if we adopt the amendment of the gentleman from Michigan.

Mr. Chairman, I yield now to the gentleman from Michigan.

Mr. DINGELL. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, the amendment is drafted for the express purpose of allowing the broadest possible discretion to the Secretary in the hope that he will use that discretion to have a minimal adverse effect not only on the refuges but also, I would have my good friend, the gentleman from Arizona know, on the rights of the natives, so that the natives will get as much land as they possibly can. That is the purpose of the amendment.

Mr. STEIGER of Arizona. I thank the gentleman.

Mr. Chairman, the committee feels it has done that adequately in the amendment offered by the gentleman from Oklahoma (Mr. EDMONDSON) which I very much would like to read at this point. It says:

The Secretary shall, from other public lands in the State of Alaska, provide additional national wildlife refuge lands to replace any acreage in existing national wildlife refuges selected by Native villages pursuant to this section.

I do not think I can be any more specific than that.

Mr. TAYLOR. Mr. Chairman, will the gentleman yield?

Mr. STEIGER of Arizona. I yield to the gentleman from North Carolina.

Mr. TAYLOR. Mr. Chairman, let me add a point to what the gentleman from Oklahoma said, that it is not right to request these natives to move away from the villages where their ancestors have lived for centuries and make them go elsewhere. That reminds me of one of the sad chapters in our history which took place in the district I represent in the days of Andrew Jackson, when the Cherokee Indians were ordered to leave western North Carolina and the surrounding area and go to Oklahoma.

The Army was used as a means of enforcing the order. Those who refused to go, hid in the mountains, in the caves and mountain caves, and they constitute the ancestors of the Eastern Band of Cherokee Indians today. The others were forced by the Army to travel on foot across the country from western North Carolina to Oklahoma, and one-half of them died during that tragic march, along what is called the Trail of Tears.

We do not want to reenact that tragic episode of history.

Mr. STEIGER of Arizona. I thank the gentleman for that little glimpse of history.

Mr. Chairman, I would point out that I do not believe anybody in the House, the gentleman from Michigan included, wants this House to speak with a forked tongue.

Mr. MEEDS. Mr. Chairman, I rise in opposition to the amendment.

Mr. SEIBERLING. Mr. Chairman, will the gentleman yield for a question which I should like to direct to the gentleman from Michigan (Mr. DINGELL).

Mr. MEEDS. I yield to the gentleman from Ohio.

Mr. SEIBERLING. Are any of the areas where there is possible conflict between the selection of villages and wildlife refuge areas where there is some unique form of wildlife which would be threatened, or is it simply the location or the extent of the area that is involved?

Mr. DINGELL. Mr. Chairman, will the gentleman yield?

Mr. MEEDS. I yield to the gentleman from Michigan for an answer.

Mr. DINGELL. There is an area particularly of concern. One is the area of the Big Bears. The other is the area of the Pribilof Islands, St. George, and St. Paul, where practically the only North Pacific fur seals exists.

It is certain under the bill as constituted that the entire islands of St. Paul and St. George would be taken by the villages there. Thereby the habitat of the seal, which this Nation is committed by treaty to protect, would be jeopardized. The seal population would be jeopardized. Probably the treaty would be abrogated.

Mr. MEEDS. I would prefer at this point that the gentleman obtain his own time, and I am sure he can do so, if he has further questions.

Mr. Chairman, I might suggest that the very uniqueness to which the two gentlemen have been addressing themselves, with respect to the seal and brown bear, also applies to human beings. This is pretty unique land they are living on. This is their home.

I believe it is very important that Congress understands the issue. The gentleman from Oklahoma, with his ability to cut to the heart of the matter, has done so. The question here is, Are we going to pay more attention to animal rights than we are to human rights?

The Secretary would have all of these powers under this amendment to buy, to exchange, and to take from these Natives their home land, land upon which their ancestral villages have been placed for thousands of years.

I suggest to you it is pretty important to the Congress today that we take this into consideration when we consider this amendment.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. MEEDS. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. I believe the Committee would do well to take a careful look at the language which the gentleman from Michigan used in his amendment. Arguing for this amendment he said that the only situation which he could conceive of in which the Secretary would retain this land in the refuge and deny it to the Natives for villages would be where there is no other way to preserve the functional integrity of the refuge. But that language does not appear in his amendment. That safeguard is not present in his amendment.

In his amendment, if the Secretary, in his judgment, believes any selected land should be retained in order to preserve the range or area concerned, he can retain it for that purpose. Nothing is said about functional integrity of the refuges.

Mr. MEEDS. And in the final analysis all of the authority, all of the discretion as to whether there is going to be an exchange, a reservation or a sale resides in the Secretary.

I have told the gentleman from Michigan I would have no objection to this amendment if the Natives were to make the decision, if they wanted to move. If they wanted reservations or easements on the land, on their home lands, then I would have no objection to it. But this amendment does not say that. It says the Secretary shall have the discretion.

I submit to you it is for the purpose of insuring that he can make these changes that that language is not added.

Mr. KYL. Mr. Chairman, will the gentleman yield to me?

Mr. MEEDS. I yield to the gentleman from Iowa.

Mr. KYL. I thank the gentleman for yielding.

We should say one other word in behalf of these Natives. They have lived with the bears and used the land; they have lived with the seals and have used the land. The fact that these values exist today is ample testament to the kind of conservators they are. I have never heard a report of an Eskimo who went out to shoot a bear to get his picture taken with a trophy or in order to put the trophy on the wall. I am not worried with regard to what they do about this land.

Mr. MEEDS. And if the Members of the House do understand the affinity that these native people have for this land, there is no question but that they will vote this amendment down resoundingly.

Mr. HALEY. Will the gentleman yield?

Mr. MEEDS. I yield to the gentleman.

Mr. HALEY. Of course, under the language of the amendment offered by the gentleman from Michigan, the Secretary will have absolute power and the Natives will have none.

Mr. MEEDS. Precisely.

Mr. SAYLOR. Mr. Chairman, I rise in support of the amendment.

As I begin my remarks, I would like to pay a tribute to the gentleman from Oklahoma (Mr. EDMONDSON) because at the time this bill was being considered by the full committee I offered an amendment very similar to the one that is being offered now by the gentleman from Michigan (Mr. DINGELL). It was the action of the gentleman from Oklahoma that resulted in the language that is now in the bill. I just want to say that this is a tremendous improvement over the bill that was reported from the subcommittee to the full committee.

Mr. EDMONDSON. Will the gentleman yield?

Mr. SAYLOR. Yes. I will be happy to yield.

Mr. EDMONDSON. I think the gentleman from Pennsylvania should get credit where it is due for calling this matter forcibly to the attention of the committee when we were sitting in full committee and offering an amendment at that time which would have dealt with the situation a little differently.

The gentleman had been prevented by illness from being present in the subcommittee when we were considering this matter, or else I am sure he would have offered his amendment at that time and we could have corrected it then. I do not think there was ever an intention on the part of the members of the subcommittee to reduce our wildlife refuges in Alaska. The gentleman from Alaska, who studied the question carefully, tells me many of the wildlife experts in Alaska now say the new language in the committee amendment will permit some selections to greatly improve the overall character of the refuge system in Alaska.

Mr. SAYLOR. I will say to my colleague I believe there are many instances in certain refuges in Alaska where the language we now have in the bill will do just that. It will improve many of the wildlife refuges. But the fallacy of the argument that was advanced by the chairman of the full committee is that the amount being taken is only 6 percent of the entire wildlife system. Now, that is very misleading. I concede his figures are right, but the important thing is that there are certain refuges that are very delicate; there are certain refuges where we cannot go anywhere else and get the lands of refuge character and quality.

You will notice that the gentleman from Michigan has been very careful in drafting this language, because he does not take away anything from the native villages which are already there. There is nothing in this amendment which will move a native village. It is not a question of deciding between the people and the bears, as somebody said. The only question grows out of where in the lands of Alaska the Natives are allowed to select areas around their village.

If the Secretary has a right through exchange or otherwise to deal with these lands then when in his opinion it will be to the advantage of the national interests to protect the wildlife refuge he can do so.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Would the gentleman show me where in the amendment offered by the gentleman from Michigan there is any assurance, specific assurance, that village land which is selected by the Natives for their permanent estate would not be subject to the Secretary's right to reserve it to the United States?

Mr. SAYLOR. There is nothing in this amendment and there is nothing in the bill which says that the Natives are given their village site but they are given certain sections around it.

Now, you will notice that the bill says that they are to earmark land around their villages. That is what the bill as reported out of the committee said. It does not say anything with regard to the village site itself.

Mr. MEEDS. It surely does.

Mr. SAYLOR. No, it does not. Someone commented about the village site. There is nothing in this bill here that says anything about the village site. The language of the bill is ambiguous.

Mr. MEEDS. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. Yes, I yield to the gentleman from Washington.

Mr. MEEDS. The bill refers to the township upon which the village is located and it reserves to their selection the contiguous and cornering townships.

Mr. SAYLOR. The bill withdraws the township which encloses all or part of any Native village. It only deals with the enclosing of a village and not with the village site itself.

Mr. MEEDS. They are given the right to select that township and certain townships within the areas which the gentleman just talked about.

Mr. SAYLOR. There is not anything that says—they do not have to select that land around them. They may.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Is the gentleman saying that the Native village has to remain where it is and cannot move to another site or select another site under this bill?

Mr. SAYLOR. It is my understanding that that was the intention of the committee, that they were not to move the home site.

Mr. BEGICH. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment proposed by the gentleman from Michigan regarding wildlife refuges. In this limited time, let me state specifically my numerous objections to this amendment, most of which are also applicable to the other amendment to be offered regarding St. George and St. Paul Islands.

First. The Interior Committee has considered in depth the question of wildlife refuges as a part of this settlement The committee made findings which gave remarkable insight into this problem. Consider:

Of 200 Native villages, only 10 are inside refuges. An additional 27 are nearby and may affect refuge land.

In Alaska, there are 20 million acres already in wildlife refuges. Sixty-four percent of all this Nation's refuges are in Alaska right now. Of this, the largest amount the villages could select is just over 1 million, and it is unlikely this figure will ever be approached.

In the two worst examples cited by the gentleman from Michigan, the figures are as follows:

Kodiak: 322,000 acres could be taken—but will not. Total refuge: 1,815,000 acres.

Clarence Rhode: 644,000 acres could be taken. Total refuge: 1,900,000 acres.

In all others, the percentages which could be taken are down around 5 percent or lower. And this amount is not likely to be reached.

The point is: That the impact of these selections is overstated, and to the disadvantage of Alaska's Natives.

Second. The committee did take action on this question:

Where villages can select up to seven townships elsewhere, they can select no more than four in refuges.

Where villages can get full fee title elsewhere, they only can get surfact title in refuges.

Where refuges are diminished in size by Native selections, other refuges land may be added elsewhere.

So, the amendment offered is not a new topic. The committee considered and acted on this question.

Third. The committee would reject an approach like the present amendment because it is in total disregard of the purpose of this bill. The purpose of this bill is to confirm title to Native land that they have occupied for hundreds of years. For 37 villages, this act is being used to take land away. They would be better off with things as they are right now. My question is: Would you vote for a bill which gave the Secretary of the Interior the power to move a town or reduce a town in size in your district because it was a wildlife area?

Fourth. The fact is that procedures already exist for condemnation of land for public use. It is unfair to tie a string to this bill.

Fifth. Perhaps the most telling point is the procedure established in this amendment. It would be possible to call it the Native relocation amendment or the Native removal. The simple fact is that an entire village could be moved or that its boundaries could be so restricted that all cultural meaning would be lost. What is worse is the shocking loss of due process. Although the amendment is lengthy, its impact is simple. The Secretary decides everything. If he cannot negotiate the taking of the land he wants, he can act unilaterally to take it for just compensation. For the benefit of all here, I would say: These villages and their people do not want just compensation; they want their land and continued existence. I think they deserve that priority.

Sixth. Finally, is it not clear by now that the reason these lands were so fine that they were selected as refuges is that the Native people are themselves the first conservationists? I am simply unwilling to condemn the lands of a 200-year-old village because the people in Washington say it has to be protected. The fact is that it has been protected and enhanced for decades by the same village. They will not stop the day after the act. For cynics, it might be well to note that all State and Federal laws for wildlife will still apply.

CONCLUSION

The priority today is Native rights and it is a fine priority, long overdue for recognition for Alaska's Natives. Thirty-seven villages must not lose their land today because only a few years ago a refuge was dropped on their land. I urge that their rights be upheld and the amendment defeated.

Mr. SEIBERLING. Mr. Chairman, will the gentleman yield?

Mr. BEGICH. I yield to the gentleman from Ohio.

Mr. SEIBERLING. Mr. Chairman, I have asked the gentleman from Alaska to yield for a question, and I will ask the same question that I asked the gentleman from Michigan (Mr. DINGELL) and that is: Are there some areas where there are villages where a particular wildlife is unique, and therefore there is no other refuge that you could substitute?

Mr. BEGICH. There are 375 million acres of land in Alaska. I know how some of the reservations were established, without consideration for where the animals actually were in some cases, so I would say the answer is absolutely no.

In addition, let me say that the big area that the gentleman talks about, the Clarence Rhode Refuge, which has 1.8 million acres, and has 83,000 lakes of more than 23 acres, has right alongside an area, which is an ever greater nesting area. The game officials have told me that we have areas far better for the nesting of birds, and that we can do a better job of establishing a true refuge for those birds instead of just doing it at the end of a President's term in office, as is so often the case at present.

Mr. SEIBERLING. If the gentleman will yield further, the gentleman from Michigan (Mr. DINGELL) mentioned two specific areas, one the Kodiak Bear Refuge, and the other the Pribilof Seal Breeding Area. Would the gentleman care to comment on that?

Mr. BEGICH. On Kodiak, I would say that we would be taking 100,000 or 150,000 out of 1.5 million acres in that immediate area, which cannot be replaced in the immediate area unless some additional land could be taken to the north. In other areas such as that of the islands of St. George and St. Paul, the people up on these islands have done a remarkable job bringing the seals from something like 200,000 seals in 1911 up to 1.3 million seals, and there is no one who could say that the native effort was not important in this gain.

Mr. DINGELL. Mr. Chairman, will the gentleman yield?

Mr. BEGICH. I will if the gentleman from Ohio has completed his questioning.

Mr. SEIBERLING. I thank the gentleman.

Mr. BEGICH. I now yield to the gentleman from Michigan.

Mr. DINGELL. Mr. Chairman, let me say that the gentleman has mentioned the St. Paul and St. George Islands, and what the gentleman has said concerning the seals there is quite wide of the mark.

The fact of the matter is that these people were hired by the Department of the Interior and the Bureau of Fisheries to kill the seals, and they have not done one thing as far as the preservation of the seals is concerned, and they have not done one thing to enhance the seal population at all.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GERALD R. FORD. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, as the committee report has indicated on page 23, the Secretary of the Interior has endorsed the committee bill. We know our former colleague, those who served with him, as a person constructively and actively interested in conservation. I believe that Secretary of Interior Morton's position in this regard should be borne in mind as we vote on this amendment, and on subsequent amendments.

There is no one to my knowledge who is more dedicated to conservation than Rogers Morton, both when he was a Member of the House of Representatives and now, where he is Secretary of the Interior.

Let me add, if I might, the President of the United States has been actively supporting the Alaskan Natives Claims legislation, not only through his Secretary of the Interior but in contacts with Members of the House both on our side of the aisle and on the other side of the aisle.

The President yesterday sent me a letter which I would like to read in which he reiterates his strong personal interest in the committee bill.

The letter is as follows:

THE WHITE HOUSE,
*Washington, D.C., October 18, 1971.*

Hon. GERALD R. FORD,
*Minority Leader, House of Representatives, Washington, D.C.*

DEAR JERRY: I have followed with interest the progress of the settlement of the Alaska Native Land Claims legislation through the House Committee on Interior and Insular Affairs. As you know, on April 5 of this year my Administration submitted its own bill to the Congress (H.R. 7432) which was given careful consideration by the House Committee.

Now pending for action by the full House is H.R. 10367 as reported favorably by the Committee on Interior and Insular Affairs. This bill grew out of long hours of conscientious deliberation by the members of that Committee and represents a coordination of the views of not only the members of that Committee but also of the Alaska Natives, the State of Alaska and this Administration.

The settlement of the Alaska Natives Land Claims issue is long overdue. The Alaska Natives are entitled to receive an equitable and just settlement for the taking of their lands. Any further delay in the settlement of this long standing claim would be grossly unfair to the Native people of Alaska.

H.R. 10367 as reported by the House Interior Committee will meet the objectives of this Administration and I urge that it be acted upon favorably by the full House.

Sincerely,

RICHARD NIXON.

The administration is for this legislation. It has been indicated to me by our former colleague, presently the Secretary of the Interior, that action is needed in the form recommended by the committee and as amended possibly by the committee amendments.

I strongly hope that we can maintain the integrity of this committee bill and act as promptly as possible to get this legislation passed.

Mr. EDMONDSON. Mr. Chairman, will the geltleman yield?

Mr. GERALD R. FORD. I yield to the gentleman.

Mr. EDMONDSON. Mr. Chairman. Mr. Chairman, I thank the distinguished minority leader for yielding.

I think that there could be added, as a footnote to what the gentleman has said about the credentials of Secretary of the Interior Morton, who was recognized while a Member of this body as a leader for conservation, that the Assistant Secretary of the Interior who wrote the gentleman from Michigan saying that he thought this bill was a good bill and should be adopted is also an outstanding conservationist.

Assistant Secretary Reed is a former top ranking conservationist of the State of Florida and holds impeccable credentials in the conservation field.

So we do have conservationists of note on record who are in support of this bill as the committee reported it.

Mr. McCLURE. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise in support of this amendment. As I said in general debate yesterday, I offered an amendment in the committee to guarantee the integrity of wildlife refuges in Alaska. I was not satisfied then, and I am not satisfied now, that the decision to deny to the Alaska Natives their traditional hunting and fishing rights and to award them subsistence lands as a substitute was either in the interest of the Natives or of the people of the United States. It is even more clearly revealed as an error when it is applied to lands within our wildlife refuges.

Under the prod of my amendment, the committee adopted a substitute amendment to provide for the replacement of equivalent acreage for all lands selected within a Federal wildlife refuge. Of course, I prefer the committee amendment to no protection at all, but I prefer the amendment now offered by the gentleman from Michigan. It provides a greater measure of protection. I would prefer my own, which would guarantee the integrity of these special areas in Alaska. However, I think I can recognize the mood of the House today, and I doubt that we have enough votes to pass the pending amendment, let alone mine.

I remain persuaded that there is no valid reason to permit the large land selections permitted by this legislation surrounding Native villages where it encroaches upon or reduces the lands of our wildlife refuges. In the absence of any such clear showing of valid need I must oppose this action and urge the adoption of the pending amendment.

Mr. SEIBERLING. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I yield to the gentleman from Alaska (Mr. BEGICH) in order to comment on the final remarks of the gentleman from Michigan (Mr. DINGELL).

Mr. BEGICH. Mr. Chairman, I thank the gentleman from Ohio.

Mr. Chairman, I shall be very brief. I think we cannot allow the last statement to remain in the minds of anyone.

As we look at some of the fact sheets put out by the Secretary of Commerce—the 600 Aleuts who live on St. George Island depend solely as a source of gainful work on the seal harvest. They know their future depends on protecting that seal herd.

The seal herd of the Pribilofs today is thriving, its number estimated at 1⅓ million animals. Its return from a dangerously low level of 200,000 in 1911 is a historic story in the annals of man's effort to conserve wildlife.

It is time we got serious about this problem.

In the United States, the Fur Seal Act of 1966 charged the Secretary of the Interior with management of the fur seals. This responsibility was transferred to the Secretary of Commerce on October 3, 1970. The National Oceanic and Atmospheric Administration's National Marine Fisheries Service supervises the harvest of an average 50,000 fur seals each summer on the Pribilof Islands.

The harvest is restricted largely to 3- and 4-year-old bachelor males that congregate on the edges of the rookeries. Baby seals, or pups, are not harvested. Females are taken only when it is necessary to keep the number of animals at the most productive level the Pribilof environment can support. Overcrowding brings higher mortality among the pups. The battle for living space causes injuries and leads to disease and starvation. Such mortality, in the past, has taken up to 20 percent of the pups before they are sufficiently mature to leave the rookeries.

In conclusion, I would like to say the Native people on St. George and St. Paul do know the value of their rookeries, do know the value of the fur seal. They are careful with their conservation practices.

Mr. DINGELL. Mr. Chairman, will the gentleman yield?

Mr. SEIBERLING. I yield to the gentleman from Michigan.

Mr. DINGELL. I can only come to the conclusion that the gentleman from Alaska just does not know what he is talking about. The Aleuts on St. George and St. Paul Islands have no more to do with the conservation of seals there than they have with the weather in the area. It is controlled by treaty under the direction of the Bureau of Fisheries and Oceanography Agency. The Aleuts do nothing but hit the seals on their heads and skin them. They lay down no policy. That is done under treaty, a copy of which I have in my hand, under the

direction of the Department of Commerce, Bureau of Commercial Fisheries. That is who does the work. The gentleman from Alaska is either deluding himself or being guided by somebody else if he actually believes what he says.

Mr. KYL. Mr. Chairman, will the gentleman yield?

Mr. SEIBERLING. I yield to the gentleman from Iowa.

Mr. KYL. I think there is a basic assumption of something that cannot possibly be true. Under no conditions will these Natives be excluded from the provisions of treaties signed by the State of Alaska and the United States. The Federal law will apply, and the treaties will apply. We make no exception for these people.

I thank the gentleman for yielding.

Mr. CONTE. Mr. Chairman, I rise to support the important amendment offered by the distinguished gentleman from Michigan (Mr. DINGELL). This is a crucial amendment, which will deal with a most serious problem that might arise under the committee bill.

As members of the Migratory Bird Conservation Commission, Mr. DINGELL and I are vitally concerned with preserving our precious wildlife refuges. And in Alaska there are a number of highly significant ones, long established and administered by the Bureau of Sport Fisheries and Wildlife of the Department of the Interior. These are crucial refuge areas. For example, the waterfowl refuges in Alaska are prime breeding and migration staging grounds for the largest portion of the migrating waterfowl of the entire Pacific flyway. Equally important are those refuges carefully selected to protect the key habitat of important species such as the moose, the Alaska brown bear, and the timber wolf.

The settlement of Native claims in the committee bill allows, among other things, each existing Native village to select and obtain full patent to its village site, the entire township in which its village is located, and surrounding townships up to a total acreage which varies according to the proven population of the Native village involved.

This is an excellent system, and I support it. This procedure will return to Native control, their villages and surrounding domain. That is as it should be.

But, in some instances a serious conflict may ultimately develop between the use of portions of these Native village lands and the national wildlife refuges in which some villages are located. For, in fact, there are a number of cases in which Native selections within a wildlife refuge will take a considerable portion of the wildlife refuge land.

The function of this amendment is to provide the Secretary of the Interior with tools he can put into use in the situation in which he finds a serious conflict between some ultimate use of the Native land and the wildlife refuge areas. These tools range from exchange authority to the purchase of easements and reservations of interests. There is a range of options here—which is not provided in the committee bill.

This is sensible, since the Secretary must be empowered to deal with the specific problems that arise and the nature of these problems cannot precisely be predicted in advance.

Mr. Chairman, this amendment simply places in the hands of our fish and wildlife managers in Alaska the range of tools and options they will need to carry out their mandate to protect and promote the wildlife in these refuges. This amendment accomplishes that purpose, without working an injustice on the Natives or any other interest. I believe this amendment is essential, and I urge my colleagues to join Mr. DINGELL in supporting it.

Mr. RUPPE. Mr. Chairman, I strongly support the amendment offered by my distinguished colleague, the gentleman from Michigan (Mr. DINGELL). This amendment provides that the Secretary of the Interior, when he determines that a Native land selection will interfere with refuge purposes, may negotiate with the Natives for outright purchase, purchase of easement, or lease of the land in question. If these options are not adequate, the Secretary has the authority to reserve the necessary interest, paying just compensation for same. Certainly this is the only safeguard for guaranteeing the integrity of these national wildlife refuges, lands which are irreplaceable national assets.

Mr. Chairman, initial proposals for settlement of the Indian Native claims provided for a land transfer of 10 million acres. If this Congress in its wisdom increases this settlement by 30 million acres, to a truly beneficial total of 40 million acres, the exchange or even retention of 1, 2, or even 3 million acres in the interest of preserving and protecting the integrity of our priceless national wildlife refuges is in the best interests of all the American people.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan (Mr. DINGELL) to the committee amendment.

The amendment to the committee amendment was rejected.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

COMMITTEE AMENDMENTS

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 19, lines 12 and 13, strike "numbered" and insert "Numbered".

The committee amendment was agreed to

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 20, line 3, strike "are" and insert "is".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 20, line 4, strike "corner" and insert "corners".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 22, line 3, after the word "by" insert "subsections (a), (b), and (c) of".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 30, after line 18, insert a new subsection as follows:

"(g) Except as otherwise provided in this Act, all unreserved public lands in Alaska which have not been previously classified by the Secretary are hereby withdrawn from all forms of appropriation under the public land laws, including the mining and mineral leasing laws. The Secretary is hereby authorized to classify any lands withdrawn by this section and to open to mineral leasing, entry, selection, location, or disposal in accordance with applicable public land laws, lands which he determines are chiefly valuable for the purposes provided for by such laws.

"Upon the application of any applicant qualified to make entry, selection or location, under the public land laws, on lands not classified for entry, the Secretary shall examine the lands described in the application and if he classifies them as suitable for the purpose described in the application and opens them to entry, said applicant shall be entitled to enter, select or locate such lands.

"Nothing in this section shall restrict the land selection rights of the State under the Alaska Statehood Act (72 Stat. 341). The lands withdrawn under this section shall be subject to administration by the Secretary under applicable laws and regulations, and his authority to make contracts and to grant leases, permits, rights-of-way, or easements shall not be impaired by the withdrawal."

SUBSTITUTE AMENDMENT OFFERED BY MR. UDALL FOR THE COMMITTEE AMENDMENT

Mr. UDALL, Mr. Chairman, I offer an amendment in the nature of a substitute for the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. UDALL as a substitute for the committee amendment: On page 30, line 19, strike out all of line 19 and all of the remainder of page 30 and all of page 31 down to and including line 17, and insert in lieu thereof the following:

"(g)(1) Except as otherwise provided in this Act, all unreserved public lands in Alaska which have not been previously classified by the Secretary are hereby withdrawn from all forms of appropriation under the public land laws, including the mining and mineral leasing laws. The Secretary is hereby authorized to classify, in the manner heretofore provided by the Classification and Multiple Use Act (78 stat. 986), and to open, subject to the provisions of this subsection, to mineral leasing, entry, selection, location or disposal in accordance with applicable public land laws, lands which he determines are chiefly valuable for the purposes provided for by such laws: *Provided,* That nothing herein shall restrict the land selection rights of Native villages and Alaska Native Regional Corporations under this Act or of the State under the Alaska Statehood Act.

"(2) The lands withdrawn under this subsection shall be subject to administration by the Secretary under applicable laws and regulations, and his authority to make contracts and to grant leases, permits, rights-of-way, or easements shall not be impaired by the withdrawal, except that rights-of-way under section 2477 of the Revised Statutes of the United States shall take effect only under such terms and conditions as the Secretary may establish.

"(3) The Secretary is hereby authorized and directed to review all unreserved public lands in Alaska and to identify within such lands all areas which are generally suitable, under existing statutory and administrative criteria, for potential inclusion as recreation, wilderness or wildlife areas within the National Park System, the National Wild and Scenic Rivers System, and the National Wildlife Refuge System; for retention as National Resources Lands for Federal multiple use management (including for subsistence uses, including hunting and fishing, by Natives and for wilderness); and, after consultation with the Secretary of Agriculture, for inclusion within the National Forest System for multiple use management. The Secretary shall, on the basis of such review and within six months of the date of this Act, withdraw and designate all such generally suitable areas, and especially those areas which have been heretofore inventoried in agency studies, as "national interest study areas", and shall advise the President and the Congress of the location and size of, and the potential national interest in, each such study area: *Provided*, That the total area of all such designations by the Secretary shall not exceed fifty million acres. In making the reviews and in designating national interest study areas as directed by this subsection, the Secretary shall consider areas recommended to him by the Temporary Planning Commission established pursuant to this subsection and by knowledgeable and interested individuals and groups.

"(4) The Congress finds and declares that the Copper River Classification (33 Fed. Reg. 19957), the Iliamna Classification (32 Fed. Reg. 14971), the Brooks Range area as previously proposed for classification (35 Fed. Reg. 18003) by the Secretary under the authority of the Classification and Multiple Use Act (78 Stat. 986), the Naval Petroleum Reserve Numbered 4, and the Rampart Power Site Withdrawal, have potential national interest for the purposes set forth in this subsection and are withdrawn to be studied and investigated in accordance with the procedures and time limits set forth in paragraph (5) of this subsection. Lands withdrawn by the Secretary for study under this paragraph shall not exceed fifty million acres.

"(5) Within five years of the designation of each national interest study area withdrawn pursuant to this subsection, the Secretary shall, on the basis of further detailed studies and after consultation with the Temporary Planning Commission established pursuant to this subsection, report to the President and the Congress his recommendations as to the suitability or non-suitability of such national interest study area or portion thereof, together with such adjacent areas as he may deem appropriate, for the purposes of inclusion as recreation, wilderness or wildlife areas within the National Park System, the National Wild and Scenic Rivers System, and the National Wildlife Refuge System; for retention as National Resource Lands for Federal multiple use management (including for subsistence use, including hunting and fishing, by Natives and for wilderness); and, after consultation with the Secretary of Agriculture, for inclusion within the National Forest System for multiple use management; or for such other purposes as the Secretary may deem appropriate.

"(6) Each national interest study area designated pursuant to this subsection shall remain withdrawn from all forms of appropriation under the public land laws, including the mining and mineral leasing laws, until the Secretary submits his recommendations pursuant to subsection (g)(5) of this section and until the future status and disposition of each such national interest study area is determined by Congress: *Provided*, That the authority of the Secretary to establish national wildlife refuges on the public lands under his jurisdiction, including within any national interest study area, shall not be diminished by this paragraph. Initial identification of lands desired to be selected by Alaska Native Regional Corporations pursuant to section 11(j) of this Act and by the State pursuant to the Alaska Statehood Act may be made within any national interest study area, but such lands shall not be tentatively approved or patented unless and until the withdrawal of such areas pursuant to paragraphs (3) and (4) of this subsection is revoked by Act of Congress: *Provided, further*, That selection of lands by Native villages pursuant to this section and pursuant to section 13 of this Act shall not be affected by such withdrawal and such lands may be patented as authorized by section 11 of this Act. Notwithstanding any of the provisions of this subsection, the total amount of land that may be selected by Natives or by the State under the terms of this or any other Act shall not be lost or diminished by reasons of the provisions of this paragraph. In the event Congress determines that any area that the Natives or the State desire to select shall be permanently reserved for any of the purposes specified in subsection (g)(5) of this section, then other unreserved public lands shall be made available for alternative selections by the State and Natives. Any time periods established by law for such selections shall be deemed to be extended to the extent that delays are caused by compliance with the provisions of this paragraph.

"(7) The Congress finds and declares that the disposition of Federal lands in Alaska and the use of Federal, State, and other lands, including offshore mineral resources development in Alaska, should be coordinated and planned so as to foster and promote the general welfare, create and maintain conditions in which man and nature can exist in sustained productive harmony, and fulfill the social, economic, cultural, and other requirements of present and future generations of Americans. It is the purpose of this paragraph and paragraph (8) of this subsection to establish policies and procedures which will provide for planned and orderly economic development and conservation of lands in Alaska, including those Federal lands to be transferred to other ownerships, in a manner which is compatible with the social, economic, and cultural well-being of Alaskans and all of the American people of present and future generations, with National and State environmental policies, and with the public interest in public lands and in existing and potential parks, forests, wilderness areas, wildlife refuges, and cultural, historical, and natural sites.

"(8)(A) There is hereby established the Temporary Joint Federal-State Natural Resources and Land Use Planning Commission for Alaska (hereinafter referred to as the 'Temporary Planning Commission'), which shall continue in existence until such time as all administration of land use plans by the Commission is relinquished under the provisions of subsection (g)(8)(I)(ii) of this section or at a sooner time if superseded by subsequent Act of Congress.

"(B) The Temporary Planning Commission shall be composed of fourteen members as follows:

"(i) the Governor of the State of Alaska or his designated representative, who shall serve as the State cochairman;

"(ii) two members appointed by the Governor of Alaska to represent major departmental functions of the State of Alaska;

"(iii) two members of the Alaska Legislature: the chairman of the resources committee of the senate and the chairman of the resources committee of the house of representatives;

"(iv) two members elected by the Alaska Native Regional Corporations organized under section 6 of this Act, each such corporation having one vote in such election: *Provided*, That the incorporators shall cast one such vote in the case of any corporation which shall not have been timely organized;

"(v) a Federal cochairman, appointed from the general public by the President, with the advice and consent of the Senate; and

"(vi) six members from the Federal Government appointed as follows: one by the Secretary of the Interior, one by the Secretary of Agriculture, one by the Secretary of Housing and Urban Development, one by the Secretary of Transportation, one by the Secretary of Defense, and one by the Director of the National Science Foundation.

"(C) The initial meeting of the Temporary Planning Commission shall be called by the cochairmen. Nine members of the Temporary Planning Commission shall constitute a quorum. All decisions of the Temporary Planning Commission shall require a majority of those present and voting. Members shall serve at the pleasure of the appointing authority. A vacancy in the membership of the Temporary Planning Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

"(D)(i) Except to the extent otherwise provided in clause (ii) of this subparagraph, members of the Temporary Planning Commission shall receive compensation at the rate of $100 per day for each day they are engaged in the performance of their duties. All members of the Temporary Planning Commission shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties as members of the Temporary Planning Commission.

"(ii) Any member of the Temporary Planning Commission who is designated or appointed from the Government of the United States or from the government of the State of Alaska shall serve without compensation in addition to that received in his regular employment. The member of the Temporary Planning Commission appointed pursuant to subsection (g)(8)(B)(v) of this section shall be compensated as provided by the President at a rate not in excess of that provided for level V of the Executive Schedule in title 5, United States Code.

"(E) Subject to such rules and regulations as may be adopted by the Temporary Planning Commission, the cochairmen, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III in chapter 53 of such title relating to classificaton and General Schedule pay rates, shall have the power—

"(i) to appoint and fix the compensation of such staff personnel as they deem necessary, and

"(ii) to procure temporary and intermittent services to the same extent as is authorized by section 3109 of title 5, United States Code, but at rates not to exceed $100 a day for individuals.

"(F)(i) The Temporary Planning Commission or, on the authorization of the Temporary Planning Commission, any subcommittee or member thereof, may, for the purpose of carrying out the provisions of this paragraph and paragraph (7) of this subsection, hold such hearings, take such testimony, receive such evidence, print or otherwise reproduce and distribute so much of its proceedings and reports thereon, and sit and act at such times and places as the Temporary Planning Commission deems advisable. The cochairman, or any other member authorized by the Temporary Planning Commission, may administer oaths or affirmations to witnesses appearing before the Temporary Planning Committee or member thereof.

"(ii) Each department, agency, and instrumentality of the executive branch of the

Government, including independent agencies, is authorized to furnish to the Temporary Planning Commission, upon request made by a cochairman, such information as the Temporary Planning Commission deems necessary to carry out its functions under this section.

"(G) The Temporary Planning Commission shall—

"(i) undertake statewide land-use planning, including recommendation of areas for permanent reservation in Federal and State ownership and of Federal and State lands to be made available for disposal;

"(ii) subject to the provisions of subparagraph (H) of this paragraph, make recommendations with respect to the proposed land selections by the State under the Alaska Statehood Act and by Native villages and Alaska Native Regional Corporations under this Act;

"(iii) subject to the provisions of subparagraph (I) of this paragraph, promulgate land-use plans for lands selected by the Native villages and Alaska Native Regional Corporations under this Act and by the State under the Alaska Statehood Act, whether or not such State selections have been tentatively approved on the date of this Act;

"(iv) publish criteria for implementing the purposes and provisions of this paragraph and paragraph (7) of this subsection and establish procedures, including public hearings both in Alaska and in other States, for obtaining public views of statewide land-use planning:

"(v) establish a committee of land-use advisers to the Temporary Planning Commission, made up of representatives of commercial and industrial land users in Alaska, recreational land users, wilderness users, national and State environmental groups, Alaska Natives and other citizens, and provide procedures for meetings of the advisory committee at least once every six months;

"(vi) make recommendations to the President of the United States and the Governor of Alaska as to programs and budgets of the Federal and State agencies responsible for the administration of Federal and State public lands; and

"(vii) make recommendations from time to time to the President of the United States, Congress, and the Governor and Legislature of the State of Alaska as to changes in laws, policies, and programs that the Temporary Planning Commission determines are necessary or desirable to meet the policies and purposes set forth in paragraph (7) of this subsection.

"(H) The following procedure shall be applicable to the function of the Temporary Planning Commission pursuant to clause (ii) of subparagraph (G) of this paragraph with respect to proposed land selections by Native villages and Alaska Native Regional Corporations and by the State:

"(i) Each Native village and Alaska Native Regional Corporation and the State shall, in writing, notify the Temporary Planning Commission of each proposed selection.

"(ii) Within six months after receiving such a notice, the Temporary Planning Commission shall, in writing, advise the Native village and Alaska Native Regional Corporation or the State, as the case may be, with respect to the compatibility of the proposed selection with the policies and purposes set forth in paragraph (7) of this subsection and with land use plans promulgated by the Temporary Planning Commission.

"(iii) Within six months thereafter, the Native village and Alaska Native Regional Corporation or the State, as the case may be, shall, in writing, notify the Temporary Planning Commission of its decision whether to retain the selection as originally proposed or to make an alternate selection.

"(iv) No patent shall be issued or, in the case of a State selection, tentative approval given until the foregoing procedure has been followed.

"(v) Notwithstanding any of the provisions of this or any other Act, no selection right shall be lost by reason of compliance with the time requirements established by this subparagraph. Any time periods established for selections shall be deemed to be extended to the extent appropriate for compliance with this subparagraph.

"(I) (i) Uses of all lands selected by Native villages and Alaska Native Regional Corporations pursuant to this Act and by the State of Alaska pursuant to the Alaska Statehood Act, whether or not such State selections have been tentatively approved on the date of this Act, shall be compatible with land-use plans promulgated with respect thereto from time to time after notice and opportunity for hearing by the Temporary Planning Commission. Such plans shall be applicable notwithstanding the issuance hereafter of patents for the lands affected. The United States District Court for the District of Alaska shall have jurisdiction, upon application of the Temporary Planning Commission or the Department of Justice, to issue such orders as may be appropriate to secure compliance with such land-use plans.

"(ii) Land-use plans promulgated by the Temporary Planning Commission pursuant to clause (i) of this subparagraph shall cease to be administered by the Temporary Planning Commission as to any area in which the Temporary Planning Commission determines, after notice and opportunity for hearing, that there are in effect Federal, State, or local zoning regulations and planning and enforcement provisions adequate to meet the policies and purposes set forth in paragraph (7) of this subsection.

"(iii) In carrying out its functions pursuant to this subsection, the Temporary Planning Commission shall be deemed to be an 'agency' for purposes of sections 500–559 and 701–706 of title 5, United States Code.

"(J) (i) On or before January 31 of each year, the Temporary Planning Commission shall submit to the President of the United States, the Congress, and the Governor and legislature of the State of Alaska a written report with respect to its activities during the preceding calendar year, together with its recommendations for programs or other actions which it determines should be taken or carried out by the United States and the State of Alaska.

"(ii) The Temporary Planning Commission shall keep and maintain accurate and complete records of its activities and transactions in carrying out its duties under this paragraph, and such records shall be available for public inspection.

"(iii) The principal office of the Temporary Planning Commission shall be located in the State of Alaska.

"(K) (i) The United States shall be responsible for paying for any fiscal year not more than 50 per centum of the costs of carrying out the provisions of this paragraph for such fiscal year.

"(ii) For purposes of meeting the responsibility of the United States in carrying out the provisions of this paragraph, there is authorized to be appropriated the sum of $1,500,000 for the fiscal year ending June 30, 1972, and for each succeding fiscal year.

"(iii) No Federal funds shall be expended for the provisions of this paragraph for any period unless prior to the commencement of such period the Secretary has received reasonable assurances that there will be provided from non-Federal sources amounts equal to 50 per centum of the total funds required to carry out such provisions for such period."

Mr. UDALL (during the reading). Mr. Chairman, this is not a simple little amendment. I ask unanimous consent that my amendment be considered as read and printed in the RECORD.

Mr. KYL. Mr. Chairman, reserving the right to object, I reserve that right only to substantiate what the gentleman from Arizona indicated. This is not a simple little amendment. I have it in hand, and it covers 10 pages, double spaced, on this legal-sized paper.

Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

The CHAIRMAN. The gentleman from Arizona (Mr. UDALL) is recognized for 5 minutes in support of his amendment.

POINT OF ORDER

Mr. ASPINALL. Mr. Chairman, I make a point of order against the Udall amendment.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. ASPINALL. Mr. Chairman, regardless of the holding on this point of order, I want it distinctly understood that the desire of the Chairman and the desire of a majority of the committee, I am sure, is that the record be perfectly clear as to what is involved in any amendment that is offered to a bill which comes out of our committee. We have prided ourselves throughout the years on the germaneness of the matters in our legislation. My point of order, of course, goes to the germaneness of the Udall amendment.

First, in order to understand what is involved, we have to understand what is in the Udall amendment.

Briefly stated, the Udall amendment does eight different things.

First. It keeps the substance of the Kyl amendment, which withdraws all public lands and permits the Secretary to open them on a piecemeal basis.

Second. The Secretary must designate within 6 months not to exceed 50 million acres as national interest study areas.

Third. The amendment directs the Secretary to designate as national study areas 50 million acres from Pet 4, Rampart Power Site Withdrawal, two previously classified areas, and one proposed classification, as follows:

Cooper River classification;

Iliamna classification;

Central Brooks Range Area—Proposed.

These 50 million acres are in addition to the 50 million acres in paragraph 2 of the amendment.

Fourth. Within 5 years the Secretary must report to Congress how much of the study areas should be retained for Federal purposes.

Fifth. Native Corporation selections, and State selections, within a study area may not be approved until the withdrawal is canceled by Congress. Village selections—the first 18 million acres—can be patented, but only after a 1 year delay for planning advice.

Sixth. If native corporations or the State want land which Congress determines should be retained, other public lands shall be made available—by whom?, where? for alternative selection.

Seventh. A Temporary Planning Commission is established, with authority to plan for all land use in Alaska.

All patents to Natives and to the State will be subject to use limitations contained in the Plan.

Eighth. The provisions of this amendment do not affect the right of the Secretary to grant a pipeline right-of-way.

That is in a new paragraph which the Udall amendment proposes.

Mr. Chairman, this amendment is not germane to the legislation which is before us. May I say, as I make my point, that there are plenty of references, as I understand it, in Cannon's Precedents, that the purposes of the bill to be determined from the text of the bill and not from its title, and so the phrase "and for other purposes" does not apply in this instance.

The amendment is not germane for the following purposes:

First. The bill H.R. 10367 has only one purpose, which is to settle Native land claims by extinguishing all Native claims of aboriginal title, in return for which the Natives will be granted 40 million acres of land and $925 million.

Second. The amendment does not relate to the fundamental purpose of the bill (Cannon's Precedents VIII, 2911). It establishes a joint Federal-State planning commission for comprehensive land-use planning in Alaska. It imposes restrictions on the use of land hereafter patented to the State of Alaska under the Statehood Act. Both provisions are completely unrelated to the settlement of Native land claims. They have nothing to do with the amount of land the Natives may receive, its location, the manner of its selection, or its use. The amendment is in effect a modification of the provisions of the Statehood Act, and it has no relevance to Native claims, because the Statehood Act is not here before us at this time.

Third. The amendment also limits the right of the State under the Statehood Act to select lands that are located within a national interest study area. This provision has no relevance to the purpose of the bill, which is to settle Native land claims. The amendment relates only to the right of the State under the Statehood Act.

Fourth. In addition to being nongermane to the purpose of the bill, the amendment is not germane to subsection 9(g), which it amends. Subsection 9(g) withdraws lands in Alaska from the operation of the public land laws, and permits the Secretary of the Interior to reopen the land under the public land laws under certain circumstances. The amendment deals with a different subject. It provides for a withdrawal of public lands and for their designation as national interest study areas, which areas are not provided for in the public land laws. It also provides for a planning commission, which has nothing to do with the withdrawal and opening of land under the public land laws. It also imposes limitations on patents issued to Natives and patents issued to the State under the Statehood Act, which have nothing to do with the public land laws.

(5) Subsection 9(g) is a new subsection added to the bill by the Committee on Interior and Insular Affairs. The rule of germaneness applies to amendments reported by committees (V, 5806), and the subsection itself might be subject to a point of order on the ground that it is not germane to the bill. It is not germane because it withdraws all unreserved public lands in Alaska from appropriation under the public land laws, but the language specifically provides that the withdrawal does not affect the selection and patent of land to the Natives. In other words, it is unrelated to Native land claims and applies only to other forms of appropriation under the public land laws generally.

The germaneness of subsection 9(g) was not questioned in the Subcommittee or Committee on Interior and Insular Affairs, and no point of order against it has been raised. Neither has a point of order been made against it at this time. The fact that the subsection as reported by the committee is not germane, and the fact that it could be stricken out of the bill on that ground, if a point of order to that effect were made at the proper time, do not make in order a further nongermane amendment to the nongermane committee amendment. I am raising a point of order only to the Udall-Saylor amendment to the committee amendment that adds subsection 9(g) to the bill. The amendment to the amendment is not germane to the fundamental purpose of the bill, or to the provisions of subsection 9(g) itself. I am not raising any other point of order.

Sixth. Some part of the amendment to the amendment may be germane to the fundamental purpose of the bill, but the combination of germane provisions with nongermane provisions makes the entire amendment nongermane.

Mr. Chairman, I am indeed sorry that I have to make this point of order against an amendment offered by the gentleman from Arizona, but the rules of the House call for germaneness, and we should be very, very careful as we consider anything that has any appearance of being nongermane.

The CHAIRMAN. Does the gentleman from Arizona desire to be heard on the point of order?

Mr. UDALL. I do, Mr. Chairman.

The CHAIRMAN. The Chair will be glad to hear the gentleman.

Mr. UDALL. Mr. Chairman, I regret that the distinguished chairman of the committee takes such a narrow view of the legislation and that the point of order has been raised.

It is said that the intent of this legislation is very narrow and that we are going to settle only native Indian claims, but the fact of the matter is on the back of this legislation rides the whole future of Alaska, not only that part to be given to the natives in settlement but that part to be given to the State and the part which is to be retained by the Federal Government.

That fact did not go unrecognized by the committee, and the testimony is replete with references to land planning and the future of Alaska and so on. The bill itself has provisions with regard to the sale of timber and the assignment of mineral rights. It creates a whole new wildlife refuge or refuges because of those lost in the process of the native selection.

If this legislation dealt only with the lands involved in the settlement of claims of the Alaskan natives, one would expect little interest to be shown in this bill by major industries, conservation organizations, and other groups. In fact, that is not the case. The committee report shows the broad scope of the settlement involved, and I quote a sentence or two from that report:

> The conflicting interests of the natives and the State in the selections of these lands need to be reconciled. The discovery of oil on the North Slope intensified this conflict. A second factor is the interest of all the people of the nation in the wise use of the public lands. This involves a judgment about how much of the public lands in Alaska should be transferred into private ownership and how much should be retained in the public domain.

That is the way the committee described it. I believe that statement accurately describes what is at stake.

In this bill we decide on the disposition of Alaskan lands. It affects every acre of Alaska in one way or another. I say that a bill which deals with the disposition or the retention of land can deal in a germane way with conditions of disposition and with conditions of retention and set up planning on those lands and require the kind of temporary zoning that my amendment deals with.

I will cite a few more provisions. On page 11, section 6, subsection (j), it provides that the funds to be distributed to the native villages may be withheld until the village has submitted a plan for the use of the money to a regional corporation—a broad and complex mechanism, itself created by this act. This same subsection provides that a regional corporation may require a village plan to provide for joint ventures and financing of projects to benefit the region.

That, Mr. Chairman, is land planning.

While the language does not specifically refer to land planning, that is clearly the intent of this subsection.

The chairman refers directly to the committee amendment or the Kyl amendment, which I will amend by my proposal, and says that we ought to take a look at this. This language was offered in the committee as a substitute for an even stronger land planning amendment offered by the gentleman from Pennsylvania (Mr. SAYLOR). No point of order was raised then nor has any been raised since against the Kyl amendment here.

The Kyl amendment itself which I seek to amend places the severest kinds of restrictions on the use of land by authorizing the withdrawal of all Federal lands in Alaska after selection under the terms of this legislation. I do not think this would happen, but the Kyl amendment would permit and actually provide for the withdrawal of all land. If you can withdraw all lands in the State, you can certainly withdraw something less than that and put conditions and restrictions on that portion involved.

So, Mr. Chairman, I suggest that this very important amendment is germane

and that point of order should be overruled.

The CHAIRMAN. The Chair is ready to rule.

The bill before the Committee of the Whole deals with the settlement of claims by Natives and Native groups in the State of Alaska. It proposes the settlement of these claims through a grant of title of up to 40 million acres of land in addition to a payment of almost a billion dollars from the Treasury and from receipts from the leasing or sale of minerals in the public lands of Alaska.

The lands to be conveyed and which the Secretary of the Interior is directed to withdraw from all forms of appropriation under the public land laws, are designated as those surrounding Native villages, those contiguous thereto, and those on which a Native claims to have had a primary residence. These lands are widely dispersed throughout the State. The 12 Native regional corporations established under the bill encompass the whole of the State.

The bill also touches on public lands other than those directly involved in the settlement of Native claims.

The rights of land selection granted the State of Alaska under the Statehood Act are involved. Timber lands and the impact of land conveyances on timber sale contracts are also covered.

The pending committee amendment withdraws from appropriation under the public land laws all unreserved public lands in Alaska. One of the committee amendments already adopted gives the Secretary of the Interior the authority to provide, from public lands in the State other than those withdrawn for settlement under the bill, replacement acreage for wildlife refuge lands which are selected by Natives under the terms of the bill.

The amendment offered by the gentleman from Arizona deals with the same lands touched on in the bill and committee amendments. It may be more particular in plan than the pending committee amendment, but its aim is the same—to stop all other dispositions of public lands, other than those involved in the settlement of the claims under this bill, until the Secretary of the Interior determines that certain land classifications are justified and until a comprehensive land use plan for the public lands in Alaska is prepared.

The Chair feels that the amendment, while more definitive and detailed than the pending committee amendment, relates to the same idea or purpose implicit in the committee's approach. The topics of public land withdrawal, classification, and land use are already in the bill and in the committee's amendments; and the amendment offered by the gentleman from Arizona deals with those concepts.

The Chair holds that the amendment is germane to the committee amendment and overrules the point of order.

The gentleman from Arizona is recognized for 5 minutes in support of his amendment.

Mr. UDALL. Mr. Chairman, let me repeat what I said yesterday. I do not believe we have ever had in my 10 years here a more important conservation issue than the one posed by this amendment.

I think we should all know what we are doing and understand it because I believe we will do a great disservice to future generations unless we do something here and now.

Mr. Chairman, we are talking about an area that is as big as four Californias, more than twice as big as the State of Texas.

We are proposing under the committee bill to turn loose the development of that land without any orderly plan at all and in a manner that I am afraid future generations will hold us to account.

Mr. Chairman, in 1958 we created this new State and when we did that we said, "You ought to have a land base."

So, we gave them the right to carve out 104 million acres of land. This is an amount equal to all of California. This is the land grant which we gave Alaska.

The Natives said, after a year or two, "This is unfair; we want land for ourselves; we own Alaska too. So, a few years ago the Secretary of Interior put a freeze on Alaska and said,

> Alaska State cannot go ahead with its selection until we do justice to the Natives.

The freeze stopped development and cast a cloud over Alaska's future. So, we have had before our committee for several years proposed settlements of the Alaska Native claims so that we could cut free Alaska and let development go forward.

And, finally this year, we came out with a bill guaranteeing that development. We settle with the Native in this bill. We give them a settlement that is generous beyond anything in our history. We say, "You are getting 40 million acres of land." That is more than a square mile for every native Alaskan—man, woman, and child. In other words, "We will give it to you in two segments. First, you will select around your villages in the next 5 years up to 18 million acres." This is the first chunk of land. These will be Native lands around the villages. My amendment does not touch that or affect it in any way. That comes ahead of anything else. So, the Natives will select their own land.

But then we say to the State of Alaska, in the committee bill, you have got until 1984 to paw over other portions of the State, and look up and down every valley and pick out the rest of those 104 million acres. And they have got about 90 million acres to go. And if I were the Alaskan State government I would pick out the lands with oil and minerals and the most valuable beautiful valleys, and all the delightful places there are in that State. Then when the State gets through in 1982 under the committee bill we say to the Natives, now you can go back and get your other 22 million acres. But there will not be much left to choose from in that situation for the Natives, because they will be picking up all the tundra and the mountaintops, and the glaciers, and whatever the State of Alaska has left them.

It is not really a scheme that is orderly, or that is sound. And that is the kind of thing that we would not want to tell the next generation that we have done. The fact is we have done nothing to provide an orderly plan for this great State.

And so what I propose is twofold. I propose that we pump some kind of an orderly development procedure into this Native land settlement and into this settlement we made with the Alaskan State government 13 years ago. My amendment first says to the Natives, you come first, we present you these village lands, and you pick out 18 million acres around the villages, and we will stand back while you do this. Then the Federal Government comes in on behalf of 208 million people at this point, and within the next 6 months Secretary Morton—and we know who will be doing it because it has to be done within 6 months—he will look over all of the remaining acres in Alaska, and come up with 50 million acres—he does not have to pick 50 million acres—but up to a ceiling of 50 million acres, and he can then say that these are the lands that the Congress may want to set aside for the future of the people of the United States for great national parks, and similar national interest uses.

He can pick the Brooks Range, or the beautiful St. Elias mountains along the Canadian border, he can pick the Copper River, that is one of the most beautiful rivers in the world. And he will say, just a minute, you cannot select, either the Natives or the State, or the Natives in the second round, until Congress decides whether our national interests require that some of these lands be saved for future generations. That is what the amendment does.

Second, it sets up a land planning commission for the State of Alaska, it is Federal-State. The Governor of Alaska and six other Alaskans, and seven Federal people, including the Secretary of the Interior, and it says to that group you had better come up with a land plan for Alaska, and it says to that group and it says to the natives and to the State that when you make a selection you have got to lay before that Land Planning Commission for 90 days your selection, and let them see what kind of a selection you have made, and to comment on your proposed use for that selection, and see whether it is consistent with a sensible land plan for the State.

The CHAIRMAN. The time of the gentleman from Arizona has expired.

(By unanimous consent, Mr. UDALL was allowed to proceed for 3 additional minutes.)

Mr. UDALL. The final decision is left, however, in the hands of the natives, and the State. If they have made a selection and the planning commission says you should not have made it, they may nonetheless make it. We give the natives the right to go ahead and keep whatever land they will select in this first round, and we give the State the right to go and select anything they want so long as it is not part of this 50 million acres of national-interest land. My amendment would permit the Secretary of the Interior to designate that land. And let me say also that there is another 50 million

acres of Federal-interest land in my amendment, but those are lands which are already withdrawn, those are lands which the natives cannot get on their second round of selections in any event.

So what we are saying by the amendment is that we are going to have the Federal-interest and the national-interest lands studied, with the Congress of the United States making the final decision.

What I do not want to happen is to have my grandchildren or future generations ask how we could let this happen.

If my amendment fails I fear that 10 or 15 years from now we will be buying some of this back for national parks, and wildlife refuges, and scenic rivers, the way we have had to do in some of the other States. I wonder sometimes if we have learned nothing from the history of our use or abuse of the land in the original 48 States.

So if you are for this amendment, and if you are for conservation, you are not against the Natives. It does not short them by 1 hour or $1 or deprive them of an acre. It is not against the State of Alaska and it does not deprive Alaska of an acre.

In addition to the settlement we get with the Natives and in addition to the settlement we get with the State, we propose to make a settlement with the people of the other 49 States and for the future generations. That is what my amendment is intending to do and I hope it will be supported.

Mr. ASPINALL. Since you have said that those who would be in favor of your amendment, you consider as conservationists; would you go further now and say that those who oppose your amendment at this time are not conservationists?

Mr. UDALL. No, the gentleman from Colorado is one of the foremost conservationists in this Nation. He knows I know that and that I believe that and I did not intend to state anything of the kind.

Mr. Chairman, I hope the amendment is agreed to. Members can be for it and be for the pipeline. We are going to clarify that. You can be for it and be for the Natives because they are going to get everything they can get under the committee bill and you can be for it and support it and believe in the development of Alaska.

Mr. EDMONDSON. Can the gentleman identify any Native group who backs the gentleman when he says that you can be for it and be for the Natives?

Mr. UDALL. No, I do not know any group, but I do know a lot of individual Natives who see what is happening in other States and who will tell you privately that they are for the amendment.

AMENDMENT OFFERED BY MR. CEDERBERG TO THE SUBSTITUTE AMENDMENT OFFERED BY MR. UDALL

Mr. CEDERBERG. Mr. Chairman, I offer an amendment to the substitute amendment.

The Clerk read as follows:

Amendment offered by Mr. CEDERBERG to the substitute amendment offered by Mr. UDALL: Page 1, line 17 of the amendment, strike out "withdrawal,", and insert the following: "withdrawal, including lands within the utility and transportation corridor which are described in the notice of proposed modification of classification of lands for multiple use management (serial numbers AA2779 and F-955) and the notice of proposed classification of lands for multiple use management (F-12423) published in the Federal Register on January 1, 1970 (35 F.R. 16-17), as corrected on February 4, 1970 (35 F.R. 2537),"

Mr. CEDERBERG. Mr. Chairman, the purpose of this amendment is to clarify, beyond any further speculation or doubt, the fact that the Udall-Saylor amendment shall, if approved by this body today—as I hope it will be—have no effect whatever on the proposal to build a trans-Alaska pipeline to remove the oil on Alaska's North Slope.

My clarifying amendment is very simple. It simply elaborates and reaffirms what is already in the Udall-Saylor language: the fact that the authority of the Secretary of the Interior to grant permits and rights-of-way, as for this proposed pipeline, shall in no way be affected, interfered with, delayed, or prejudiced by adoption of this amendment and the withdrawals of public lands which it authorizes.

Paragraph (2) of the pending Udall-Saylor amendment specifies, at present, that the authority of the Secretary of the Interior to grant "leases, permits, rights-of-way, or easements shall not be impaired by the withdrawal" of lands pursuant to the amendment. That really is as clear and unequivocal as it needs to be: Permits—such as the permit for construction of the trans-Alaska pipeline—and rights-of-way—such as the right-of-way for the pipeline and its associated projects, including a construction haulroad—these permits and rights-of-way are issued under the authority available to the Secretary and that authority will not be touched by this amendment.

The clarifying amendment I propose simply makes this point even more explicit and firm. It amends paragraph (2), as I have already quoted, to specify that the reference to permits and rights-of-way which "shall not be impaired" shall include "lands within the utility and transportation corridor" which is essentially the route of the proposed pipeline, as the corridor is legally described in the Federal Register in January of 1970.

Mr. Chairman, I offer this clarifying amendment as a Member very much concerned with this legislation. I confess that I have serious reservations regarding this legislation. I would be even more concerned if my clarifying amendment was not adopted. I am a supporter of the trans-Alaska pipeline. I believe that oil is needed. I believe it must be moved. I hope the pipeline can be constructed and in service at the earliest possible date.

But, I say to my colleagues, all of that has nothing whatever to do with the business we have been debating here yesterday and the amendment now pending, offered by my colleagues from Pennsylvania and Arizona.

I will say it again: the Alaska Native claims bill, in and of itself, has nothing to do with the pipeline issue. Settlement of the claims does aid in resolving some problems now blocking the pipeline, principally the suit filed by the Alaska Natives of Stevens Village. But no land withdrawals in this bill have anything to do with the pipeline, as I am sure the managers for the bill will certify.

Nor, and I can be equally emphatic on this point, does the Udall-Saylor amendment have any impact on the pipeline routing or the decision now facing the Secretary of the Interior. My clarifying amendment is offered at this time simply to reaffirm and further clarify this point and to thereby reassure my colleagues who share my support for the pipeline project that they can vote for this pending amendment without concern on that score.

In recent days, your offices and mine have received communications, charging that conservationists seek to defeat this legislation, and, in some undefined way, that this amendment is a disguised effort to block the trans-Alaska pipeline. Well, my friend the distinguished gentleman from Pennsylvania and the distinguished gentleman from Arizona rank high as conservationists in this body, and I know that is not their intent on this legislation.

Mr. Chairman, I am for the trans-Alaskan pipeline. I understand that during the consideration and mark-up of this bill in the full Interior Committee, they voted on a strong land planning amendment offered by these same two members. That amendment failed. However, had it prevailed, I was prepared to offer an amendment which would have specified that the pipeline would not have been affected by that planning mechanism.

Now we have the Udall-Saylor amendment before us, a fall-back from the amendment defeated in committee by a vote of 10 to 26. I am supporting the Udall-Saylor amendment because I believe it is essential to protect nationally significant lands in Alaska and to provide interim provisions for sound land-use planning. The committee bill does not measure up on those points and this amendment will improve it distinctly.

I am offering this clarifying amendment both to make my own position perfectly clear and to give additional assurances to my colleagues that the pipeline is an entirely separate matter, unaffected by the proposal before us now. I urge your support for my clarifying amendment and for the Udall-Saylor amendment now pending.

Mr. PELLY. Mr. Chairman, will the gentleman yield?

Mr. CEDERBERG. I yield to the gentleman.

Mr. PELLY. I thank the gentleman for yielding.

Mr. Chairman, yesterday in general debate statements were made that indicated that the Udall amendment was a devious way by which the pipeline would be blocked in harvesting oil from the North Slope of Alaska.

Other assurances were made, and by the distinguished gentleman from Arizona (Mr. UDALL) that his amendment would not in any way, shape, or form

impede or impair or delay or restrain the proposed pipeline.

I think this is a good amendment that will clarify the issue. I hope it will have the support of the gentleman from Arizona (Mr. UDALL) because I think then a lot of us could wholeheartedly join in supporting his amendment.

Mr. CEDERBERG. The purpose of this amendment is to do just exactly that.

Mr. UDALL. Mr. Chairman, will the gentleman yield?

Mr. CEDERBERG. I yield to the gentleman.

Mr. UDALL. If I had my druthers, I would slow down the pipeline. I think we are going to get the resources out sometime, but I am not convinced we have to do it right now, or by this specific means.

I am not really satisfied that we have all the answers, but I suspect this pipeline is going to be built.

This amendment makes clear beyond any doubt that there is no pipeline issue involved.

I hope we can get this thing taken out of contention.

I suspect one of these days after the pipeline is built when one of these supertankers runs on the rocks on the Pacific coast, the gentlemen from Washington will regret maybe having supported it.

Mr. CEDERBERG. I appreciate the remarks of the gentleman from Arizona.

Mr. PELLY. Mr. Chairman, will the gentleman yield?

Mr. CEDERBERG. I yield to the gentleman from Washington.

Mr. PELLY. I am interested in the concern that the gentleman from Arizona has shown for a tanker going on the rocks. But I point out that I had the same concern when he was trying to fill the Grand Canyon with water, and I can only say that I respect him and I hope he respects me.

Mr. CEDERBERG. Although oil and water do not mix, maybe we can get together now on this proposal.

Mr. SAYLOR. Mr. Chairman, will the gentleman yield?

Mr. CEDERBERG. I yield to the gentleman from Pennsylvania.

Mr. SAYLOR. I wish to take this opportunity to congratulate the gentleman from Michigan (Mr. CEDERBERG) for having offered his amendment. When he came to me yesterday we discussed the proposed Udall-Saylor amendment. He wanted to know whether there was any assurance that the amendment would not interfere with the pipeline. I told him that it was our firm intention that it would not, and that I had an amendment drafted that I would show to him which would guarantee that the Secretary would not be able to stop the pipeline. He said he would be only too happy to offer it. I commend him for having taken this action.

Mr. CEDERBERG. I appreciate the remarks of the gentleman from Pennsylvania. I think it would be very disastrous to have a resource such as we have in Alaska and not be able to get that resource to the market in the most economical and feasible way possible. I am confident that the kind of pipeline which will be built will be a pipeline that will have been determined to be in the best interests of all the people in Alaska.

Mr. DELLENBACK. Mr. Chairman, will the gentleman yield?

Mr. CEDERBERG. I yield to the gentleman from Oregon.

Mr. DELLENBACK. I should like to ask the gentleman this question: There are those, Mr. CEDERBERG, who are anxious that we get the oil from the North Slope and feel that the ways to do so should be explored. There is nothing whatsoever in your amendment or in the Udall amendment which would block that?

Mr. CEDERBERG. Not at all, absolutely not.

Mr. DELLENBACK. So while your amendment makes clear that if the Secretary, after full and thorough study, decides that a pipeline should be the way selected, it will not be blocked by the amendment which the gentleman has offered. There is no mandate in either your amendment or the Udall amendment that the pipeline must be the way to take out the oil?

Mr. CEDERBERG. That is exactly correct.

Mr. DELLENBACK. So what this is is an attempt to make sure that if the resources of the North Slope should be developed, the Secretary will be free, after full study and planning, to do it in the way he considers best; is that correct?

Mr. CEDERBERG. That is correct.

Mr. DINGELL. Mr. Chairman, will the gentleman yield?

Mr. CEDERBERG. I yield to the gentleman from Michigan.

Mr. DINGELL. I should like to ask my friend from Michigan whether or not the amendment would in any way affect proceedings in court that are now under way dealing with an interpretation of that statute so far as pipelines are concerned?

Mr. CEDERBERG. It would not in any way.

Mr. DINGELL. I thank my good friend. I think it is a good amendment and should be adopted.

Mr. STEIGER of Arizona. Mr. Chairman, will the gentleman yield?

Mr. CEDERBERG. I yield to the gentleman from Arizona.

Mr. STEIGER of Arizona. I thank the gentleman for yielding. I think, as one of the more vocal screamers in opposition to the Udall-Saylor amendment on the basis that it was a subterfuge to interfere with the pipeline, I should like to render my endorsement of the gentleman's amendment and hope that my colleagues will accept it in the spirit in which it was offered.

Mr. CEDERBERG. I thank the gentleman from Arizona.

Mr. ASPINALL. Mr. Chairman, I move to strike the requisite number of words.

The CHAIRMAN. The gentleman from Colorado is recognized.

Mr. ASPINALL. Mr. Chairman, I find myself in a rather difficult position because I have been one of those who have felt that the resources of the northern part of Alaska should be placed in our economic stream whenever it was the right time to do so. I have also stated on this floor during the discussion of this particular legislation that I did not consider that oil was a part of this legislation. I took umbrage yesterday when the suggestion was made by one of my colleagues that those of us who sponsored the bill were speaking for oil interests.

Now, today, I find that an amendment has been offered apparently in order to gain support for the Udall amendment making it plain—and I think this in full order—that the harvesting, the taking of the oil from the North Slope of Alaska, will not be hindered by whatever we do in this legislation.

But, Mr. Chairman, this should not be a part of this bill. It has never been considered a part of the legislature, whether or not we harvest oil, or whether or not we have a pipeline, or whether or not we carry that oil by tanker.

This is something for the future to take care of, just the same as the planning for the State of Alaska is something for the future, to be taken care of just as for any other State. Why we at this time, as Members of Congress, should settle for Alaska, let alone our own States, not including that Alaska is a sister State, but that we take notice of Alaska for planning that we do not have in our own States at the present time as a Federal responsibility—I cannot for the life of me figure it out.

This amendment should be defeated and the Udall amendment should be defeated. They are not in order at this time in the discussion of this legislation.

Mr. KYL. Mr. Chairman, I move to strike the requisite number of words. I want to get this matter on the RECORD, because we have before us here an example of how far afield we go in the so-called interest of the environment. The gentleman from Arizona said a moment ago that probably the adoption of his substitute with the amendment of the gentleman from Michigan would assure that a pipeline would be built. He has also said on at least two occasions here that this is the important conservation issue of the century.

Now, how in Heaven's name, do we interpret these two things as being consistent? What has happened to all the environmental arguments concerning the pipeline? How do we suddenly justify the construction of a pipeline as part of a great constructive conservation procedure?

I think it illustrates, Mr. Chairman, as I said before, the unusual procedures that we have in the name of environmental control.

Mr. UDALL. Mr. Chairman, will the gentleman yield?

Mr. KYL. I yield to the gentleman from Arizona.

Mr. UDALL. Mr. Chairman, I rise to correct the gentleman. I think I said, and I certainly will correct my remarks accordingly, that this is one of the great conservation issues of the decade. I think I know the difference between a decade and a century.

Mr. KYL. So be it.

Mr. UDALL. Maybe my oratory was

overblown in any event, but I did not want to be further off the mark than I might have been.

What I wanted to do was to have people consider my amendment on its merits and not on the basis of whether or not it affects the construction of the pipeline. I am against the construction of the pipeline now. I would like to set aside that issue, to see if it can be settled in some other way at some other time in an orderly manner. What I would like to do is to set this issue aside and consider these issues separately.

Mr. KYL. I am sorry if I misquoted the gentleman from Arizona or in any way impugned his motives or injured his conservation stature. I do not want the gentleman's amendment to be considered under a cloud either. I hope it is thoroughly debated, because it cannot stand on its merits.

Mr. CEDERBERG. Mr. Chairman, will the gentleman yield?

Mr. KYL. I yield to the gentleman from Michigan.

Mr. CEDERBERG. Mr. Chairman, the gentleman is not inferring it is not possible to have a pipeline and have conservation in the area, is he?

Mr. KYL. The gentleman's statement is far afield from what I suggested.

Ever since someone first suggested a pipeline, this, in itself, was considered a great environmental issue, and now to indicate that this amendment is in the interest of conservation and that it will probably help to build a pipeline is an incongruous thing and shows the difficulties encountered here.

Mr. CEDERBERG. Mr. Chairman, if the gentleman will yield further, I never said it would build the pipeline. The pipeline will have to stand all the environmental tests it did before. All we want to be sure of is that it still has that opportunity.

Mr. KYL. The gentleman has put words in my mouth. I indicated I did not impugn the conservation character or anything of the gentleman from Michigan.

PARLIAMENTARY INQUIRY

Mr. STEIGER of Arizona. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. STEIGER of Arizona. Mr. Chairman, is it the Chair's intention after calling for the vote on the Cederberg amendment to the Udall substitute, that we then vote immediately on the Udall substitute or not, or will there be some time for discussion in between?

The CHAIRMAN. The Chair will inform the gentleman that will depend on whether other amendments are offered to the substitute. If so, the gentleman's statement would be correct.

Mr. ASPINALL. Mr. Chairman, would a motion to strike the necessary number of words be in order?

The CHAIRMAN. A motion to strike the necessary number of words would then be in order.

Mr. DELLENBACK. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I find this difficult, because I have such extremely high regard for the gentleman from Colorado who is the chairman of the committee, who has expressed his opinion on this matter, as I do for the gentleman from Iowa, who also spoke. I rise, however, to support the Cederberg proposal, because it is my own feeling, after a discussion of this problem, that his effort indeed is not to put through the pipeline but to lay to rest the question of whether that is a factor in this matter. It seems to me that should be set aside, so that we can face squarely the Udall-Saylor amendment per se.

I believe the motion of the gentleman from Michigan does exactly that, and I hope it will be agreed to. It is my feeling then we can face squarely the Udall-Saylor amendment. That would be desirable, because we will have moved completely aside the question of the development of the North Slope, which I personally feel should be developed and which would then be possible.

Mr. Chairman, there has been much speculation that the Udall-Saylor amendment to the Alaskan Native claims settlement bill is designed to block removal of oil from the North Slope of Alaska.

As a cosponsor of this amendment, I would like to make clear that the amendment as presently written is in no way designed to, nor would it in any way serve to, impede the removal, after proper approval, of oil from the North Slope, whether by way of the so-called Alaska pipeline or otherwise.

During the consideration and markup of the bill in the full Interior Committee, we voted on a land-use planning amendment offered by Mr. SAYLOR and Mr. UDALL. That amendment failed. However, had it prevailed, I was prepared to offer an amendment which would have specified that the removal of oil from the North Slope would not have been impeded in any way whatsoever by that planning mechanism, if the Secretary of the Interior decided that the oil should be removed under a plan specifically approved by him.

The Udall-Saylor amendment currently before us authorizes the Secretary to issue leases, permits, rights-of-way, or easements necessary to enable the oil to be transported from the North Slope.

Mr. CEDERBERG is offering an amendment to the amendment which serves to make explicit that the route of the previously proposed pipeline is to be included within those withdrawn lands which would be subject to the authority of the Secretary to grant necessary leases, permits, rights-of-way, or easements.

While I personally believe that this amendment to the amendment is unnecessary, because the present language of the Udall-Saylor amendment makes permissible the construction of the Alaska pipeline if it is authorized by the Secretary, I support Mr. CEDERBERG's amendment, because it will lay to rest the doubts of those who fear that the Udall-Saylor amendment is designed to stop the Alaska pipeline.

I certainly do not feel that the North Slope oil must be transported out of Alaska at any cost. But there is a vital need for the revenues that the sale of North Slope oil would provide. These funds are crucial in providing the economic and social development which the Natives and the State so desperately require.

The Udall-Saylor amendment, in both its current form and as it would be amended by Mr. CEDERBERG's proposal, provides for removal of the oil from the North Slope, if the Secretary concludes that such removal is proper. The current research being carried on by the Department of the Interior is one of the most extensive feasibility studies ever engaged in by any Federal agency. This study will either authorize transport of the oil from the North Slope by one of a number of alternative methods and routes, or it will veto the issuance of any permit, because of the adverse environmental impact involved.

If the Secretary feels that the oil should be removed, if he feels that, on the basis of the extensive research being done, the oil can be removed safely, with the fullest protection of this tremendously fragile area, then the oil very definitely should be transported out of the North Slope. The crying needs of both Natives and Alaskans demand the revenues that this rich resource can provide.

The Udall-Saylor amendment provides for such removal and should not be denied passage on the basis that it attempts to block the removal of oil from the North Slope. It should provide and does provide, however, that such removal will be undertaken only if all the safeguards which the Secretary of Interior requires can be met.

Mr. CONTE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the Udall-Saylor amendment, which I was pleased to cosponsor. This amendment is the means by which we can carry out our responsibility as stewards of the public interest while in no way infringing upon or prejudicing the rights of the native people of Alaska or of the State.

Much has been said in recent days about the urgency of this Native claims settlement bill. I share that sense of urgency, and I am for this legislation. But that does not lessen my concern for the public interest in those parts of Alaska that should be saved for all the people as a part of this Nation's lasting heritage of natural beauty, open space, and natural treasures.

Can we feel any confidence that this broad public interest is protected in the committee bill? I am afraid not, for it is entirely silent on this this issue, and on the equally crucial issue of interim land planning for Alaska. While provisions for both these concerns are in the companion Native claims bill pending in the other body, our committee has not seen fit to give them any special attention whatsoever.

This oversight cannot be permitted to continue. We cannot ignore the interest

of the 208 million landlords of this great Federal domain in Alaska.

The Udall-Saylor amendment, as I study it, is a wholly reasonable, well-balanced, and distinctly limited provision. It does the crucial job of working the public interest into the committee bill. And it does this without jeopardizing the Native settlement in any way. It would simply say that those areas of obvious national interest are to be given interim protection—not interfering with Native village selections—until Congress can consider recommendations from the Secretary of the Interior as to their wisest permanent disposition. We had no such opportunity to use foresight when much of the rest of this Nation was settled and developed. My colleagues well remember that several years ago we established the Redwoods National Park in California. We provided something in the range of $100 million from the land-water conservation fund to buy that land—and this was certainly necessary. But let me just point out that virtually all of that land was once federally owned. Someone gave it away to private interests years ago, so that when the American people finally recognized its value, and the need for a great national park to protect this magnificent environment, they had to pay millions and millions of their public funds to buy it back.

Well, now we are more enlightened. We know, with certainty, that in several millions of acres of Federal land in Alaska there exists a number of important areas yet to be given definitive status and protection as national parks, wildlife refuges, wilderness areas, and wild and scenic rivers designations. Under the committee bill, those lands can be selected away from Federal ownership, both by Native regional corporations and by the State of Alaska.

Does this make any sense? I fail to see how. I do not argue that we should preempt Native selections or State selections in these special areas, I just do not know. And not knowing, I am unwilling to be party to a decision today that simply throws this matter, which so clearly jeopardizes the public interest, up in the air.

It should be well understood that this amendment does not assert a Federal priority for these lands. Both the State and the Natives can press a claim within these areas, but the ultimate decision as to giving them patent to such a claim is simply held in abeyance until the relative priority and interests of their selection and the public interest can be weighed and decided. This is sensible. This prejudices neither interest, but gives us a balanced procedure that we can be confident will work in the interests of everyone concerned. And, of course, tens of millions of acres of Federal lands in Alaska will not be designated as special, national interest areas, so this conflict will not come up. In fact, we can assert that there will be little occasion for conflict between Native regional corporation selections and those of the public interest we seek to protect.

Mr. Chairman, the other element of this amendment is the machinery for land planning in Alaska. This is wholly an interim provision to meet the desperate need for advance planning and land use guidance in the immediate future, while the Federal domain is being transferred to other interests, but before sound local and statewide planning can be put into effect. This is what the State legislature has already set up, as I read their May 21, 1971, act signed by Governor Egan. They have urged us in the Congress to do our part in getting the joint commission underway. That is what this amendment will do.

These two elements are the total substance of this amendment. It is straightforward and as simple as it can be. Our duty is clear. We must choose to work the public interest into this bill. I, therefore, urge my colleagues to join me in support for the Udall-Saylor amendment.

Mr. SCHEUER. Mr. Chairman, I move to strike the requisite number of words.

I wish to strongly support the Udall amendment.

It has been said that the saddest words of song or pen are those four words "It might have been."

If ever, from the planning point of view, there are sad, futile words, it is the words "planning can wait until tomorrow."

We have found out that if planning does not go on today, when land is available at reasonable prices, particularly when we have a fortuitous circumstance of it being in the public domain, planning does not go forward tomorrow.

If the Members want proof, come up to look at Nassau County.

If the Members want proof, go to Los Angeles and look at Los Angeles County.

Look at the megalopolitan explosion on the east coast, from Portland, Maine, to Richmond, Va. There they will find a horrifying example of the past century, again where people said we could have planning tomorrow.

Frederick Law Olmstead, the great landscape architect, advocated that we take perhaps 100 acres beyond the periphery of the city and make a park. This was characterized as "Olmstead's Folly." Yet today who would doubt the wisdom of Frederick Law Olmstead who advocated and fought for the creation of what became Central Park in midtown New York.

Who would say today there would be the remotest possibility of creating any urban park in New York City, after the explosion of urbanization we have seen in the past decade and the accompanying geometric explosion of land prices?

With all of the problems we have had on urban renewal with respect to land use—industrial or cultural—where have we seen the use of land clearance in a central city for park land or general recreation space? The reason is perfectly obvious. Every Member in this Chamber knows the fantastic explosion and escalation of land values. It is impossible, in today's society, to clear land in a central city and devote it to open space.

I say we cannot wait for planning until tomorrow. While this land is still under Government control, under the control of this great body, we can achieve a noble purpose by planning for tomorrow today, while the land is available at very reasonable prices.

I urge support of the amendment.

Mr. KYL. Mr. Chairman, will the gentleman yield?

Mr. SCHEUER. I yield to the gentleman from Iowa.

Mr. KYL. The gentleman asks, where would we do this? The gentleman perhaps would be interested in the fact that the State of Alaska has created around its biggest city a 500,000-acre State park, at the city of Anchorage.

In the case of Haines it is 2,900 acres.

As a matter of fact, the State of Alaska, in its selection of lands, has included 15 percent of its lands in State parks.

There is a pretty good answer to the gentleman.

Mr. SCHEUER. I agree it is a good start. We can take a further giant step by supporting the Udall amendment today.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan (Mr. CEDERBERG) to the substitute amendment offered by the gentleman from Arizona (Mr. UDALL).

The amendment to the substitute amendment was agreed to.

Mr. BEGICH. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, over the past few days, the Udall-Saylor amendment has been exposed to a full round of debate and a great many misstatements of fact. I note that in the past day or so, nearly all of the material advocating the amendment has been cast within the last few months in terms of what the amendment will not do.

This is very fine, but it conceals the real impact of the amendment on the Natives of Alaska and the State of Alaska. It is very much like telling a man who has cancer that he will not die of a heart attack.

The following is a statement of what the bill will do. Would you be willing to have it done to your own State?

First. The amendment designates 130 million acres in Alaska—over one-third of the State—in a new designation called public interest study lands. None of these lands can then be selected by the State for 5 years under its hard-won statehood land rights without a new approval by Congress. In effect, this entire 130 million acres, or a large part of it, will simply be ultimately lost to the State and unavailable for selection.

Second. Under the present bill, the Alaska Natives get an initial selection of approximately 18 million acres and the remaining 22 million acres after the State finishes its selections in 1983. If this amendment is passed, the Natives will also be selecting after 130 million Federal acres are taken. This means that, after working out all the land that is selected prior to the Natives' last selection, only 33 to 40 million acres will be left from which to choose 22 million. By definition, the 130 million will be prime land. If the amendment fails, the Natives will be able to select their 22 million from approximately 166 million acres. Gentlemen, I

think you can see why the Natives oppose this amendment so strongly.

Third. The amendment establishes a land planning and land designation system which is said to match a system established by the State of Alaska. In fact, it goes much further than anything the State has done or intended to do. It is true that Alaska has a strong record in the area of land planning, and in the last legislature passed a very responsible land planning act. But no State could or should agree to the federally dominated nature of the Saylor-Udall amendment. The opposition of the State by Governor Egan has been communicated to all Members.

Fourth. The amendment creates a system of bureaucratic complexity involving several levels of administrative action, a complex State-Federal relationship, and grounds for judicial review. And, it does so without the benefit of a single day of committee action or deliberation.

Fifth. The amendment impedes the economic recovery of a State which has been for some years in a state of near depression. The Alaska Natives will be among those who suffer most from the continued economic slump. The fact is that the amendment subjects all State land selections to 5 more years of doubt and congressional approval. In the name of planning, the State will be prevented from planning.

All these things the amendment will do, and they would, in my opinion, be intolerable to any Member in his own State. Nevertheless, this amendment is being pressed to apply to a single State, as a part of a bill for a separate purpose, and without consideration to other more deliberate work already underway in this Chamber. Incredibly, one-third of Alaska's land is being again withheld, and Native rights are not subordinated, if not delayed. I would remind all Members that the State from which one-third of its land is to be redesignated is already a State which contains 65 percent of this Nation's national wildlife refuges, and 31 percent of this Nation's national parks.

Mr. Chairman, the amendment can be characterized very simply. It is an amendment grounded in sound environmental philosophy and commitment, but it is an amendment which is roughhewn and inequitable in its execution, one which thoughtlessly ignores other crucial responsibilities. For these reasons, the Natives of the State of Alaska oppose, the State of Alaska itself opposes, and I oppose it. I urge you again to make the Eskimos, Indians, and Aleuts of Alaska your first priority today. They have waited a very long time.

Mr. KYL. Will the gentleman yield on that point?

Mr. BEGICH. I yield to the gentleman from Iowa.

Mr. KYL. This amendment calls for hearings not only in Alaska on these matters but in States outside of Alaska for the public view of what happens in the State of Alaska.

Mr. BEGICH. Yes. I might add that if the State does not abide by the decision, or if the Natives do not abide by the decision in this bill as it is contemplated by the commission, the commission can go to the U.S. District Court or to the Department of Justice to seek orders to insure compliance with land-use planning recommendations. That is the sanction of the commission, and it is a real limitation of Natives rights.

Now, Mr. Chairman, let me go back to a basic point. What is assumed in this amendment? It is assumed that the State of Alaska does not do any planning. That is what is assumed here. I think this State has a tremendous record already in the field of land-use planning. We have in our Constitution a requirement that we must have land-use planning. We have this imbedded in our laws so that we cannot give one piece of land away until it is classified and its use is compatible with the State and planning objectives. We are working with the Federal Government now. We have exhaustive agreements worked out with the Federal Government and the Department of the Interior for the North Slope, and we are working on a cooperative plan at the present time. Alaska does not deserve this restrictive Federal legislation to interfere with the State and neither do the Natives.

I think it is important to note, as we look at the amendment, that it really places the Native in a secondary position. The Native gets the crumbs that are left, very frankly. After all the selections of the State, after all the selections of the Federal Government, the Natives will get what is left over. The Udall-Saylor amendment makes what is left over almost meaningless.

Finally, Alaska has established in its government a Department of Environment and Conservation. It was passed this past year, and it is unique; a credit to any State.

Mr. Chairman, when the gentleman from Iowa talks about the fact that we have a 500,000-acre park within 7 minutes drive of downtown Anchorage, he is correct. We have done likewise with other areas. Almost 15 percent of the land of Alaska, and which Alaska has patented up to this time, has been put back into parks and recreation, because many Alaskans left the other States, the lower 49 States, not because we did not fully appreciate those States and their virtues, but because we recognized that we could enjoy a better environment and quality of life where we could have clean air, clean streams, and protect our environment. I assure you, Alaskans have realized and assumed that responsibility.

The CHAIRMAN. The time of the gentleman from Alaska has expired.

(By unanimous consent (at the request of Mr. WHITE) Mr. BEGICH was allowed to proceed for 2 additional minutes.)

Mr. BEGICH. Mr. Chairman, I shall conclude and then shall be glad to yield.

Mr. Chairman, if Alaska were not doing the right thing in land-use planning, and if it did not have a strong water control act law, if we did not have an act to protect waterborne oil shipments, then it would be another story. If we did not do the proper job of land-use planning, then I would say to you to amend this act. But Alaska's doing a creditable job, a job recognized by some of the top conservationists in this country as a quality performance.

Mr. WHITE. Mr. Chairman, will the gentleman yield?

Mr. BEGICH. I yield to the gentleman from Texas.

Mr. WHITE. In the event the withdrawal should fail and the Secretary of Interior desired certain lands for the use and benefit of all the people of this country, is there not a mechanism for the Secretary to obtain this land without any great involvement?

Mr. BEGICH. Yes. The same laws that pertain now would apply. As you well know, the Secretary and this Congress have the power to do all things in the public interest.

Let me add a last point. We have 11 bills pending before the Committee on Interior and Insular Affairs to which the committee is giving exhaustive study along these lines. Let us come forward with excellent legislation. It will certainly take time. The Public Land Review Commission said they would need 5 years within which to make a recommendation, but they came up with an excellent study. Mr. Chairman, let us not be stampeded into a planning amendment which disregards the best land-planning studies ever done in this Nation.

Mr. WHITE. Mr. Chairman, if the gentleman will yield further, is it not true that the Secretary of Interior can withdraw lands right now before they make the selection, if he felt some particular land should be set aside for the use of all the people of this country?

Mr. BEGICH. Yes, he has that right, and the Congress has responsibly empowered the Secretary, in my view.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. BEGICH. I yield to the gentleman from Iowa.

Mr. GROSS. What is the income of the government of the State of Alaska annually?

Mr. BEGICH. We are operating on a budget now of approximately $289 million.

Mr. GROSS. About $289 million per annum?

Mr. BEGICH. For this year; yes. We have taken about $80 million of the oil revenues we have received to help meet the tremendous social needs which Alaska faces.

Mr. GROSS. Until this windfall came your way, what was the budget and income of the State?

Mr. BEGICH. The budget has gone up anywhere from 11 to 15 percent a year.

Mr. STEIGER of Arizona. Mr. Chairman, I move to strike the requisite number of words.

Mr. FISH. Mr. Chairman, will the gentleman yield?

Mr. STEIGER of Arizona. I yield to the gentleman from New York.

Mr. FISH. Mr. Chairman, I rise in support of the amendment offered by my colleagues from Pennsylvania (Mr. SAYLOR) and Arizona (Mr. UDALL). No one quarrels with an intent to accomplish a fair, just and equitable settlement for

the Alaskan Native land claims. There is considerable historic, legal, and moral justification for supporting these claims.

However, the Congress must insure that in settling these claims that irreparable harm is not done to the national and Alaskan environmental interests. The purpose of the Udall-Saylor amendment is to protect lands of potential national environmental value by directing the Secretary of the Interior to temporarily withdraw up to 50 million acres of land which will then be studied as to possible use as national parks, national wildlife refuges, wilderness areas, and scenic reserves. Once a complete study of these "national interest study areas" is completed, the Secretary will then make recommendations to the Congress as to their future status. The amendment does not interfere with the Native selections under the bill. Even in the national interest study areas, the selection process goes ahead except that actual title is not conveyed.

As Representatives UDALL has said:

The amendment says, in effect, while the State and the Natives are dividing up public lands—as they should rightly do—let's allow the American people a shot at some prime acres before they are all gone.

The amendment has the support of the Sierra Club, the National Wildlife Federation, and the Friends of the Earth. It deserves the overwhelming support of the House.

(Mr. VANDER JAGT (at the request of Mr. STEIGER of Arizona) was granted permission to extend his remarks at this point in the RECORD.)

Mr. VANDER JAGT. Mr. Chairman, I rise in strong support of the national interest amendment being offered by the distinguished gentleman from Arizona (Mr. UDALL) and the distinguished gentleman from Pennsylvania (Mr. SAYLOR), the ranking minority member of the Interior Committee. I am happy to be associated with this important initiative as a cosponsor of the amendment.

One argument that has been heard concerning this amendment is that its provisions establishing a Temporary Joint Federal-State Natural Resources and Land-Use Planning Commission for Alaska are premature, and that we should wait to include Alaskan land planning simply as an element of the recently proposed administration bill for a national land-use policy. That bill is H.R. 5504.

I am a sponsor of that national land-use bill, and hope to see its early enactment. But it is clear that we will not have such a national land-use planning bill this year. In any case, I do not believe we can wait in the case of land-use planning in Alaska.

First, Mr. Chairman, there is an immediate need for this kind of comprehensive planning in Alaska. Up to this date, most of Alaska has remained under the jurisdiction of the Secretary of the Interior, who has exercised responsibility for controlling and planning land uses. Now, much of this land is rapidly to be divided up and transferred to private owners and the State of Alaska. In that process, a gap opens between the former planning of the Secretary of the Interior and the fact that much of rural Alaska presently has no local planning machinery whatsoever.

It is true that we should have a national land-use policy, of consistent application to all 50 States. I support that strongly. But the situation of Alaska is clearly extraordinary, not simply because of the dominant present Federal land holdings in that State, but because these lands remain wild at this moment, and face the sure prospect of rapid development in the very immediate future once this bill is enacted.

Now, let me point to the recommendations that the Public Land Law Review Commission made on this subject of Alaskan planning and development. Here is what that Commission said in its report issued last June, and I quote from pages 64 and 65 of the report:

*A joint Federal-State natural resources and regional planning commission should in any event be established for Alaska.* We have concluded that generally the public land laws dealing with the retention and management or disposition of public lands and their resources should apply equally in all states where the public lands are located, including Alaska. *In that state, however, the situation is entirely different with regard to planning for the future.*

In Chapter Fifteen [of the P.L.L.R.C. Report], we discuss the land grants made by the Alaska Statehood Act to that State. There is a program for the state to select certain public lands until 1984. *It is essential that, during the period the selection process continues, there be carefully coordinated planning between the Federal Government and the state . . . .*" (emphasis added).

So, we have the Public Land Law Review Commission, on which both of the leading sponsors of this amendment served with distinction, recommending explicitly that just such a Commission be set up in order to aid in coordinated land use planning during the process of land selections in Alaska. That is precisely what our amendment does.

Now, the Public Land Law Review Commission also makes another very important point. It states that—

Impediments to state selection be removed and that no further obstructions be emplaced by the Federal Government.

That is just what will happen when the Federal Government settles this matter of the outstanding Native claims, and is one good reason I support the committee in its basic bill. But, in this process, we cannot deny our sovereign responsibility to assure that the national interest remains protected and affirmed. That is why I support the Udall-Saylor amendment, for this is just what it will do.

The Public Land Law Review Commission report, finally notes that—

The first step to minimize the effect on state selection policy is for the public land management agencies to identify and recommend to Congress as soon as possible, the lands considered to have national significance warranting retention by the Federal Government.

Now, my friends, that is just precisely and exactly what the national interest amendment will do—and just what the committee bill will not assure is done. Moreover, we conform in this amendment to the further stipulation in Public Land Law Review Commission recommendation that "a reasonable time limit must be imposed for the completion of this action beyond which lands not proposed to Congress for retention will be available without question for State selection." This, too, is just what our amendment does. It sets a time limit of 6 months from the date of this act by which the Department of the Interior is to have selected and withdrawn its "national interest study areas"—which, of course, may not exceed an aggregate of 50 million acres of new withdrawals.

So, Mr. Chairman, as I read the Public Land Law Review Commission report, I find that our amendment is virtually the letter of its recommendations as regards the national interest in Alaska and the need for land planning. That distinguished Commission recognized that Alaska is an extraordinary situation, and called for creation of just the kind of Commission we propose in this amendment. As you all know, just such a Commission has been established, for its part, by the Alaska Legislature, which has urged us to cooperate by establishing the Federal half of the structure so that this effort can get down to work.

Mr. Chairman, I am for a reasonable, sound national land-use policy which, as the administration bill proposes, encourages local and State governments to meet national criteria of sound land planning and use guidance. I know this kind of planning can help in my State and my own area, and I support it. I also know Alaska is an extraordinary situation, in which we have an extraordinary need, brought on by the special Federal responsibility that goes along with our great Federal land holdings, that yet belong to all our people. Mr. Chairman, I think this amendment merits support and I urge my colleagues to approve it.

Mr. STEIGER of Arizona. Mr. Chairman and gentlemen, we are now, I guess, down to the nitty-gritty of the Udall-Saylor amendment. My colleague from Arizona is not only famous for his eloquence at home but here nationally.

And I would be willing to stipulate at the outset that the gentleman from Arizona (Mr. UDALL)—and you may use it as an endorsement, it will not kill you—I will simply stipulate that his vocabulary is beautiful and his delivery is excellent, but I would ask that you examine the words. Because, really, my friends, in my view the Udall-Saylor amendment is probably one of the most cosmetic efforts to come down the road in the name of conservation. Under the mantle of conservation you can make a great many giant steps, and it is difficult to shoot at you when you are shielded by this banner.

But let us look at what the Udall-Saylor amendment does. The first thing it does in the name of conservation is to form a 14-man Commission. This, of course, as the gentleman from Alaska (Mr. BEGICH) indicated, duplicates the specific Commission established in the State of Alaska. They have their own land planning commission.

To further insure that this Commission could accomplish little or nothing, the Udall-Saylor amendment says that

the Commission shall be equally divided, seven members from the State of Alaska, and seven members from the Federal Government.

And you Members of this body are well aware that it is the sheerest kind of sophistry to anticipate a successful agreement on specific land uses from a Commission made up 50 percent Federal and 50 percent State. You can anticipate maximum delays in every single decision.

The Federal people will have to constantly get advice from Washington which, as you know, is the easiest thing to come by, but the hardest thing to be specific; and the State people will be guided by their own parochial interests and things will grind along to a halt with regard to the selection of the lands and what to do with these 50 million acres.

I submit to you, Members of the House, that the 77 million acres now under protective custody of the Federal Government plus the balance of whatever is left after the 104 million acres are selected by the State and the 40 million acres are selected by the Natives, are amply protected now by the Alaskan State Land Planning Commission and the authority of the Secretary of the Interior and the Secretary of Agriculture, who can do exactly what this superfluous, excessive, burdensome, and expensive new Commission will do.

It is bad enough to single out Alaska for this specific attention just because it is so big and empty, but to create a home for somebody's brother-in-law at the Federal level, and I suspect at the State level too, is to me to do an injustice in the name of a very genuinely responsible cause.

Do not be persuaded that you are anti-conservation if you vote against the Udall-Saylor amendment, as it is now amended by the Cederberg amendment. You will be known as a conservationist by your productive actions and your specific actions, not by the cosmetic actions which are represented by this particular measure. Please know that you are doing nothing more here than delaying the process of the development of Alaska, both either Native population or non-Native population.

The CHAIRMAN. The time of the gentleman from Arizona has expired.

Mr. MEEDS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I, like the chairman of my committee, regret that the question of oil pipelines has been brought into this issue. And frankly I am not nearly so concerned with that as I am with something else. I do not object to whether the amendment offered by the gentleman from Arizona (Mr. UDALL) allows or does not allow pipelines. My major objection to this amendment is that it delays and frustrates the full settlement of the Alaskan Native land claims.

As I said to the House yesterday, this is a legislative settlement. It is not a gift or a dole. This is the quid pro quo. We are saying to the Alaskan Natives, we are going to extinguish your aboriginal rights and in return for that we are going to give you 40 million acres of land, and $925 million over a period of time.

Then we come along with the Udall amendment, and we say to them that we are going to give you this land under certain circumstances; that we are going to allow future Congresses to determine whether you are really going to get all of that land, much of which will be located in the 100 million acres which is withdrawn by the Udall amendment.

Now we would leave this to further Congresses. We would leave that question to future Congresses. But the Native cannot come back to a future Congress and say, "Look, we want our aboriginal rights back."

What really happens is that we end up taking their aboriginal rights saying—We are giving you something in return, which you may or may not get.

That is the great trouble with this amendment as I see it.

As the gentleman from Pennsylvania (Mr. SAYLOR) pointed out yesterday, and let us use his figures in support of his amendment—there are 125 million acres of habitable land in Alaska—he says. OK, I do not know how accurate that is, but let us use that figure. There are 78 million acres presently withdrawn for Federal use.

This amendment of the gentleman from Arizona will withdraw another 100 million acres minimally and the State has a chance to select 105 million acres before the Natives can start selecting their second 22 million acres.

OK, then what is left for the Natives? Are we going to treat the Alaskan Natives as we have treated the Indians of America? Are we going to give them what nobody else wants? That is what happens if the Udall amendment is adopted. Despite what has been said here today, it does not delay or frustrate the Natives claims for 1 minute. It does, indeed. It does, I think, irreparable damage to these claims.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. MEEDS. I yield to the gentleman.

Mr. EDMONDSON. Mr. Chairman, I thank the gentleman for yielding.

I hesitate to interrupt the gentleman because he is making a very cogent argument. Is it not also accurate to say that not only are we saying to the Natives—Wait until we look at what land we let you have—but is it not also possible that this land-use study will result in restriction under which we tell them when they have obtained land that it cannot be used for this purpose and can only be used for that purpose and that this purpose will be limited or conditioned as we determine as a result of this land-use study?

Mr. MEEDS. That is not only possible but entirely probable.

As to the selection of the Natives selection of villages, the gentleman from Arizona said that it will go on unimpeded.

Every Native village selection that is made, if this amendment carries, will have to be made after the consideration by this Planning Commission. If the Planning Commission says, "We have something else in mind for this land." Then the Natives will have to go somewhere else and select land for their village lands because it does not fit in with the land planning made by this Planning Commission.

Mr. UDALL. Mr. Chairman, will the gentleman yield?

Mr. MEEDS. I yield to the gentleman.

Mr. UDALL. That simply is not true. The Natives have the final say.

All my amendment says is that they must submit their selections to the Commission. Then the Commission gives them some friendly advice. If they reject that advice, they still get that land.

Mr. MEEDS. The Planning Commission gives them some friendly advice and then in (ii) it says they have to follow that advice.

Mr. UDALL. But they still get the land.

Mr. MEEDS. I would ask the gentleman to read his own amendment.

Mr. UDALL. The gentleman says they would have to go someplace else. But they still get the exact land they selected. They do not have to go someplace else.

Mr. MEEDS. If the gentleman will look at page 8, he can see what this amendment does precisely.

If the gentleman will look at page 8 (ii) and (I) i—he will find out just exactly what I say it does for these Native village selections all over Alaska and not just in withdrawn areas and they are subject to this Planning Commission's whim.

Mr. UDALL. Of course, the Planning and Zoning Commission will be able to tell them the same way that it will tell the State of Alaska and private owners and anyone else in this State land plan what they must do to comply with a sound State land plan.

But they cannot stop the Natives from getting any piece of land they want. They can restrict the use of the land after they get it.

Mr. MEEDS. I am saying to you that this very effectively restricts the Natives because it tells them they cannot do what they want to do with the land, which we are supposedly giving to them as a quid pro quo for their surrendering their aboriginal title.

Mr. HALEY. Mr. Chairman, will the gentleman yield?

Mr. MEEDS. I yield to the gentleman.

Mr. HALEY. After all the restrictions, they can put on this land, it could make the land absolutely worthless as far as the Natives are concerned and the State of Alaska; is that not true?

Mr. MEEDS. It could be absolutely inimical to their best interests.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. MEEDS. I yield to the gentleman from Colorado.

Mr. ASPINALL. Is it not true that the State of Alaska already is working on a program in conjunction with others with regard to the use of public lands?

Mr. MEEDS. The State of Alaska is one of the very few States that have statewide land-use policy plans.

Mr. ASPINALL. Is it not also true that the State of Alaska will be included in any bill that is brought before the Congress relative to planning for the land use of public and private lands?

Mr. MEEDS. The gentleman from Colorado and I hope there will be legis-

lation to bring every State before this Congress. Let me say in conclusion, Mr. Chairman, that one of the worst things about the amendment is that it is a great slap at the conservation that the Natives do and will in the future exercise. I want to quote from "Our Brother's Keeper" the words of a very famous Secretary of the Interior, Stewart Udall, who said—

It is ironical that today the conservation movement finds itself turning back to ancient Indian land ideas, to the Indian understanding that we are not outside nature, but of it.

Mr. DELLUMS. Mr. Chairman, I move to strike the requisite number of words.

The CHAIRMAN. The gentleman from California is recognized for 5 minutes.

Mr. DELLUMS. Mr. Chairman and colleagues, I rise in support of the Udall-Saylor amendment. I found myself yesterday listening very carefully to the general debate on this vital question. One of the principal arguments that I would like to address myself to is the argument that this amendment is not justice to the Alaskan Natives. The way you deal with that question, it seems to me, is to pass an amendment that I would be perfectly willing to offer on the floor today that would provide the right of the Alaskan Natives to receive the entire 40 million acres of land first before anyone else, including the State of Alaska. That amendment was placed before the full committee and voted down. I would suggest to my liberal friends who are talking about justice for the Alaskan Natives, that is the way you give real justice. If the 40 million acres were given to the Alaskan Natives and they had the right to choose initially, then Mr. UDALL's amendment could be dealt with on its merits as it addresses the conservation-ecological question. But the committee in its wisdom, for whatever reason, chose to knock that down.

I am saying I realize what is involved here in the presentation of such an amendment by, one, a freshman; and, two, a person not a member of the committee, I am willing to not introduce that amendment if my colleague, the gentleman from Alaska, who represents the interests of the Alaskan Natives, can reassure me in the remaining colloquy that dividing the selection process into 18 and 22 is acceptable to the Alaskan Natives. If it is, I will not introduce my amendment.

My point is simply this: The argument that this is not justice to the Alaskan Native, frankly, is an absurd argument. This House could work its will and place the entire 40 million acres up front and give the Alaskan Natives rightfully what they deserve. That should be their right. The Alaskan Natives should select prior to any other selection process.

But the committee chose not to do so. Therefore, I question the argument that the Udall-Saylor amendment is not justice if the two-part selection process has been agreed to by the parties directly involved.

Mr. UDALL. Mr. Chairman, will the gentleman yield?

Mr. DELLUMS. I yield to the gentleman from Arizona.

Mr. UDALL. The gentleman has done a great service here because he has put his finger certainly on the heart of the controversy. It stunned me, frankly, to hear some of my liberal friends say that my amendment is anti-Native. It is not my amendment that is anti-Native. It is the committee bill which the Natives agreed to. I think they have been had. I think they were poorly advised. But plainly, with the advice of their lawyers, they have decided to go into it.

What the arrangement says is, "We will give you 18 of your 40 million first, and then we will have a 12-year period in which the State of Alaska will go up and down the valleys, from the shores to the mountains, and pick out the best land and whatever it desires, and then you may come in and get your last 22 million."

If there is anything anti-Native in relation to this bill, it is not my amendment; it is in the proposal adopted by the committee. I am for that arrangement, as I have told the gentleman from Alaska, the chairman of the subcommittee. The Natives have hammered this out. This is their agreement, and they are for it, whether my amendment passes or not. Do not say my amendment is anti-Native. If there is anything that is anti-Native, it is in the committee bill. The gentleman has done a great service.

Mr. DELLUMS. I thank the gentleman from Arizona. In concluding my remarks, I resent desperately the argument that support for this amendment is anti-justice for the Alaskan Natives.

I have offered a formula by which justice could take place. I will confer with my colleagues from Alaska. If they tell me the Alaskan Natives are in agreement with the splitting of the selection criteria, I will not introduce it, and that, I think, will lay to rest the question whether this lacks justice for the Natives of Alaska, and then we in this Congress can address ourselves to the serious and critical questions of the ecological issues which are inherent in the amendment I am supporting, offered by Mr. UDALL and Mr. SAYLOR.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. DELLUMS. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. I thank the gentleman for yielding.

Mr. Chairman, I was one of those in the committee who wanted to see the Native people of Alaska have their 40 million acres off the top. I contended for that position in the committee, but it became apparent we could not get the combination support for this bill that we obtained from the Department of the Interior and the administration and the State of Alaska with that package, with the result that we wound up with a compromise between us and the Natives and other groups most directly and vitally concerned with this legislation.

I never intended to suggest by anything I said that the gentleman from Arizona is anti-Native. I do not think he is in any way. The question that I put to him and I will put it to the gentleman in the well is this: What Natives organization supports the gentleman from Alaska? I have not heard the answer.

Mr. UDALL. Mr. Chairman, if the gentleman will yield, I gave the gentleman an answer. The answer is none. The Natives have entered into a deal and made a pact.

The CHAIRMAN. The time of the gentleman from California has expired.

(On request of Mr. GROSS, and by unanimous consent, Mr. DELLUMS was allowed to proceed for 1 additional minute.)

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. DELLUMS. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Chairman, in what we are looking at here, in a refusal to give the Natives first choice over the land to be selected, are they being selected out of some mineral areas, out of some very rich oil or mineral property? Is this what is taking place here?

Mr. DELLUMS. I will give the gentleman my candid opinion. It would not be the effect of the Udall amendment to determine the Native process of selection.

Mr. GROSS. I am not talking about his amendment. I am talking about the committee bill and the set up without his amendment.

Mr. DELLUMS. I am trying to answer. I think the State of Alaska is going to take the majority of the good land after the 18 million. That is why I suggest if we do the right thing in seeking real justice, we would put the 40 million acres up front and then we could deal with the ecological questions.

The CHAIRMAN. The time of the gentleman from California has expired.

(On request of Mr. RUPPE, and by unanimous consent, Mr. DELLUMS was allowed to proceed for 1 additional minute.)

Mr. RUPPE. Mr. Chairman, will the gentleman yield?

Mr. DELLUMS. I yield to the gentleman from Michigan.

Mr. RUPPE. Mr. Chairman, it is my understanding that the State of Arizona was promised in 1958 some 100 million acres of land and they have not gotten their slice off the top or the bottom yet. For that reason it seems to me they have a very rightful place in the sequence of events and they certainly are not being treated with unfair precedence over the Native claims.

Mr. DELLUMS. I am not suggesting the State of Alaska does not have any right. I am suggesting the Natives have the No. 1 right, and we ought to give them that right, and let the establishment argue over what is left. I do not see any real justice in what is being proposed.

Mr. RUPPE. I only point out the 100 million acres has been coming to all the people of Alaska since 1958, and it has not come to them yet.

Mr. DELLUMS. Except I think the Alaskan Natives have the No. 1 right to have their selection first. I do not think that right should be debatable here on the floor.

Mr. PELLY. Mr. Chairman, I move to strike the last word. Mr. Chairman, I am not going to take the 5 minutes, because it is late.

I would like the RECORD to show I support the Udall amendment as amended by the Cederberg amendment. One reason I do that, more than for any other reason, is because it has the Commission to which certain members of the committee objected. I think, contrary to the view of the gentleman from Alaska, that this Commission should come and consult the rest of the people and come down to the other States. I do that, because when we passed the enabling act under which Alaska obtained statehood, we provided that the constitution of Alaska should give equal access to the resources of Alaska to nonresidents. This land is not something that belongs just to the people of the 49th State. I think they should come back to Congress. I think all the people of this country are entitled to hearings and a commission should hold them in the other States.

The reason why I am interested particularly is that I do not want somebody giving away lands for uses which are going to destroy the ecology of Alaska.

I have in mind the salmon spawning beds. I believe the use of those valuable spawning beds should be maintained, and planning is necessary to preserve them.

There are other reasons, but I just want the RECORD to show I am going to vote for the Udall amendment, and why.

Mr. STEIGER of Arizona. Mr. Chairman, will the gentleman yield?

Mr. PELLY. I yield to the gentleman from Arizona.

Mr. STEIGER of Arizona. Is the gentleman aware of any group in Alaska, Native or non-Native, in State government or out, which supports the Udall amendment?

Mr. PELLY. I only know I support it, and that is important to me.

Mr. STEIGER of Arizona. Does the gentleman believe we should put this kind of an amendment on the people of Alaska even if they do not want it?

Mr. PELLY. The answer is that the committee in a few minutes and the Congress as a whole is going to make that decision. And that is the way it should be.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. PELLY. I yield to the gentleman from Iowa.

Mr. GROSS. I want to commend the gentleman for his remarks. From what I have heard in the last 5 minutes, I am more than ever in support of the Udall amendment. I believe this whole proposition ought to be slowed down for the smell of oil grows stronger by the hour.

Mr. BEGICH. Mr. Chairman, will the gentleman yield?

Mr. PELLY. I yield to the gentleman from Alaska.

Mr. BEGICH. Does the gentleman in the well have any evidence of the fact that Alaska does not have good land use planning at the present time or that Alaska has not classified its land into the best public use, and has not given back 15 percent for parks?

Mr. PELLY. I realize that Alaska has done planning, but I realize, too, there are some responsibilities which go to the Congress of the United States and to the rest of the people, so I believe a commission to plan and to consult would be just that much better protection and a safeguard as to the distribution of the land.

Mr. BEGICH. Since the gentleman made the point about the salmon run, I should like to ask the gentleman a question.

Is it not true that in 1937 and 1938 Alaska had an 8.5 million case pack of salmon, and that under the Federal management this diminished to 4 million by 1959?

Since Federal management has brought us down to a 4 million case pack of salmon, is it really a better job than was done before?

If there were a basis of concern that Alaska is not doing the job I would agree with the gentleman. But we are doing our job. Can the gentleman dispute it?

Mr. PELLY. I would say that the salmon run in cycles. There are big years and low years. I do not know who should get the credit, but so far as I am concerned I will give a lot of the credit to the Fish and Wildlife Conservation Subcommittee of the Committee on Merchant Marine and Fisheries of the House, of which I am a member. The size of salmon runs is owing to treaties and international arrangements. I think the Federal Government should get a great deal of the credit.

Mr. SMITH of Iowa. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I find some of the statements made by the last three or four speakers to be somewhat contradictory. I am no expert on this bill, but I have been trying to understand it. I thought I would be for the Udall-Saylor amendment but I do want to be objective relative to the rights of the Natives and I am not going to do anything that I feel is not fair to them.

I have heard all these statements about "giving" the Natives land. In my opinion, the land they occupied, one might say by adverse possession, over the centuries was theirs. We are not "giving" them that. We did not buy that land from Russia, because Russia did not have any more right to sell that land than the city of Chicago has to sell the Brooklyn Bridge. What we got from Russia was an agreement that they would not interfere with our claim to the land but our claim and their claim would be subject to the rights of those using parts of the country.

As to the land the Natives did not occupy over these centuries, that is a different question.

As I thought I understood this, we are determining that 18 million acres is the amount of land held by adverse possession, but in addition to that they are going to get 20 million acres.

Will the gentleman straighten me out on that?

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman from Colorado.

Mr. ASPINALL. This is not exactly in accord with the facts before the committee. The Natives of Alaska possessed all of the land. They used all of the land at the time we purchased it except for those few small areas the Russian Government was using at that time.

Since that time, of course, much of the land has been disposed of by the Federal Government. Over 5 million acres went into private ownership. Also, the Federal Government has set aside many millions of acres of land for uses of the Federal Government. Also, they have withdrawn areas for classification.

Now, we are not going on the assumption in the legislation now before us that the title to all of the State of Alaska was a good title in the Natives at the time the land was purchased. We are simply stating that the rights they had and the needs they have at the present time justify this 40 million acres of land grant to the Natives under the provisions of the bill as well as the $925 million.

Eighteen million acres, approximately, will go to the village areas. The rest will go to the regional corporations for the use of the Indians.

Mr. SMITH of Iowa. Then, the entire 40 million acres will be, you might call it, a congressional settlement with regard to the Natives' rights acquired by adverse possession?

Mr. ASPINALL. The gentleman is absolutely correct.

Mr. SMITH of Iowa. I heard one speaker come down here on this and support the Udall amendment after saying his first interest is in protecting Native rights; however, the Udall amendment—as I understand—it says that they do not even get full rights to the 18 million acres which contains and surrounds their villages. Is that correct?

Mr. ASPINALL. The gentleman is correct, unless certain conditions take place before their reductions. Our bill provides for the Natives to make their choice of the 18-million-plus acres. The State will then take care of its final choices and the Natives will then take care of the balance of theirs. That is exactly correct. The gentleman has it interpreted correctly.

Mr. SMITH of Iowa. I thank the gentleman.

Mr. KYL. Mr. Chairman, I move to strike the last word.

Mr. Chairman, before we vote on this issue I want to make absolutely sure that each Member determines his vote on the basis of logic and not on the basis of emotion or what he has been asked to do by someone who really does not understand the purpose or the meaning of the bill.

The argument here apparently is in regard to what kind of conservation of acres there will be in the State of Alaska. Therefore, I would ask the indulgence of the House to review once more some of these figures.

At the present time the Federal Government has reserved in the State of Alaska 73 million acres. Now note this: 31 percent of all the national park acreage of the 50 States is in that single State of Alaska—31 percent of it. We have set aside in the State of Alaska for Federal areas, for fish and wildlife preservation, 20 million acres. How much of the total does that constitute? That is 65 percent of all the fish and wildlife preservation acres in the 50 States.

The bill further provides that if any Federal lands are withdrawn, the Secretary must review them. If you wonder how the Secretary is going to review this land and the uses to be made of it, then look at the Organic Act for BLM which he has sent to the Congress with his blessing and which prescribes the most cautious and deepest kind of environmental concern every step of the way as far as the use of the Federal lands is concerned.

Now let us turn to the other two categories of land about which you worry under conservation.

If the Alaskan Natives were going to destroy this land, these values would not be here. I am not so concerned about what the Alaskan Natives are going to do preservationwise, conservationwise, and environmentally with their land. They have proved their stewardship, as they say, for as long as 7,000 years.

How about the State of Alaska? Well, the State of Alaska has selected some lands. Fifteen percent of all the lands that have been selected by the State of Alaska have gone into the kinds of environmental control in parks and preservation that these people want.

The gentleman from New York spoke about the cities and about wanting to save areas. I pointed out at that time that we added 1,065,000 acres to Mt. McKinley, to the Federal preservation. The State did that. One hundred sixty-five thousand acres were added on the Kenai Peninsula. Twenty-nine thousand acres were added at Haines. A half a million acres around the biggest city in the State, Anchorage. Does that indicate a lack of concern about the environment in the State of Alaska? What other State can point to the fact that land-use planning is a part of the Constitution of the State? The Alaska State constitution says that these lands shall be subject to land planning.

And to implement that basic philosophy of their State constitution they have passed statutes which give an absolute guarantee that, if the Federal Government is now going to adopt a Planning Commission which will regulate State and private use of our lands, that subject should be considered as a separate matter in a specific proposal applying to all States.

We had legislation which would create State planning agencies and agencies for enforcement. I think we have moved mightily in this direction of the proper use of land.

We have these Federal proposals. I wonder how the gentleman from Arizona or the gentleman from Washington or anyone else here might feel if the Federal lands of that area were now going to be reviewed outside the State to see whether the State could use these lands or not? The gentleman from Wyoming has Federal lands in his State. He is environmentally oriented, but I do not think he would want to say that his State cannot utilize these lands until we had gone to Iowa to let him use these lands.

Mr. RONCALIO. Mr. Chairman, will the gentleman yield?

Mr. KYL. I yield to the gentleman from Wyoming.

Mr. RONCALIO. I will say to the gentleman that, while I support the amendment, I am trying to ascertain just what the situation is. It is difficult to draft laws applicable to all 50 States. My colleague from West Virginia has a bill to prohibit strip mining, lands were desecrated. But if the same law were to apply to Wyoming, we would have 8,000 people out of a job.

I say that a State which gets 90 percent of oil royalties on Federal leases returned to the State might warrant, such as Alaska, this amendment, and it would not be applicable to Arizona or New Jersey, or to Iowa or Wyoming. We are 50 different States with 50 different sets of circumstances.

Mr. DON H. CLAUSEN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I shall not take all of the time, but in order to develop some legislative history, I ask the gentleman from Iowa and also the gentleman from Colorado, the chairman of the full committee, if they would both respond to this question: The subject before us, of course, is the Udall-Saylor amendment. Both of you having served, as have others, on the Public Land Law Review Commission and you, Mr. ASPINALL serve as chairman of the Environmental Subcommittee of the Committee on Interior and Insular Affairs. Is there any reason why the content of the amendment, which is under consideration during this debate cannot be considered before the committee as we consider the national land-use policy legislation and the recommendations of the Public Land Law Review Commission? I would like to ask the chairman to give me a response.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. DON H. CLAUSEN. I yield to the gentleman from Colorado.

Mr. ASPINALL. There is no reason why it should not and may I say that it is being so considered. Alaska is a part of the Union, and any land planning program either for public land or general purpose land use which is before our committee, Alaska is to be included, and there is no need in the world to put this additional Planning Commission on the back of Alaska.

Mr. DON H. CLAUSEN. And, it will be the intention of the chairman of the full committee to give consideration to this legislation?

Mr. ASPINALL. The gentleman is correct. And, may I say in response to my good friend from Wyoming, Wyoming gets a certain percentage of all these mineral revenues just like Colorado does. We do not have to bear the burden of any additional Planning Commission except that which may apply to the Nation as such.

Mr. DON H. CLAUSEN. Would the gentleman from Iowa please respond?

Mr. KYL. I agree with the gentleman from Colorado. These are the things which the Secretary of the Interior, following one of the recommendations of the Public Land Law Review Commission sent to us for consideration. These are the things he says the Secretary should consider in planning the use of land: The interdisciplinary approach, giving priority to the designation of areas of critical environmental concern, rely, to the extent it is available, on the inventory of the national resource lands and their resources, consider all present and potential uses of the lands and consider the relative scarcity of the values involved and the availability of alternative means including the need for recycling and sites for realization of those values—

> Consider the relative scarcity of the values involved and the availability of alternative means—
>
> Weigh long-term public benefits against more immediate local or individual benefits—
>
> Consider the requirements of applicable pollution control laws—

of all sorts.

These are the kinds of things which the Secretary believes ought to be applied to the public lands and the committee is now considering this act which, for lack of a better title, can be called the Organic Land Use Act.

Mr. DON H. CLAUSEN. Mr. Chairman, I thank the gentleman.

Mr. SAYLOR. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I have listened with interest to the debate here with regard to the amendment that has been offered by the gentleman from Arizona (Mr. UDALL) and myself.

Many of you in the Chamber heard the minority leader speak of the request of the President with regard to this bill. I would like to read for your benefit a portion of a message which the President sent to this Congress on the 8th day of February 1971. On page 12 of House Document 92–46 appears the following language:

> Federal public lands comprise approximately one-third of the nation's land area . . . in a sense, it is the "breathing space" of the nation.
>
> The public lands belong to all Americans. They are part of the heritage and the birthright of every citizen . . . we deal with these lands as trustees for the future.

And then the President goes on to say that the largest part of these lands lies in Alaska. And then the President, speaking of oil development, says:

> Development of oil in Alaska can bring benefits, but it could also, if unguided and unplanned, despoil the last and greatest American wilderness.
>
> We should act now, in close cooperation with the State of Alaska, to develop a comprehensive land use plan for the Federal lands in Alaska. . .
>
> Such a plan should take account of the needs and aspirations of the native people, the importance of balanced economic development, and the special need for maintaining and protecting the unique natural heritage of Alaska.

That is what our President asked us to do. That is what we have done in the Udall-Saylor amendment.

You heard the chairman of the full committee get up and say that land-use planning ought to be handled in special legislation. The gentleman from Iowa

(Mr. KYL) said land use planning ought to be handled in special legislation. But some of us have read some of the legislation they have introduced, and on the 8th day of April of this year the chairman, the gentleman from Colorado (Mr. ASPINALL) for himself, Mr. BARING, Mr. UDALL, and Mr. KYL, introduced H.R. 7211, and that bill provides, among other things, a special Joint Federal-State Natural Resources and Regional Planning Commission for Alaska. There is also land-use planning provided for the other States in other legislation before the committee. But in their bill, H.R. 7211, they ask for a special commission for land-use planning in Alaska. And what we are saying in the amendment that we have offered is that there is an unusual situation in Alaska.

Mr. UDALL. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I am happy to yield to the gentleman from Arizona.

Mr. UDALL. Mr. Chairman, I would ask the gentleman from Pennsylvania if that is not exactly what the Public Land Review Commission said—which is chaired by the distinguished gentleman from Colorado (Mr. ASPINALL) on which we both sit—that in the State of Alaska the situation is entirely different in regard to planning for the future, and called for a separate commission.

Mr. SAYLOR. That is correct; Alaska has a very different setup, and the Public Land Law Review Commission, chaired by the gentleman from Colorado (Mr. ASPINALL) made a survey, we on that Commission came back and said there should be, for the State of Alaska, a special Land Use Planning Commission.

You heard the distinguished gentleman from Washington (Mr. MEEDS) say that land use planning should be taken up in separate legislation. If this bill were what he said, the settlement of giving the Natives some land, and giving them some money, is all that is needed in this legislation, instead of trying to cover all the things it does. Then, this amendment would not be germane, but they went far beyond a settlement based only on land and money, and included many other things.

That is why the Chair had to rule that the amendment offered by the gentleman from Arizona (Mr. UDALL) is germane, and it should be adopted.

Mr. UDALL. We have been told that we should wait for general legislation. But the gentleman is aware of the agenda of our committee. Is there any hope or any schedule or any possibility that this general legislation will be enacted this year?

Mr. SAYLOR. There is absolutely no hope that the legislation of that type can be enacted this year.

Mr. UDALL. Next year, the gentleman will agree that much of the damage we are trying to forestall will already be done.

Mr. SAYLOR. A great deal of the damage we are trying to forestall could happen between this time and the time we get the bill out of our committee next year.

I just want to say another thing. The gentleman from Washington said how much land the Federal Government had taken out or withdrawn. He said I gave some figures about how much land was below the 1,000-foot level.

I just want to say that a lot of land in national forests that are withdrawn, approximately 20 million acres is above 1,000 feet.

The level of a lot of the wildlife preserves are above 1,000 feet.

A great deal of the areas in the national parks are above 1,000 feet.

In case anybody has not seen it, do you know that the highest peak in America—a great deal of Mount McKinley National Park is well above 1,000 feet.

So is a lot of Pet. 4 above 1,000 feet.

A great deal of that 72 million acres that the Federal Government now has is above 1,000 feet in elevation.

I urge that this amendment be adopted because it is the last great hope we will ever have of trying to save Alaska from what has happened in the lower 48 States.

Mr. ASPINALL. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I ask unanimous consent that all debate on the pending amendment end at the conclusion of my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from Louisiana (Mr. WAGGONNER).

Mr. WAGGONNER. Mr. Chairman, I thank the distinguished chairman of the Committee on Interior and Insular Affairs yielding to me.

I suppose we all, if we had our way, would do this a little bit differently. But since 1867 it seems we have been arguing here in the Congress of the United States about what should be done.

The distinguished ranking minority Member, a moment ago said that the President in February made mention of the fact that these pipelines, values, lands and minerals, belong to all of the people—and he is exactly right. But I want to point out that some of these values belong under protective obligations that are ours as citizens of the United States, to the Native Alaskans.

So far as I am concerned, the 40 million acre figure is arbitrary and the $925 million compensation figure is arbitrary. But at last it is something that the committee has agreed on and now the Congress can agree on.

There is no need for us to delay any longer. It is time to settle these claims. If one does not think that it is, then we can wait until the year 2071 comes along—100 years from now—and we will find the award tripled, and perhaps even more expensive than that.

Mr. Chairman, it is time to go ahead and settle this claim. I urge the defeat of the Udall amendment. We should get on with this settlement.

Mr. ASPINALL. Mr. Chairman, I thank my friend, the gentleman from Louisiana for his contribution.

It has been suggested that the Public Land Law Review Commission made certain recommendations. I would like to suggest to my friend that the planning operation that is provided in the Udall amendment is not one of those which has been considered by the Public Land Law Review Commission. Neither has it been considered by the Committee on Interior and Insular Affairs.

If it were brought to the Committee on Interior and Insular Affairs, we, of course, would give it our consideration.

There is no reason, even though that recommendation was stated as it was in the report of the Public Land Law Review Commission—there is no reason why the State of Alaska should not be treated like all her sister States in regard to the matter that is now before us.

As I have said repeatedly, what is involved here is the settlement of Native claims.

In closing this debate, let me read the following letter which is dated October 4, 1971, from Hon. Rogers Morton, the Secretary of the Interior:

U.S. DEPARTMENT OF THE INTERIOR,
*Washington, D.C., October 4, 1971.*

Hon. WAYNE N. ASPINALL,
*Chairman, Committee on Interior and Insular Affairs, House of Representatives, Washington, D.C.*

DEAR MR. CHAIRMAN: I note that the Committee on Interior and Insular Affairs has reported favorably H.R. 10367, with amendments, a bill "To provide for the settlement of certain land claims of Alaska Natives, and for other purposes."

I appreciate the long hours of conscientious deliberations devoted to this bill by the members of the Subcommittee on Indian Affairs and the members of the full Interior Committee.

You are to be congratulated for your efforts in settling this complex problem of equity for our Native Americans.

The Administration, on April 5th of this year, submitted its own bill to the Congress (H.R. 7432) which was given careful consideration by your Committee. Speaking for the Administration, I can and do notify you that H.R. 10367, as reported by the Committee, will meet our objectives, and urge that it be acted upon favorably by the full House.

Sincerely yours,

ROGERS MORTON,
*Secretary of the Interior.*

May I state that the Honorable Rogers Morton was a valued member of our committee for 6 years. He understands what is involved not only in this legislation but also in the committee procedure. He understands the difficulty of bringing into some agreement the very great differences that exist in any legislation such as this. It is my honest opinion that the Udall-Saylor amendment will not serve the best interests of the State of Alaska, the Government of the United States, or the Natives who, after all, are the ones to be considered in this bill.

The CHAIRMAN. The question is on the substitute amendment for the committee amendment offered by the gentleman from Arizona (Mr. UDALL) as amended.

The question was taken; and the Chairman announced that the noes appeared to have it.

TELLER VOTE WITH CLERKS

Mr. UDALL. Mr. Chairman, I demand tellers.

Tellers were ordered.

Mr. UDALL. Mr. Chairman, I demand tellers with clerks.

Tellers with clerks were ordered; and the Chairman appointed as tellers Messrs. UDALL, ASPINALL, HALEY, and SAYLOR.

The Committee divided, and the tellers reported that there were—ayes 178, noes 217, not voting 35, as follows:

[Roll No. 312]

[Recorded Teller Vote]

AYES—178

Abzug
Alexander
Anderson, Ill.
Anderson, Tenn.
Andrews, N. Dak.
Ashley
Aspin
Badillo
Bennett
Biester
Bingham
Boland
Brademas
Brinkley
Brown, Mich.
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burton
Byrnes, Wis.
Byron
Cederberg
Chamberlain
Cleveland
Collins, Tex.
Conable
Conte
Conyers
Coughlin
Danielson
Davis, Wis.
Delaney
Dellenback
Dellums
Denholm
Dennis
Dingell
Donohue
Dow
Drinan
Duncan
du Pont
Dwyer
Edwards, Calif.
Erlenborn
Esch
Eshleman
Fascell
Fish
Flood
Flowers
Foley
Ford, William D.
Frenzel
Frey
Galifianakis
Giaimo
Gibbons
Goldwater
Goodling
Grasso
Green, Pa.
Gross
Gubser
Gude
Hall
Hamilton
Hanna
Harsha
Hathaway
Hawkins
Hechler, W. Va.
Heckler, Mass.
Helstoski
Hillis
Hungate
Johnson, Pa.
Jones, Tenn.
Kastenmeier
Keating
Keith
Koch
Kyros
Leggett
Lent
Long, Md.
McCormack
McCulloch
McDade
McKinney
Macdonald, Mass.
Madden
Mailliard
Melcher
Miller, Calif.
Miller, Ohio
Minish
Minshall
Mitchell
Moorhead
Mosher
Moss
Nedzi
Nichols
Obey
O'Hara
O'Konski
Pelly
Pettis
Peyser
Pickle
Pike
Preyer, N.C.
Pucinski
Quie
Railsback
Randall
Rangel
Rees
Reid, N.Y.
Reuss
Riegle
Rodino
Roe
Rogers
Roncalio
Rosenthal
Roush
Rousselot
Ryan
Sandman
Sarbanes
Saylor
Scherle
Scheuer
Schneebeli
Seiberling
Shoup
Shriver
Sikes
Skubitz
Smith, Calif.
Smith, N.Y.
Snyder
Springer
Stanton, J. William
Steele
Steiger, Wis.
Stokes
Stratton
Sullivan
Talcott
Teague, Calif.
Thompson, Ga.
Thomson, Wis.
Thone
Udall
Van Deerlin
Vander Jagt
Vanik
Veysey
Vigorito
Waldie
Wampler
Ware
Whalen
Whalley
Whitehurst
Wiggins
Williams
Wydler
Yates
Young, Fla.
Young, Tex.
Zablocki
Zion
Zwach

NOES—217

Abbitt
Abernethy
Abourezk
Adams
Addabbo
Albert
Anderson, Calif.
Andrews, Ala.
Annunzio
Archer
Ashbrook
Aspinall
Baker
Baring
Barrett
Begich
Bell
Bergland
Betts
Bevill
Biaggi
Blackburn
Blanton
Boggs
Bolling
Bow
Brasco
Bray
Brooks
Brotzman
Brown, Ohio
Burke, Mass.
Burleson, Tex.
Burlison, Mo.
Byrne, Pa.
Cabell
Caffery
Camp
Carey, N.Y.
Carney
Carter
Casey, Tex.
Celler
Chappell
Chisholm
Clancy
Clark
Clausen, Don H.
Clawson, Del
Clay
Collier
Collins, Ill.
Colmer
Cotter
Crane
Daniel, Va.
Daniels, N.J.
Davis, Ga.
Davis, S.C.
de la Garza
Devine
Dickinson
Dorn
Dowdy
Downing
Dulski
Edmondson
Edwards, Ala.
Eilberg
Evans, Colo.
Evins, Tenn.
Findley
Fisher
Forsythe
Fountain
Fraser
Fulton, Tenn.
Fuqua
Gallagher
Gaydos
Gettys
Gonzalez
Gray
Green, Oreg.
Griffin
Griffiths
Grover
Hagan
Haley
Hammer-schmidt
Hanley
Hansen, Idaho
Hansen, Wash.
Harrington
Hastings
Henderson
Hicks, Wash.
Hogan
Holifield
Horton
Hosmer
Howard
Hull
Hunt
Ichord
Jacobs
Jarman
Johnson, Calif.
Jonas
Jones, Ala.
Jones, N.C.
Karth
Kazen
Kemp
King
Kluczynski
Kuykendall
Kyl
Landgrebe
Landrum
Latta
Lennon
Link
Lloyd
Lujan
McClory
McClure
McCollister
McDonald, Mich.
McEwen
McFall
McKay
McKevitt
McMillan
Mahon
Mann
Martin
Mathias, Calif.
Matsunaga
Mayne
Mazzoli
Meeds
Metcalfe
Michel
Mikva
Mills, Md.
Mink
Mizell
Mollohan
Monagan
Montgomery
Morgan
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nelsen
Nix
O'Neill
Passman
Patten
Pepper
Perkins
Pirnie
Poage
Podell
Poff
Powell
Price, Ill.
Price, Tex.
Quillen
Rarick
Rhodes
Roberts
Robinson, Va.
Robison, N.Y.
Rooney, N.Y.
Rooney, Pa.
Rostenkowski
Roy
Roybal
Runnels
Ruppe
Ruth
St Germain
Satterfield
Schmitz
Schwengel
Scott
Sebelius
Shipley
Sisk
Slack
Smith, Iowa
Spence
Staggers
Steiger, Ariz.
Stubblefield
Stuckey
Symington
Taylor
Teague, Tex.
Terry
Tiernan
Waggonner
White
Whitten
Widnall
Wilson, Bob
Wilson, Charles H.
Winn
Wolff
Wright
Wyatt
Wylie
Wyman
Yatron

NOT VOTING—35

Arends
Belcher
Blatnik
Broomfield
Corman
Culver
Dent
Derwinski
Diggs
Eckhardt
Edwards, La.
Flynt
Ford, Gerald R.
Frelinghuysen
Garmatz
Halpern
Harvey
Hays
Hébert
Hicks, Mass.
Hutchinson
Kee
Long, La.
McCloskey
Mathis, Ga.
Mills, Ark.
Morse
Patman
Pryor, Ark.
Purcell
Stanton, James V.
Steed
Stephens
Thompson, N.J.
Ullman

So the substitute amendment, as amended, was rejected.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

COMMITTEE AMENDMENTS

The CHAIRMAN. The Clerk will report the remaining committee amendments.

The Clerk read as follows:

Committee amendments:

Page 34, line 15, strike "(f)".

Page 36, line 21, strike "regional" and insert "region".

Page 36, after line 24, insert a new paragraph (2) as follows, and renumber succeeding paragraphs:

"(2) In the event that the total number of acres selected within a region pursuant to section 9 exceeds the percentage of the reduced forty million acres allotted to that region pursuant to subsection (j)(1)(B), that region shall not be entitled to receive any lands under this subsection (j). For each region so affected the difference between the acreage calculated pursuant to subsection (j)(1)(B) and the acreage selected pursuant to section 9 shall be deducted from the acreage calculated under subsection (j)(1)(C) for the remaining regions who will select lands under this subsection (j). The reductions shall be apportioned among the remaining regions so that each region's share of the total reduction bears the same proportion to the total reduction as the total land area in that region (as calculated pursuant to subsection (j)(2)(A) bears to the total land area in all of the regions whose allotments are to be reduced pursuant to this paragraph."

Page 40, line 22, strike the quote marks at the end of the line.

Page 41, line 13, strike "rights," and insert "rights as provided in section 11(i),".

The committee amendments were agreed to.

AMENDMENT OFFERED BY MR. ASPINALL

Mr. ASPINALL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ASPINALL: Page 1, line 6, after "SEC. 2.", strike out "(a)".

The amendment was agreed to.

AMENDMENT OFFERED BY MR. ASPINALL

Mr. ASPINALL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ASPINALL: Page 13, line 25, strike out "provisions of this section", and at the end of line 26 insert "provisions of this section".

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GROSS

Mr. GROSS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GROSS: Page 2, line 21, after the word "Act", strike out the words "is intended to" and insert the word "shall".

Mr. GROSS. Mr. Chairman, I shall not take 5 minutes. I would hope that the Committee would accept this amendment.

It substitutes for "is intended to" the word "shall" and this section of the bill will then read as follows:

(4) no provision of this Act shall replace or diminish any right, privilege, or obligation of Alaska Natives as citizens of the United States or of Alaska—

And so on and so forth.

I do not understand what the committee meant when it said "intended to." That is language usually reserved for a report. For the last 2 days committee members have expressed their undying concern for the Natives of Alaska. If they mean what they say they will accept "shall" to make this provision of the bill mandatory.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. GROSS. Yes, I yield to the gentleman from Colorado.

Mr. ASPINALL. My distinguished friend from Iowa has observed what I think is a shortcoming. I would be in favor of this amendment and I suggest that it be accepted.

Mr. GROSS. I thank the gentleman from Colorado.

Does the minority accept it?

Mr. STEIGER of Arizona. Mr. Chairman, will the gentleman yield?

Mr. GROSS. Yes, I yield to the gentleman from Arizona.

Mr. STEIGER of Arizona. I thank the gentleman for yielding. Needless to say, I have neither the judgment nor courage to defy the gentleman from Iowa. We

accept the gentleman's amendment on this side.

Mr. GROSS. I thank the gentleman from Arizona.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa.

The amendment was agreed to.

AMENDMENT OFFERED BY MR. VIGORITO

Mr. VIGORITO. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. VIGORITO: On page 2, line 4, strike "forty" and insert "ten".

On page 36, line 9, strike "forty" and insert "ten".

On page 36, line 19, strike "forty" and insert "ten".

On page 37, line 2, strike "forty" and insert "ten".

Mr. VIGORITO. Mr. Chairman, I shall not take the full 5 minutes. My amendment is very brief. But before I continue with the discussion of my amendment I would like to congratulate the committee for the tremendous amount of work that they have done.

If it is the will and the wisdom of this House to pass a bill for the Alaskan Natives, this is probably the bill that should be passed. They have done a truly great job.

I would especially like to single out my good friend and colleague, the gentleman from Alaska (Mr. BEGICH) who has done a wonderful job. This is what I would call, in his successful efforts to get this bill through, bringing home the bacon.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. VIGORITO. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Chairman, I am highly pleased that the gentleman from Pennsylvania has commented upon the outstanding performance of our colleague, the gentleman from Alaska. Our distinguished colleague, NICK BEGICH, has done an exceptionally fine job in putting together the interests of the many varied groups in Alaska and in getting agreement on this bill. I certainly want to join the gentleman in his well-deserved salute to the fine Representative from the State of Alaska, Mr. BEGICH.

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. VIGORITO. I yield to our distinguished Speaker, the gentleman from Oklahoma (Mr. ALBERT).

Mr. ALBERT. Mr. Chairman, I know of no one who has ever done more for his State in his first session of his first term in the Congress than the distinguished and hard-working, conscientious, never-say-die gentleman from Alaska, NICK BEGICH.

Mr. BURTON. Mr. Chairman, will the gentleman yield?

Mr. VIGORITO. I yield to the gentleman from California.

Mr. BURTON. Mr. Chairman, I too would like to associate myself with the remarks of the gentleman in the well, the gentleman from Pennsylvania (Mr. VIGORITO), and the gentleman from Oklahoma (Mr. EDMONDSON), and those of our distinguished Speaker, Mr. ALBERT.

I think we should also pay due tribute to one of the finest men who has ever graced this floor of the House of Representatives, one whose heart is as big as his head is wise, our distinguished friend, the gentleman from Washington (Mr. MEEDS) who, along with the gentleman from Alaska (Mr. BEGICH), has literally given almost every waking moment of his time to the construction of this legislation.

In closing, I should like to add my personal praise of the gentleman from Alaska (Mr. BEGICH).

Congressman BEGICH's display of legislative skill and tenacity was the primary factor in the successful result achieved today.

Seldom in the history of the House of Representatives has a new Member demonstrated such a firm grasp of the legislative process. The Alaska Natives living today, and their children and grandchildren—for generations to come—owe Congressman BEGICH a great debt of gratitude.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. VIGORITO. I yield to the gentleman from Iowa.

Mr. GROSS. After all that vocalizing what is your amendment, if I may ask?

Mr. VIGORITO. My amendment is very simple. Instead of giving the Natives 40 million acres it reduces it down to 10 million acres. Instead of 800 acres per Native, it gives them about 200 acres per Native. And I would like to say that in this rare instance finally I agree with one of the chamber of commerces, the Chamber of Commerce of Alaska is in favor of the 10 million acres. Also the 10 million acre figure was used last year when the Senate, in their occasional wisdom, brought in a bill containing 10 million acres. I believe that is a sufficient number of acres.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. VIGORITO. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Could we then not appropriately call this the chamber of commerce-U.S. Senate-Vigorito amendment?

Mr. VIGORITO. I would not want to go on record as favoring such.

Mr. Chairman, I yield back the balance of my time.

Mr. ASPINALL. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I wish to say that I can understand very well the position taken by my friend, the gentleman from Pennsylvania (Mr. VIGORITO). It was not so long ago that I, too, would have agreed that perhaps the figure was appropriate. However, things have changed since then. It is a compromise figure that we have arrived at after many months of hard work, and we came out with 40 million acres as an equitable award.

The gentleman from Pennsylvania (Mr. VIGORITO) offered the amendment in committee, and it was overwhelmingly defeated. I would ask my colleagues in the House to vote down the amendment.

Mr. STEIGER of Arizona. Mr. Chairman, I move to strike the last word, and I rise in opposition to the amendment.

I would simply try to make it very clear to those of my colleagues on this side of the aisle who might be tempted to support what seems to be a very simple adjustment in the mathematics of this situation, by saying to them that having been a party to, as far as I know, all of the negotiations concerning this matter between the State of Alaska, the White House, the Department, the Natives, and our committee, that we made the very best possible negotiated arrangement we could make.

For us to blindly discard it at this stage of the proceedings with no more justification than we have been given would be, I might add, less than responsible—which I think would be a generous way to say it—and would destroy the prospects of the bill's passage into law.

I urge you, however beguiled you are by the diminished acreage—do not be seduced.

Mr. TAYLOR. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise in opposition to the amendment.

Two years ago I joined other members of the House Indian Affairs Subcommittee in visiting many Native villages of Alaska. We found towns or villages with dirt streets and businesses and framed houses. There was much poverty. Yet the Native people were proud of their villages and their homes and their hunting lands. The climate does not permit the farming or raising of gardens. Yet, the Natives live off the land which provides hunting.

We must not forget that the natives occupied Alaska before the white man came and before our country purchased Alaska from Russia. The Natives have what is called aboriginal title to the lands they occupy. Aboriginal title permits them to occupy the land without disturbances from anyone except the Government, but aboriginal title, which is based on adverse possession, is not good against the Government. The Government may decide whether the Natives should get recognized legal title to some or all of the land they claim. The Natives claim aboriginal title to almost all of Alaska. The claim has not been proved or disproved.

A legislative solution to these claims is preferable to a judicial solution, because litigation would take too long, would be costly, and would delay the economic development of Alaska for many years. The bill before us today represents much work and many compromises. When we were in Alaska 2 years ago, a solution seemed almost hopeless. The Natives were demanding more than the bill provides. The State of Alaska, businessmen, and chambers of commerce there were washing their hands of any responsibility in the matter. They took the position that satisfying the Natives' claims was entirely a responsibility of the Federal Government.

Since that time, compromises have been made and the bill has been improved in many ways. The land claim was reduced from 60 million to 40 million acres. The State agreed to pay through an oil royalty $500 million—more than one-half of the total money involved in the settlement.

Now I would like to commend Chairman HALEY and the other members of the Indian Affairs Subcommittee and our colleague from Alaska on the diligent labors that have gone into the preparation of the legislation before us. I have never seen a committee work harder in an effort to find the right answer to a complicated problem.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. VIGORITO).

The amendment was rejected.

AMENDMENT OFFERED BY MR. DINGELL

Mr. DINGELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DINGELL: On page 19, between lines 8 and 9, insert the following:

"(3) At such time as all selections have been made pursuant to this section on St. George and St. Paul Islands, Aleutians, the Secretary, with the concurrence of the Secretaries of State and Commerce, shall determine if any such selection will adversely affect any activities carried out pursuant to the Interim Convention on the Conservation of North Pacific Fur Seals, dated February 9, 1957, and the Fur Seal Act of 1966 on such islands with respect to the conservation and protection of fur seals and other wildlife resources. If the Secretary finds that the conveyance pursuant to section 11 of all or any part of the surface estate of any land selected within St. George Island or St. Paul Island would have such an adverse effect, the Secretary shall purchase at fair market value, or reserve to the United States, such interests (including easements) in the selected land as he deems necessary for the efficient conduct of such conservation and protection activities. In the case of any reservation made under the preceding sentence, (A) the patent issued pursuant to section 11 with respect to the land concerned shall be subject to such interests of the United States, and (B) the Secretary shall pay just compensation to the Native village or Native concerned for any interests in land selected by that village or Native which are so reserved to the United States."

Page 19, line 9, strike out "(3)" and insert "(4)".

Mr. DINGELL. Mr. Chairman, a little earlier I offered an amendment to protect all of the wildlife refuges in the State of Alaska. The committee in its wisdom refused to accept the amendment, and I am prepared to accept the wisdom of the committee.

But I want to bring before this body at this time a particular set of circumstances which deserves more careful consideration and attention by this body.

I hold in my hands, the interim convention on the conservation of North Pacific fur seals.

The United States signed a solemn treaty with Canada, Japan, the Soviet Union—and, of course, as I say the United States. In that solemn treaty, the United States undertook to protect and to conserve in concert with the other governments involved the North Pacific fur seals.

We agreed that we would protect the seals. We agreed we would protect their habitat.

My subcommittee on fisheries on wildlife and conservation has been considering for some time now legislation to protect further the different species of marine mammals.

The principal habitat, indeed the rookeries and the areas where the seals of the North Pacific raise their young are on two islands under the jurisdiction of the United States.

The first is the island of St. George; the second is the island of St. Paul. We are committed by treaty to protect the seals which raise their young on these two islands. These islands are small. According to what I could find, the entire area is going to be selected by the natives involved. That leaves us with the situation where failure to provide for the protection of the rookeries will not only jeopardize and endanger the seals, but it will also put us in danger of abrogating a treaty solemnly signed by this Government, by Russia, by Canada, and by Japan, and on the abrogation of the treaty will occur a return to sealing on the high seas under circumstances where the age and sex of the seal cannot be ascertained and where good conservation practices cannot be applied.

It will do something else, Mr. Chairman. It will bring about a situation where very probably the Russians, the Canadians, and the Japanese will return to high seas sealing, a practice which nearly wiped out the North Pacific fur seal.

The amendment does only one simple thing. It says that where it is necessary to carry out our treaty responsibilities, the United States in concert through the Secretary of State, of Commerce, and of Interior, will determine whether or not our treaty obligations are going to be abrogated, or whether or not it is necessary to take steps to protect the North Pacific seals through reservation of appropriate interests in those areas. It requires the Secretary of the Interior, in protecting the rights of the natives and in protecting the seals, will pay just compensation to the natives for the lands which he sets aside or for the easements or other interests in the lands which he takes.

We had a little while back a discussion of whether or not we could move bears or whether we should move people. The answer is the seals have been using this area to breed their young for as long as men can recall—indeed, before men were in the area. As a matter of fact, the seals were there before the Natives who now occupy the island were brought there as forced or slave labor by the Russians. It is not a question of moving the seals because this cannot be done. It is not a question of moving the Natives, because this need not be done, because seals occupy only a small part of the area.

All I am trying to do is to protect by this amendment treaty rights and treaty obligations.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

(On request of Mr. EDMONDSON, and by unanimous consent, Mr. DINGELL was allowed to proceed for 1 additional minute.)

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. I yield to my friend from Oklahoma.

Mr. EDMONDSON. The gentleman has just made a statement that he is convinced it will not be necessary to move the Natives from these islands to accommodate refuge needs.

Mr. DINGELL. That is correct.

Mr. EDMONDSON. Is the gentleman satisfied that if the amendment were adopted, the Natives would be permitted to continue on the islands with easements for refuge purposes?

Mr. DINGELL. I will tell you that I am absolutely determined that the scope of this amendment will be limited only to what is necessary to protect the seals.

Mr. EDMONDSON. It would be possible for the Natives to acquire title with the easements as a matter of negotiations?

Mr. DINGELL. I am well satisfied that that is what will happen, and as chairman of the subcommittee having jurisdiction over refuges, that is what I intend to see brought about, if the House adopts my amendment.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. BEGICH. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Alaska is recognized for 5 minutes.

Mr. BEGICH. Mr. Chairman, I rise in opposition to the amendment proposed by the gentleman from Michigan. This amendment, like that proposed with respect to wildlife refuges, is one which subordinates Native rights to an extent which is totally unacceptable. If I may, I will state my specific objections to this amendment.

First, this amendment, like the wildlife refuge amendment, is virtually an authorization for Native relocation. For decades, the tiny communities of St. Paul and St. George have coexisted on these islands with the fur seals whose rookeries are on the Islands. In one action, this amendment would empower the Secretary to remove the village or to so limit their land selection that the continued existence of the community would be meaningless. This is more than a question of simple priorities, but the question of priority is very clear in my own mind. We must not subordinate the Natives.

Second, I believe it is a false and somewhat improper assumption beneath this amendment which relates to the actions that the St. Paul and St. George Islanders will take with regard to the seals. We are dealing with people who have, for decades, lived on these islands and protected these seal herds. In addition to a tradition of conservation, it is quite clear that the islanders will be subject to all State and Federal laws designed to protect the environment.

Third, the laws which will be applicable to these Natives specifically include the Federal statutory provision designed to enforce the provisions of International agreements for the protection of the fur seal. My faith in the Natives as conservationists is such that I believe these laws will be unnecessary, but the fact is that they do apply.

Fourth, incredibly, this amendment is based on a procedure which totally disregards Indian rights and participation. It confers a unilateral right on the Sec-

retary of Interior to take any lands which he feels necessary. I believe the amendment reveals itself as basically distrustful of Native input by not even including Native residents among those consulted before action is taken. This lack of adequate due process does no credit to a bill which is designed to protect Native rights.

Fifth, the point of much of this is that the amendment is a hastily drawn, last minute attempt designed to seize an immediate opportunity. Such an action is a separate legislative matter, and deserves more study in order to perfect it and establish a fairer and more sensitive procedure.

The Natives of St. Paul and St. George are the potential losers in this amendment. I believe their rights are prior here today. I urge that the amendment be rejected.

Mr. HALEY. Mr. Chairman, will the gentleman yield?

Mr. BEGICH. I yield to the gentleman from Florida.

Mr. HALEY. Regardless of who owns the land, the conservation laws must apply to those areas in relation to the seals; is that correct?

Mr. DINGELL. That is exactly correct.

Mr. HALEY. So why is the gentleman's amendment necessary if protection of the seals is already covered by the conservation laws of our Nation?

Mr. BEGICH. The chairman of the subcommittee is exactly correct. We have discussed this point. Certainly in no way does the bill abrogate the treaty rights or duties. I think for us to pass a bill that would change the treaty would be unbelievable. There is no intention whatsoever to change any parts of that basic treaty.

I think there is a basic assumption that is underneath this amendment. It would assume that the Native people on those islands, 600 of them, who have for years—for years—been harvesting the seals under the jurisdiction of either the Department of the Interior or more recently the Department of Commerce. Under this supervision and administration, they have been taking just the number of seals that the Department has required (50,000 this past year) to allow the seal herd to build up from a total of somewhere around 250,000 in 1911 to almost 1,300,000 now. It would assume that these Native people have no great concern for conservation of the seal. In fact, the Natives are those who have the greatest concern. Their right to the land does not change just because the seals happen to be there. The seal rookery and the rights of the Natives are intertwined. There is no danger to the fur seals if these Natives are permitted to take their land just as all the other villages are taking their land.

Earlier, the Members defeated an amendment very similar to this which affected 46 villages on wildlife refuges. Now we are down to two villages. I say these two villages are just as important as the other 46. They ought to be treated equally and given their right to the land just as the other villages are given their right to the land.

The Members can be sure the seal herd will be allowed to exist. The Natives are working with the environment and allowing them to have this land will not hurt the fur seals at all.

Mr. KYL. Mr. Chairman, will the gentleman yield?

Mr. BEGICH. I yield to the gentleman from Iowa.

Mr. KYL. Mr. Chairman, is this a correct statement? There is nothing in this bill which removes the Natives from the cover of any Federal or State law or U.S. treaty so far as the seals and the seal harvesting is concerned?

Mr. BEGICH. The gentleman from Iowa is exactly correct. Under this bill all the Federal laws and the treaties will have to be obeyed.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan (Mr. DINGELL).

The amendment was rejected.

Mr. KASTENMEIER. Mr. Chairman, I rise in support of the Alaskan Natives land claims settlement legislation. We now have the opportunity to deal justly and generously with the Alaska Natives by honoring commitments made to them in 1884, when the Congress, in the Organic Act of 1884 establishing a territorial government in Alaska, acknowledged the Natives' right to lands in their use, occupancy or claimed by them. The matter of conveying title to the Natives, however, was postponed.

There was no massive threat to Native land rights until the 1958 Alaska Statehood Act whereby the State of Alaska claimed the right to select 103 million acres for the public domain, and since then, has moved to take over lands used and occupied by the Natives. In January 1969, Secretary of the Interior Udall, in one of his last acts, froze all State selections and all mineral and oil leasing on Federal lands until the Native claims were settled. At that time, the State had selected over 20 million acres.

In this Congress, we can write the concluding chapter to the Alaskan Native settlement. This legislation, permitting nature hikes to choose 40 million acres of public lands, and guaranteeing a cash payment of $425 million over 10 years and $500 million in royalties from mineral production on public lands, will benefit the 55,000 Eskimos, Aleuts, and Indians. In particular, the 40 million-acre settlement is of vital importance to the Alaska Natives. The land is critical to their way of life, and only by obtaining title to a reasonable amount of land will they possess the base upon which to build a better life in a changing world.

While H.R. 10367 provides a generous settlement to the Alaska Natives, I am not sure it does justice to Alaska's future. There is no strong provision for developing a comprehensive land plan for the future development and conservation of the State, and for this reason, I have cosponsored the Udall-Saylor substitute. With the Native settlement and the State selection of public lands, the Federal freeze on the disposal of public land will end, and I fear that the oil companies, mining interests and land speculators, who are impatiently awaiting the passage of the Claims legislation, will plunge into hasty and unplanned economic development of Alaska that will result in the destruction of the Alaskan wilderness, as we know it today.

There has been considerable confusion created regarding the merits of the substitute proposal. It does not, as some claim, interfere with the Natives' land selection rights. The first 18 million acres to be chosen by the Natives would proceed as H.R. 10367 intends. Since the second round of the Native selection for 22 million acres will not begin until 1984, any national interest study areas will by then have been completely studied with the future determined by congressional action. Thus, this will remove any conflict between land planning and the second selection by the Natives.

Mr. Chairman, we now have the chance to do justice to Alaska's Natives and, also, adopt rational land planning which can be compatible with the preservation of the pristine Alaskan environment. Let us not cast aside the opportunity to secure these twin obligations.

Mr. VANIK. Mr. Chairman, Alaska is the last great Federal domain in the United States. The original Federal land comprised 375 million acres of the Alaskan land mass, but this last frontier is being disposed of all too rapidly. H.R. 10367 provides for a native land settlement which would grant the Natives full title to 40 million acres of the remaining Federal land.

I support this provision along with the settlement formula for the Indians, but I fear that there are serious loopholes for abuse in the method of disposal of Alaskan lands.

In earlier legislation, Congress granted the right to 103 million acres to the State of Alaska and now the Indians are receiving 40 million additional acres. Most of the remaining Federal lands in Alaska—now under a freeze order preventing disposal—will soon be eaten up by speculators and exploiters. They will be competing in the dividing up of the remaining Alaskan frontier. The result of this competition will be the development of a chaotic land-use pattern, "a land rush."

H.R. 10367 serves the interests of the Natives, the needs of the State of Alaska, and resource developers. But the public interest of 208 million Americans and the environmental protection of this land have not been considered.

In this new era of public concern for the environment, I can not understand how we can authorize the wholesale disposition of Alaska public lands without overall plans that include environmental protection and the careful advance protection of nationally significant areas like parks and wildlife preserves.

The American people have become increasingly aware of the need for more parks, recreation areas, and wilderness preserves. To acquire land for these purposes the Federal Government has had to buy back, at present-day prices, land which was once part of the public domain. Often precious wilderness areas which have been sold away from the public domain have been irreparably

damaged by commercial development. These lands have been removed from public use forever. At this time I feel it would be the height of irresponsibility to repeat this same type of mistake in Alaska. The Federal land in Alaska should receive priority for national needs. Two areas which are particularly endangered by this bill are the Arctic National Wildlife Range and Mount McKinley National Park.

For these reasons I offer my strongest support to the Udall substitute. This substitute provision would designate 76 million acres as "national interest study areas." It would also authorize the Secretary of the Interior to withdraw up to an additional 50 million acres for more "national interest study areas." This is a reasonable, and desperately needed, approach toward the Alaskan lands, before we allow haphazard developments to have an adverse impact on our national and environmental interests.

The Udall-Saylor substitute would also establish a temporary 14-member Joint Federal-State Natural Resource and Land Use Planning Commission for Alaska. When either the State or the Natives or private corporations make a land selection, they would be required to submit before this Commission a plan describing what they intend to do with the land. The Planning Commission would then have 6 months in which to reply to this proposal. If the Commission and the land applicant disagreed, the issue would be settled in the courts.

I would also like to emphasize my support of the amendment of the gentleman from Michigan (Mr. DINGELL) to protect the existing national wildlife refuges by requiring the Natives and the Secretary of the Interior to work together to maintain these wilderness preserves. Wildlife has been a diminishing global treasure. Some areas of Alaska provide prime habitat for migrating birds, including waterfowl, and also caribou, moose, and wolves that exist nowhere else in the world except Alaska.

I would like to see a fair, strong, and balanced program for the distribution of the Alaskan lands. Abrupt termination of the existing land freeze on unreserved public lands in Alaska would be hazardous. If this freeze is lifted without the proper land-planning provisions, it would throw our Nation's last great unit of public domain open to immediate and possibly devastating disposal.

In our legislative efforts today, we must satisfy the needs of all the people while respecting the balance of nature in our last wilderness frontier of Alaska.

I also want to take this time to commend the Representative from the State of Alaska, NICK BEGICH, on his tremendous contribution in the development of this legislation which has tremendous impact on the future of the State of Alaska. His achievement constitutes a giant step in moving the State of Alaska toward its potential for growth and full development.

Mr. BOLAND. Mr. Chairman, I want to express my support for the Udall-Saylor amendment. The Alaskan Native Claims Act, as it now stands, would throw open to commercial exploitation almost 40 million acres of Alaska's Federal lands. The discovery of oil and gas deposits—deposits so vast that they left drilling crews almost thunderstruck with awe—have already invited such exploitation.

The mindless plunder of our environment has gone too far—fouling our waterways, pillaging our forests, driving many species of wildlife to the brink of extinction. A little foresight, Mr. Chairman, would have prevented all this. We can exercise such foresight today by enacting the Udall-Saylor amendment.

The amendment in no way threatens the Native Claims Act's central provision: granting 40 million acres of Federal land and $925 million in cash to Alaskan Natives. This payment is just and long overdue.

The amendment would merely direct the Interior Department to identify, within 6 months, 50 million acres of the greatest ecological significance. This done, the Department would be given 5 years to carry out a searching study of the lands and make recommendations to the Congress about their use. Much of Alaska's timberland and tundra is the last refuge for vanishing species of wildlife—the wolf, for example, or the caribou. Some land shows remarkable promise for recreation areas, still more for wilderness areas.

During the 5-year study, Alaska's Native Aleuts, Indians, and Eskimos could freely proceed with the selection of their lands. Should any of the land they choose be protected by the Congress—as parks, wildlife refuges, wilderness areas—the Natives would be given equivalent land elsewhere.

The amendment is eminently fair to everyone concerned.

I urge its passage.

Mr. RANDALL. Mr. Chairman, I have to oppose H.R. 10367 known as the Alaska Natives Land Claims Settlement Act for several reasons, especially after the defeat of the amendment by the gentleman from Pennsylvania (Mr. SAYLOR), cosponsored by the gentleman from Arizona (Mr. UDALL). This amendment known as the "national interest" amendment clearly indicated its purpose. The bill without this amendment allows or permits the quick, hurried and rapid disposal of the existing Federal estate in Alaska leaving the general public as the neglected or forgotten group.

I do not see how we can proceed to give 40 million acres of land as a Native allotment and then provide 103 million acres as a State allotment, recalling there are only 125 million acres of inhabitable land in Alaska. I cannot understand how we can say by allotting this much land with such a little left we are giving any consideration to the protection of what could be called nationally significant land.

Certainly, there is need for some assurance that Federal lands will be retained in what we might call the "people's heritage" for such purposes as: New national parks, wildlife refuges, forests, wild and scenic rivers, and certain wilderness areas. Under the existing bill their future has not been determined.

There is no assurance these have been planned for. The Saylor amendment would have set aside a reasonable amount of land or about 50 million acres from which the Congress could provide enough land for the foregoing classifications. As it is the State and the Natives are dividing up the best public land. I submit the American people should have some of this prime land before it is all gone.

The Saylor-Udall amendment provided for a Temporary Federal-State Land Planning Commission to be operative until local zoning boards come into existence. I think it is not unreasonable to envisage that unless some protection is provided we can expect, as one member described it, a sort of gold rush speculation and a kind of despoilation that I am sure none of us want to imagine or think about. It is my understanding some kind of a planning body has already been endorsed by action of the Alaskan Legislature.

Mr. Chairman, it is my understanding the proposed amendment was endorsed by almost every major conservation organization in America. Let us list a few: National Wildlife Federation; Wilderness Society; Alaskan Action Committee; League of Conservation Voters; Defenders of Wildlife; American Institute of Planners; Sierra Club; Environmental Action; Audubon Society; Citizens Committee on Natural Resources; Wildlife National Institute, and the National Rifle Association. This group formed what is known as the Alaskan Coalition. They concluded that the Saylor amendment was at this moment the highest priority of the entire conservation movement in America.

To me it makes sense that the Congress should be able to say that before granting the State an allotment of 104 million acres, certain lands of national significance such as the Gates of The Arctic National Park should be removed from State selection until or after it has been evaluated for possible Federal retention.

To repeat Mr. Chairman, upon the failure of the principal amendment which would have made this bill acceptable, I cannot support it on final passage. Someone, either in debate or in our correspondence has said this land-planning amendment would cast a false light upon the Natives ability to manage their land. As I recall it, it was our good friend and colleague who represents the State of Alaska who suggested that by attaching this kind of land-planning amendment we would be tieing on a paternalistic string to indicate or disclose a sort of distrust of Native management ability. Well, our friend from Alaska may have confidence in this managerial ability. He should because they are his constituents.

However there is reason to have considerable distrust based on some events which have recently transpired. For example, I am advised by the author of the amendment, the gentleman from Pennsylvania, the ranking members of the In-

terior Committee, that there are some instances where these Natives have been paid for some land contained in a national forest and proceeded to improvidently dissipate their money. Now under the terms of this bill it is proposed that having already been paid for their lands they may select other lands to be paid for once again, or a second time.

The argument that this bill provides equitable compensation for long standing land claims of the Alaska Eskimos, Indians, and Aleuts is partly true and partly untrue. It is true the claims are long standing. The compensation is most generous if that is what is meant by the word "equitable" as to whether or not there is a legal obligation, this point has definitely been decided by the U.S. Supreme Court.

In the case of Tee-Hit-Ton Indians against United States, the Supreme Court in 1955 held that the Congress can either recognize or extinguish such claims with or without compensation. In the case of the U.S. against Santa Fe Pacific Railroad the court said years ago that these kind of claims were not a matter of judicial inquiry because these claims were a matter of moral rather than legal right and went on to say were a matter of political rather than judicial consideration. There is no legal responsibility as a matter of law.

Mr. Chairman, this bill provides the Alaskan Natives will receive $425 million from the U.S. Treasury, then another $500 million from the State of Alaska from proceeds out of certain mineral revenues. This means a cash settlement for every Native of over $20,000 all in addition to a land settlement for every Native of about 800 acres. In the light of these figures it is interesting to keep in mind the original purchase price of Alaska was a little over $7 million.

I have reliable information there are at present over 200 groups of our own American Indians here in the continental United States that have made claims which remain unresolved, unsettled, and unsatisfied.

How can the Congress vote to spend over $1 billion before these prior claims are first disposed of by equitable settlement. In our own congressional district in Missouri and across the line in Kansas there are several descendants of our first citizens who have yet to be compensated for what has been ruled by the courts to be a legal claim, largely because of the failure of appropriations and for other reasons.

In Alaska there is no legal responsibility but only a moral responsibility according to the U.S. Supreme Court. After defeat of the national interest amendment we have no assurance there will not be a despoilation of large areas of this beautiful State. This very costly bill will undoubtedly pass, notwithstanding because of the feeling there is some kind of a moral responsibility to pay the Eskimos now. If this happens, then the Native lands claims bill will become the most costly conscience balm for the American people in all of our history.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. NATCHER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 10367) to provide for the settlement of certain land claims of Alaska Natives, and for other purposes, pursuant to House Resolution 645, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. SAYLOR

Mr. SAYLOR. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. SAYLOR. I am, Mr. Speaker.

The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. SAYLOR moves to recommit the bill, H.R. 10367, to the Committee on Interior and Insular Affairs, with instructions to report the same back to the House forthwith, with the following amendment: On page 30, line 19, Strike out all of line 19 and all of the remainder of page 30 and all of page 31 down to and including line 17, and insert in lieu thereof the following:

"(g)(1) Except as otherwise provided in this Act all unreserved public lands in Alaska which have not been previously classified by the Secretary are hereby withdrawn from all forms of appropriation under the public land laws, including the mining and mineral leasing laws. The Secretary is hereby authorized to classify, in the manner heretofore provided by the Classification and Multiple Use Act (7 Stat. 986), and to open, subject to the provisions of this subsection, to mineral leasing, entry, selection, location or disposal in accordance with applicable public land laws, lands which he determines are chiefly valuable for the purposes provided for by such laws: *Provided*, That nothing herein shall restrict the land selection rights of Native villages and Alaska Native Regional Corporations under this Act or of the State under the Alaska Statehood Act.

"(2) The lands withdrawn under this subsection shall be subject to administration by the Secretary under applicable laws and regulations, and his authority to make contracts and to grant leases, permits, rights-of-way, or easements shall not be impaired by the wtihdrawal, including lands within the utility and transportation corridor which are described in the notice of proposed modification of classification of lands for multiple use management (serial numbers AA2779 and F-955) and the notice of proposed classification of lands for multiple use management (F-12423) published in the Federal Register on January 1, 1970 (35 F.R. 16-17), as corrected on February 4, 1970 (35 F.R. 2537), except that rights-of-way under section 2477 of the Revised Statutes of the United States shall take effect only under such terms and conditions as the Secretary may establish.

"(3) The Secretary is hereby authorized and directed to review all unreserved public lands in Alaska and to identify within such lands all areas which are generally suitable, under existing statutory and administrative criteria, for potential inclusion as recreation, wilderness or wildlife areas within the National Park System, the National Wild and Scenic Rivers System, and the National Wildlife Refuge System; for retention as National Resources Land for Federal multiple use management (including for subsistence uses, including hunting and fishing, by Natives and for Wilderness); and, after consultation with the Secretary of Agriculture, for inclusion within the National Forest System for multiple use management. The Secretary shall, on the basis of such review and within six months of the date of this Act, withdraw and designate all such generally suitable areas, and especially those areas which have been heretofore inventoried in agency studies, as 'national interest study areas', and shall advise the President and the Congress of the location and size of, and the potential national interest in, each such study area: *Provided*, That the total area of all such designations by the Secretary shall not exceed fifty million acres. In making the reviews and in designating national interest study areas as directed by this subsection, the Secretary shall consider areas recommended to him by the Temporary Planning Commission established pursuant to this subsection and by knowledgable and interested individuals and groups.

"(4) The Congress finds and declares that the Copper River Classification (33 Fed. Reg. 19957), the Iliamna Classification (32 Fed. Reg. 14971), the Brooks Range area as previously proposed for classification (35 Fed. Reg. 18003) by the Secretary under the authority of the Classification and Multiple Use Act (78 Stat. 986), the Naval Petroleum Reserve Numbered 4, and the Rampart Power Site Withdrawal, have potential national interest for the purposes set forth in this subsection and are withdrawn to be studied and investigated in accordance with the procedures and time limits set forth in paragraph (5) of this subsection. Lands withdrawn by the Secretary for study under this paragraph shall not exceed fifty million acres.

"(5) Within five years of the designation of each national interest study area withdrawn pursuant to this subsection, the Secretary shall, on the basis of further detailed studies and after consultation with the Temporary Planning Commission established pursuant to this subsection, report to the President and the Congress his recommendations as to the suitability or non-suitability of such national interest study area or portion thereof, together with such adjacent areas as he may deem appropriate, for the purposes of inclusion as recreation, wilderness or wildlife areas within the National Park System, the National Wild and Scenic Rivers System, and the National Wildlife Refuge System; for retention as National Resource Lands for Federal multiple use management (including for subsistence use, including hunting and fishing, by Natives and for wilderness); and, after consultation with the Secretary of Agriculture, for inclusion within the National Forest System for multiple use management; or for such other purposes as the Secretary may deem appropriate.

"(6) Each national interest study area designated pursuant to this subsection shall remain withdrawn from all forms of appropriation under the public land laws, including the mining and mineral leasing laws, until the Secretary submits his recommendations pursuant to subsection (g)(5) of this section and until the future status and disposition of each such national interest study area is determined by Congress: *Provided*, That the authority of the Secretary to establish national wildlife refuges on the public lands under his jurisdiction, including within any national interest study area, shall not be diminished by this paragraph. Initial identification of lands desired to be selected by Alaska Native Regional Corporations pur-

suant to section 11(j) of this Act and by the State pursuant to the Alaska Statehood Act may be made within any national interest study area, but such lands shall not be tentatively approved or patented unless and until the withdrawal of such areas pursuant to paragraphs (3) and (4) of this subsection is revoked by Act of Congress: *Provided, further*, That selection of lands by Native villages pursuant to this section and pursuant to section 13 of this Act shall not be affected by such withdrawal and such lands may be patented as authorized by section 11 of this Act. Notwithstanding any of the provisions of this subsection, the total amount of land that may be selected by Natives or by the State under the terms of this or any other Act shall not be lost or diminished by reasons of the provisions of this paragraph. In the event Congress determines that any area that the Natives or the State desire to select shall be permanently reserved for any of the purposes specified in subsection (g) (5) of this section, then other unreserved public lands shall be made available for alternative selections by the State and Natives. Any time periods established by law for such selections shall be deemed to be extended to the extent that delays are caused by compliance with the provisions of this paragraph.

"(7) The Congress finds and declares that the disposition of Federal lands in Alaska and the use of Federal, State, and other lands, including offshore mineral resources development in Alaska, should be coordinated and planned so as to foster and promote the general welfare, create and maintain conditions in which man and nature can exist in sustained productive harmony, and fulfill the social, economic, cultural, and other requirements of present and future generations of Americans. It is the purpose of this paragraph and paragraph (8) of this subsection to establish policies and procedures which will provide for planned and orderly economic development and conservation of lands in Alaska, including those Federal lands to be transferred to other ownerships, in a manner which is compatible with the social, economic, and cultural well-being of Alaskans and all of the American people of present and future generations, with National and State environmental policies, and with the public interest in public lands and in existing and potential parks, forests, wilderness areas, wildlife refuges, and cultural, historical, and natural sites.

"(8) (A) There is hereby established the Temporary Joint Federal-State Natural Resources and Land Use Planning Commission for Alaska (hereinafter referred to as the 'Temporary Planning Commission'), which shall continue in existence until such time as all administration of land use plans by the Commission is relinquished under the provisions of subsection (g) (8) (I) (ii) of this section or at a sooner time if superseded by subsequent Act of Congress.

"(B) The Temporary Planning Commission shall be composed of 14 members as follows:

"(i) the Governor of the State of Alaska or his designated representative, who shall serve as the State cochairman;

"(ii) two members appointed by the Governor of Alaska to represent major departmental functions of the State of Alaska;

"(iii) two members of the Alaska Legislature: the chairman of the resources committee of the senate and the chairman of the resources committee of the house of representatives;

"(iv) two members elected by the Alaska Native Regional Corporations organized under section 6 of this Act, each such corporation having one vote in such election: *Provided*, That the incorporators shall cast one such vote in the case of any corporation which shall not have been timely organized;

"(v) a Federal cochairman, appointed from the general public by the President, with the advice and consent of the Senate; and

"(vi) six members from the Federal Government appointed as follows: one by the Secretary of the Interior, one by the Secretary of Agriculture, one by the Secretary of Housing and Urban Development, one by the Secretary of Transportation, one by the Secretary of Defense, and one by the Director of the National Science Foundation.

"(C) The initial meeting of the Temporary Planning Commission shall be called by the cochairmen. Nine members of the Temporary Planning Commission shall constitute a quorum. All decisions of the Temporary Planning Commission shall require a majority of those present and voting. Members shall serve at the pleasure of the appointing authority. A vacancy in the membership of the Temporary Planning Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

"(D) (i) Except to the extent otherwise provided in clause (ii) of this subparagraph, members of the Temporary Planning Commission shall receive compensation at the rate of $100 per day for each day they are engaged in the performance of their duties. All members of the Temporary Planning Commission shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties as members of the Temporary Planning Commission.

"(ii) Any member of the Temporary Planning Commission who is designated or appointed from the Government of the United States or from the government of the State of Alaska shall serve without compensation in addition to that received in his regular employment. The member of the Temporary Planning Commission appointed pursuant to subsection (g) (8) (B) (v) of this section shall be compensated as provided by the President at a rate not in excess of that provided for level V of the Executive Schedule in title 5, United States Code.

"(E) Subject to such rules and regulations as may be adopted by the Temporary Planning Commission, the cochairmen, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III in chapter 53 of such title relating to classification and General Schedule pay rates, shall have the power—

"(i) to appoint and fix the compensation of such staff personnel as they deem necessary, and

"(ii) to procure temporary and intermittent services to the same extent as is authorized by section 3109 of title 5, United States Code, but at rates not to exceed $100 a day for individuals.

"(F) (i) The Temporary Planning Commission or, on the authorization of the Temporary Planning Commission, any subcommittee or member thereof, may, for the purpose of carrying out the provisions of this paragraph and paragraph (7) of this subsection, hold such hearings, take such testimony, receive such evidence, print or otherwise reproduce and distribute so much of its proceedings and reports thereon, and sit and act at such times and places as the Temporary Planning Commission deems advisable. The cochairman, or any other member authorized by the Temporary Planning Commission, may administer oaths or affirmations to witnesses appearing before the Temporary Planning Commission, or any subcommittee or member thereof.

"(ii) Each department, agency, and instrumentality of the executive branch of the Government, including independent agencies, is authorized to furnish to the Temporary Planning Commission, upon request made by a cochairman, such information as the Temporary Planning Commission deems necessary to carry out its functions under this section.

"(G) The Temporary Planning Commission shall—

"(i) undertake statewide land-use planning, including recommendation of areas for permanent reservation in Federal and State ownership and of Federal and State lands to be made available for disposal;

"(ii) subject to the provisions of subparagraph (H) of this paragraph, make recommendations with respect to the proposed land selections by the State under the Alaska Statehood Act and by Native villages and Alaska Native Regional Corporations under this Act;

"(iii) subject to the provisions of subparagraph (I) of this paragraph, promulgate land-use plans for lands selected by the Native villages and Alaska Native Regional Corporations under this Act and by the State under the Alaska Statehood Act, whether or not such State selections have been tentatively approved on the date of this Act;

"(iv) publish criteria for implementing the purposes and provisions of this paragraph and paragraph (7) of this subsection and establish procedures, including public hearings both in Alaska and in other States, for obtaining public views of statewide land-use planning;

"(v) establish a committee of land-use advisers to the Temporary Planning Commission, made up of representatives of commercial and industrial land users in Alaska, recreational land users, wilderness users, national and State environmental groups, Alaska Natives and other citizens, and provide procedures for meetings of the advisory committee at least once every six months;

"(vi) make recommendations to the President of the United States and the Governor of Alaska as to programs and budgets of the Federal and State agencies responsible for the administration of Federal and State public lands; and

"(vii) make recommendations from time to time to the President of the United States, Congress, and the Governor and Legislature of the State of Alaska as to changes in laws, policies, and programs that the Temporary Planning Commission determines are necessary or desirable to meet the policies and purposes set forth in paragraph (7) of this subsection.

"(H) The following procedure shall be applicable to the functions of the Temporary Planning Commission pursuant to clause (ii) of subparagraph (G) of this paragraph with respect to proposed land selections by Native villages and Alaska Native Regional Corporations and by the State:

"(i) Each Native village and Alaska Native Regional Corporation and the State shall, in writing, notify the Temporary Planning Commission of each proposed selection.

"(ii) Within six months after receiving such a notice, the Temporary Planning Commission shall, in writing, advise the Native village and Alaska Native Regional Corporation or the State, as the case may be, with respect to the compatibility of the proposed selection with the policies and purposes set forth in paragraph (7) of this subsection and with land use plans promulgated by the Temporary Planning Commission.

"(iii) Within six months thereafter, the Native village and Alaska Native Regional Corporation or the State, as the case may be, shall, in writing, notify the Temporary Planning Commission of its decision whether to retain the selection as originally proposed or to make an alternate selection.

"(iv) No patent shall be issued or, in the case of a State selection, tentative approval given until the foregoing procedure has been followed.

"(v) Notwithstanding any of the provisions of this or any other Act, no selection right shall be lost by reason of compliance with the time requirements established by this

subparagraph. Any time periods established for selections shall be deemed to be extended to the extent appropriate for compliance with this subparagraph.

"(I) (i) Uses of all lands selected by Native villages and Alaska Native Regional Corporations pursuant to this Act and by the State of Alaska pursuant to the Alaska Statehood Act, whether or not such State selections have been tentatively approved on the date of this Act, shall be compatible with land-use plans promulgated with respect thereto from time to time after notice and opportunity for hearing by the Temporary Planning Commission. Such plans shall be applicable notwithstanding the issuance hereafter of patents for the lands affected. The United States District Court for the District of Alaska shall have jurisdiction, upon application of the Temporary Planning Commission or the Department of Justice, to issue such orders as may be appropriate to secure compliance with such land-use plans.

"(ii) Land-use plans promulgated by the Temporary Planning Commission pursuant to clause (i) of this subparagraph shall cease to be administered by the Temporary Planning Commission as to any area in which the Temporary Planning Commission determines, after notice and opportunity for hearing, that there are in effect Federal, State, or local zoning regulations and planning and enforcement provisions adequate to meet the policies and purposes set forth in paragraph (7) of this subsection.

"(iii) In carrying out its functions pursuant to this subsection, the Temporary Planning Commission shall be deemed to be an "agency" for purposes of sections 500–559 and 701–706 of title 5, United States Code.

"(J) (i) On or before January 31 of each year, the Temporary Planning Commission shall submit to the President of the United States, the Congress, and the Governor and legislature of the State of Alaska a written report with respect to its activities during the preceding calendar year, together with its recommendations for programs or other actions which it determines should be taken or carried out by the United States and the State of Alaska.

"(ii) The Temporary Planning Commission shall keep and maintain accurate and complete records of its activities and transactions in carrying out its duties under this paragraph, and such records shall be available for public inspection.

"(iii) The principal office of the Temporary Planning Commission shall be located in the State of Alaska.

"(K) (i) The United States shall be responsible for paying for any fiscal year not more than 50 per centum of the costs of carrying out the provisions of this paragraph for such fiscal year.

"(ii) For purposes of meeting the responsibility of the United States in carrying out the provisions of this paragraph, there is authorized to be appropriated the sum of $1,500,000 for the fiscal year ending June 30, 1972, and for each succeeding fiscal year.

"(iii) No Federal funds shall be expended for the provisions of this paragraph for any period unless prior to the commencement of such period the Secretary has received reasonable assurances that there will be provided from non-Federal sources amounts equal to 50 per centum of the total funds required to carry out such provisions for such period."

Mr. SAYLOR (during the reading). Mr. Speaker, I ask unanimous consent that the motion to recommit be considered as read and printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

Mr. EDMONDSON. Mr. Speaker, reserving the right to object, is this motion to recommit the so-called Udall-Saylor amendment which was voted down a little while ago by 217 to 177?

Mr. SAYLOR. The amendment I have sent to the desk in the motion includes the Saylor-Udall amendment with the amendment that was offered by the gentleman from Michigan (Mr. CEDERBERG) and adopted.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The SPEAKER. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

Mr. SAYLOR. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 334, nays 63, not voting 32, as follows:

[Roll No. 313]

YEAS—334

Abernethy
Abourezk
Abzug
Adams
Addabbo
Anderson, Calif.
Anderson, Ill.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Archer
Arends
Aspin
Aspinall
Badillo
Baker
Baring
Barrett
Begich
Bell
Bennett
Bergland
Betts
Bevill
Biaggi
Bingham
Blackburn
Blanton
Boggs
Boland
Bolling
Bow
Brademas
Brasco
Brinkley
Brooks
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Burke, Fla.
Burke, Mass.
Burleson, Tex.
Burlison, Mo.
Burton
Byrne, Pa.
Byrnes, Wis.
Byron
Cabell
Caffery
Camp
Carey, N.Y.
Carney
Carter
Casey, Tex.
Celler
Chamberlain
Chappell
Chisholm
Clark
Clausen, Don H.
Clay
Cleveland
Collier
Collins, Ill.
Colmer
Conable
Conyers
Cotter
Coughlin
Daniels, N.J.
Danielson
Davis, Ga.
Davis, S.C.
Davis, Wis.
de la Garza
Delaney
Dellenback
Dellums
Denholm
Dent
Dickinson
Donohue
Dorn
Dowdy
Downing
Drinan
Dulski
du Pont
Dwyer
Edmondson
Edwards, Calif.
Eilberg
Erlenborn
Esch
Evans, Colo.
Evins, Tenn.
Fascell
Findley
Fish
Fisher
Flood
Flowers
Ford, Gerald R.
Ford, William D.
Forsythe
Fountain
Fraser
Frelinghuysen
Frenzel
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Gaydos
Gettys
Gibbons
Gonzalez
Gray
Green, Oreg.
Green, Pa.
Griffin
Griffiths
Grover
Gubser
Gude
Hagan
Haley
Hamilton
Hammer-schmidt
Hanley
Hanna
Hansen, Idaho
Hansen, Wash.
Harrington
Hastings
Hathaway
Hawkins
Hébert
Helstoski
Henderson
Hicks, Wash.
Hillis
Hogan
Holifield
Horton
Howard
Hull
Hungate
Hunt
Ichord
Jacobs
Jarman
Johnson, Calif.
Johnson, Pa.
Jones, Ala.
Jones, Tenn.
Karth
Kastenmeier
Kazen
Keating
Keith
Kemp
King
Kluczynski
Koch
Kuykendall
Kyl
Kyros
Landrum
Latta
Leggett
Lennon
Lent
Link
Lloyd
Lujan
McClory
McClure
McCollister
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
McKay
McKevitt
McMillan
Macdonald, Mass.
Madden
Mahon
Mailliard
Mann
Martin
Mathias, Calif.
Matsunaga
Mayne
Mazzoli
Meeds
Melcher
Metcalfe
Michel
Mikva
Miller, Calif.
Mills, Ark.
Mills, Md.
Minish
Mink
Minshall
Mitchell
Mizell
Mollohan
Monagan
Moorhead
Morgan
Morse
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nedzi
Nelsen
Nichols
Nix
Obey
O'Hara
O'Konski
O'Neill
Passman
Patten
Pelly
Pepper
Perkins
Pettis
Peyser
Pickle
Pike
Pirnie
Poage
Podell
Poff
Powell
Preyer, N.C.
Price, Ill.
Price, Tex.
Pucinski
Purcell
Quie
Quillen
Railsback
Rangel
Rees
Reuss
Rhodes
Riegle
Robison, N.Y.
Rodino
Roe
Rogers
Roncalio
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roush
Roy
Roybal
Runnels
Ruppe
Ruth
Ryan
St Germain
Sandman
Sarbanes
Scheuer
Schneebeli
Schwengel
Sebelius
Seiberling
Shipley
Shoup
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, N.Y.
Springer
Staggers
Stanton, J. William
Stanton, James V.
Steed
Steele
Steiger, Ariz.
Steiger, Wis.
Stokes
Stratton
Stubblefield
Stuckey
Sullivan
Symington
Taylor
Teague, Tex.
Terry
Thomson, Wis.
Thone
Tiernan
Udall
Van Deerlin
Vander Jagt
Vanik
Veysey
Waggonner
Waldie
Wampler
Ware
Whalen
White
Whitehurst
Whitten
Widnall
Williams
Wilson, Charles H.
Winn
Wolff
Wyatt
Wylie
Yates
Yatron
Young, Tex.
Zablocki
Zwach

NAYS—63

Alexander
Ashbrook
Ashley
Biester
Bray
Broyhill, Va.
Buchanan
Cederberg
Clancy
Clawson, Del
Collins, Tex.
Conte
Crane
Daniel, Va.
Dennis
Devine
Dingell
Duncan
Edwards, Ala.
Eshleman
Foley
Frey
Giaimo
Goodling
Grasso
Gross
Hall
Harsha
Hechler, W. Va.
Heckler, Mass.
Hosmer
Jonas
Jones, N.C.
Landgrebe
Long, Md.
McKinney
Miller, Ohio
Montgomery
Randall
Rarick
Roberts
Robinson, Va.
Rousselot
Satterfield
Saylor
Scherle
Schmitz
Scott
Smith, Calif.
Smith, Iowa
Snyder
Spence
Talcott
Teague, Calif.
Thompson, Ga.
Vigorito
Whalley
Wiggins
Wilson, Bob
Wydler
Wyman
Young, Fla.
Zion

NOT VOTING—32

Abbitt
Anderson, Tenn.
Belcher
Blatnik
Broomfield
Corman
Culver
Derwinski
Diggs
Dow
Eckhardt
Edwards, La.
Flynt
Garmatz
Goldwater
Halpern
Harvey
Hays
Hicks, Mass.
Hutchinson
Kee
Long, La.
McCloskey
McCormack
Mathis, Ga.
Patman
Pryor, Ark.
Reid, N.Y.
Stephens
Thompson, N.J.
Ullman
Wright

So the bill was passed.

The Clerk announced the following pairs:

Mr. Blatnik with Mr. Belcher.

Mr. Thompson of New Jersey with Mr. Broomfield.

Mr. Flynt with Mr. Goldwater.

Mr. Diggs with Mr. Derwinski.

Mr. Stephens with Mr. Halpern.

Mr. Pryor of Arkansas with Mr. Reid of New York.

Mr. Patman with Mr. McCloskey.

Mrs. Hicks of Massachusetts with Mr. Harvey.

Mr. Mathis of Georgia with Mr. Hutchinson.

Mr. Eckhardt with Mr. Wright.
Mr. Garmatz with Mr. Kee.
Mr. McCormack with Mr. Dow.
Mr. Ullman with Mr. Abbitt.
Mr. Culver with Mr. Hays.
Mr. Anderson of Tennessee with Mr. Corman.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## GENERAL LEAVE

Mr. HALEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed (H.R. 10367).

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

## PERMISSION FOR COMMITTEE ON RULES TO FILE PRIVILEGED REPORT

Mr. SISK. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file a privileged report.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

## NOISE CONTROL ACT OF 1971

(Mr. TIERNAN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. TIERNAN. Mr. Speaker, the Subcommittee on Public Health and Environment has recently reported out H.R. 11021, the Noise Control Act of 1971. As one who had introduced noise abatement legislation at the beginning of this session, I want to complement Chairman ROGERS and his subcommittee for their prompt action on this very important issue.

This is not to say that I am completely pleased with H.R. 11021. It does establish labeling requirements and permits the Environmental Protection Agency to propose regulations establishing noise emission standards. However, in the area of aircraft noise, the bill gives complete authority to the FAA, allowing EPA to act only as an adviser rather than giving them veto power over the FAA noise standards.

There is little doubt that the FAA is basically an industry-oriented agency, as witnessed by the attached newspaper report. It is inconceivable to me that that FAA would turn responsibility for drafting new noise standards over to the airport operators council and to the Air Transport Association. The public, who bear the brunt of the obnoxious aircraft noise levels, have no representation.

I urge FAA Administrator John Shaffer and his colleagues to reconsider this potentially disastrous decision.

I insert the following article:

[From the Washington Evening Star, Oct. 12, 1971]

FAA DROPS AIRPORT NOISE-CONTROL PLAN

(By Robert Lindsey)

MIAMI.—The Federal Aviation Administration has decided to withdraw a controversial, proposed federal standard for measuring airport noise and will allow representa^ives of the air transport industry to help rewrite it.

Airport managers around the nation complained sharply about the original proposal, arguing that it might force them to purchase tens of thousands of homes near airports at a cost of several billion dollars.

The problems of aircraft noise yesterday dominated the opening day of a four-day meeting here of the Airport Operators Council International. About 900 persons representing many of the world's major airports are attending.

FAA DECISION TOLD

Bert J. Lockwood, assistant general manager of Los Angeles International Airport, said during a discussion of pending governmental controls on jet noise that officials of the Airport Operators Council were told by the FAA last week that the agency would "turn responsibility" for drafting new noise standards over to the council and to the Air Transport Association. The latter is a trade association of scheduled airlines.

"They indicated they can't seem to develop a standard with which they can obtain the concurrence (of airport operators, airlines and environmental groups) and they want to turn over the responsibility to industry," he said.

"We have a verbal commitment from them that they will do it," Lockwood added.

A spokesman for the FAA reached in Washington, denied that industry groups would "dictate" the rules. But he said there would be "consultations" with industry to agree on the best way to measure the effect of airport noise on communities.

Any revision of the proposed standards is likely to bring criticism from environmentalists, who have already begun to use them to fight construction of new airports and expansion of existing ones. It has been more than two years since construction of a new jetport has begun in the United States.

CHARGES REJECTED

Some airport community and environmental groups have accused the FAA of being unresponsive to protests over noise. The agency has rejected these charges, contending that the Nixon administration has done more in this field than any previous administration.

A critical view of the Federal Aviation Administration was expressed yesterday by Sen. Alan Cranston, D-Calif. He told the airport officials he would introduce legislation soon to transfer jurisdiction over airport and aircraft noise control to the Environmental Protection Agency from what he called the "industry-oriented" FAA and other agencies, which now have limited jurisdiction in the matter.

In the House, a Health subcommittee has recommended legislation permitting the FAA to retain complete authority in setting jet noise standards. The action rejected an administration measure, sharply criticized by the Air Transport Association, similar to Cranston's proposal.

NOISE PREDICTION

Cranston also said he would push legislation that would give tax incentives to airlines to stimulate "early retirement" of Boeing 707 and DC-8 jets—which are among the noisiest offenders at airports—and seek ways to reduce by 1976 the noise output of other jets built in the 1960s.

The main issue in the dispute referred to by Lockwood is a technique used to predict noise impact, called "noise exposure forecast."

Devised in 1967 by a Boston consulting concern, Bolt, Berenak and Newman, the technique utilizes a number of facts—the amount of plane traffic, the type of planes and other variables—to produce a graph designed to indicate noise levels and degrees of irritation within the airport community.

The FAA said earlier this year that it was considering adoption of the technique as a guideline to project airport noise problems and as a tool for city planners. The agency said it was an imprecise method of measurement and therefore should not be used in any legal proceedings.

Opposition from airport managers to the proposal stems from their contention that the technique does not accurately reflect noise impact, and, regardless of the FAA's disclaimer, that it will be seized upon by environmentalists and others to support lawsuits against noise pollution.

They also believe that once the standard is adopted, it will form the basis of future legislation to require them to buy property within the areas where noise levels have made living unpleasant.

## OPEN COMMITTEE MEETINGS

(Mr. BLACKBURN asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous material.)

Mr. BLACKBURN. Mr. Speaker, one of the topics that comes up for periodic debate in the House is the matter of congressional reform. Quite often one of the reforms advocated is the desire for open committee meetings during markup sessions.

Inasmuch as my own committee had a rather painful experience along that line several years ago, I am inserting for the benefit of the Members a column published in today's Wall Street Journal by a reporter which points out very well the pitfalls and tribulations of open committee meetings during markup sessions.

The article is as follows:

HERE IS A REFORM WE DO NOT NEED

(By Norman C. Miller)

WASHINGTON.—Every do-gooder interested in government, this reporter included, is forever asserting the need for congressional reform. And high on the usual list of reforms is a demand that congressional committees stop holding secret sessions and open their doors to the people while they draft bills.

Then, the theory goes, there would be no more secret deals in smoke-filled rooms, and the public interest would flourish as lawmakers labor under relentless public scrutiny. It's a noble theory, if one's occupation doesn't demand attendance at committee doings. It's a safe bet that few people advocating this particular reform ever actually attend committee sessions.

It is at least arguable whether the reform would accomplish anything. It may be no accident, for example, that the two House committees that have tried open bill-drafting sessions have experienced disastrous results, notably that political posturing by the members produces endless and essentially meaningless bickering over a bill.

Even behind closed doors, these mind-numbing exercises go on for months. With newspapermen attending, they might never end. You will not find it in political science textbooks, but it is nonetheless an immutable truth that, before an audience of reporters, politicians just can't shut up. Some-

how, even a Congressman whose every utterance is religiously ignored feels compelled to talk endlessly as long as a single soul sits suffering at the press table.

Any do-gooders who think otherwise should suffer through a week of hearings in the House Education and Labor Committee, the one panel that regularly opens its doors while trying to write bills. They would find the committee almost unable to function amid the torrent of rhetoric its 38 members spiel for the benefit of the onlookers. Compromise, the essence of the legislative art, becomes impossible with each member maintaining that his amendment is needed to save the Republic.

The committee wastes an incredible amount of time. The other day it consumed the better part of an afternoon with an argument about whether a time should be fixed for a vote on one amendment. Finally, it was agreed to postpone the vote for two days. But then even that decision was vacated by the committee's belated discovery that it lacked a quorum to decide anything.

It seems significant that the committee usually functions purposefully only after deals are made in secret caucuses. Then, with the votes in hand, the majority engages in ritualistic debate in open sessions before pushing through the bill it wrote behind closed doors. Whatever these spectacles may be called, they are not accurate exhibitions of the decision-making process.

A look at the audiences attending the open bill-drafting sessions also casts doubt on the reform theory that special-interest lobbyists would lose a lot of clout if all committees were forced to draft bills in public. The fact is that all those people dutifully chuckling at the politicians' endless attempts at humor during open sessions now are none other than the special-interest lobbyists, there to make sure that no member double-crosses them by reneging on a private pledge. It is perhaps because of this audience that the Education and Labor Committee habitually recommends multibillion-dollar authorization bills, even though everyone knows that neither the administration nor the Appropriations Committee will follow up with appropriations anywhere near the recommended levels.

So the committee's legislation is often a sham, designed to curry favor with the members' clients in the education and labor lobbies, but without a serious prospect of fulfillment. Many reformers, of course, would consider education and labor lobbyists as "white-hats," so this result may not disturb them. But there is no guarantee that a committee writing bills in the open will be less obeisant to "black hats."

Take the banking lobby, for example, one that a lot of lawmakers can depict as a dark influence without fear of retribution by the voters. Wright Patman, the chairman of the House Banking Committee, has a rueful memory of the time two years ago when he tested the theory that open sessions would help defeat the big banks he forever fights.

Rep. Patman was pushing a bill that the big banks opposed, and he figured an audience would demonstrate to other committee members that the people were on his side. Indeed, the committee was influenced by the audience. It voted against Mr. Patman and for the bill the bank lobbyists wanted.

"We got some press, but most of the seats in the room were filled by (bank) lobbyists obviously interested in pushing through the softest possible bill," Mr. Patman recalls. "The members of the committee were looking down the throats of at least $100 billion in bank assets. . . ."

Maybe things would work differently if all the committee sessions were open all of the time. It's true that California Congressmen who have served in that state's legislature say that open bill-drafting sessions have had a healthy effect in Sacramento.

But the testimony of Congressmen is not convincing to one who has watched a couple of committees flounder around in public. Whatever the results of open bill-drafting sessions, the inevitable torrent of bombast that would accompany such a process is just too painful a prospect. The closed-door system, regardless of its faults, at least has the virtue of making the politicians shut up for a time, and that is not something to be lightly discarded.

## THE FEDERAL NARCOTIC-ADDICT REHABILITATION EFFORT

(Mr. McCULLOCH asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous material.)

Mr. McCULLOCH. Mr. Speaker, today I have introduced modest—but necessary—legislation to expand the Federal narcotic-addict rehabilitation effort. Heretofore, the Congress has looked upon rehabilitation programs for narcotic addicts as some kind of a reward which highly dangerous addicts are unworthy to receive. At present, there is considerable discussion concerning the wisdom of such a policy.

In fairness to those who might defend the present policy, let me say that I can well understand the desire to punish, not rehabilitate, the violent criminal and the multiple offender, even one who is a narcotic addict. Rather than resolve the conflict between these conflicting policies, in introducing this bill today I ask that both sides agree only on the merits of rehabilitative treatment. The general purposes of the bill is to provide treatment for addicts in addition to—not in lieu of—punishment.

It is my hope that both sides of this controversy can unite in support of this legislation so that a modest gain can be made in meeting a serious problem.

Mr. Speaker, I include the letter of transmission from the Department of Justice and the text of the bill in the RECORD at this point:

OFFICE OF THE ATTORNEY GENERAL,
*Washington, D.C.*

The SPEAKER,
*House of Representatives,*
*Washington, D.C.*

DEAR MR. SPEAKER: I enclose for your consideration and appropriate reference a legislative proposal "To amend title 18 of the United States Code to authorize the Attorney General to provide care for narcotic addicts who are placed on probation, released on parole, or mandatorily released."

Titles I and II of the Narcotic Addict Rehabilitation Act of 1966 (NARA) provide that selected narcotic addicts charged with non-violent crimes against the United States may be either civilly committed to the custody of the Surgeon General in lieu of criminal prosecution (28 U.S.C. 2901, *et seq.*) or sentenced to a NARA program in lieu of confinement (18 U.S.C. 4251 *et seq.*). Both of these titles are available only for certain selected addicts. For example, persons charged with "violent" crimes are ineligible (18 U.S.C. 4251(f)(1); 28 U.S.C. 2901(g)), as are addicts who have been convicted of two or more felonies (18 U.S.C. 4251(f)(4); 28 U.S.C. 2901(g)(4)). These and the other exclusions under NARA are designed to reserve the relatively lenient prosecutive and sentencing provisions of that act for less dangerous offenders. The exclusions also result, however, in the ineligibility for NARA aftercare programs of addicts who were sentenced to regular terms of confinement or to probation in lieu of confinement.

The purpose of this legislation is to authorize the placement under supervised aftercare of narcotic addicts and former addicts who have been placed on probation, released on parole, or released by operation of law after having served their confinement terms less good-time deductions. The latter are "mandatorily released" but are deemed by law as if released on parole.

There is little question that narcotic addiction and criminal activity are interrelated. Yet many Federal addict-offenders, not eligible for NARA, are released to society without any type of follow-up treatment for their addiction. To the extent that Section 4255 programs and facilities are available, they clearly ought to be provided to such addicts.

There is present legal authority to involve addict-prisoners in special treatment programs while they are physically in the Attorney General's custody as the result of regular sentences to confinement (18 U.S.C. 4082). In view of this authority and the obvious need for treatment, the Bureau of Prisons has, for its fiscal years 1971 and 1972, allocated positions and funds to initiate and carry on such programs. In the absence of legal authority, however, no post-confinement care is provided for these addicts. Without this kind of follow-up, the treatment accorded within the places of confinement can readily prove futile. This proposed legislation would authorize such care. The Board of Parole may then utilize its existing authority, if the Attorney General so recommends, to require a released addict to participate in supervisory aftercare programs established under 18 U.S.C. 4255. The requirement of a recommendation from the Attorney General will insure that such treatment is both available and appropriate.

NARA treatment programs should also be made available to persons placed on probation who are in need of such services. This legislative proposal would give the Attorney General authority to provide such care. The courts may require addicts, as a condition of probation, to participate in a NARA program upon certification by the Attorney General that a suitable program is available in the community.

The rationale of this proposal is similar to that which led to the enactment of Public Law 91-492, which authorized the use of Bureau of Prisons half-way houses for probationers and parolees in selected cases. The proposal will permit the Department to extend its existing programs for the rehabilitation of addicts convicted of criminal activity to a group whose need is acute. Accordingly, I recommend its prompt enactment.

The Office of Management and Budget has advised that enactment of this legislation is in accord with the program of the President.

Sincerely,

_____,
*Attorney General.*

## IT IS APPRECIATION TIME

(Mr. DE LA GARZA asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. DE LA GARZA. Mr. Speaker, it was my privilege to participate earlier this month in an event honoring a citizen of my district, Leonardo "Leo Najo" Alaniz of Mission, Tex., a former Texas League baseball star and now the first nominee to Mexico's Baseball Hall of Fame.

Najo, a nickname he acquired from the Spanish word for rabbit, a tribute to his swiftness on the diamond, was al-

ready a legend when I was born in Mission. This illustrious baseball star, now 72, came to Mission with his family when he was 8 years old. He attended public school in my hometown and began his baseball career at an early age, playing with the popular 30–30's, a semiprofessional team.

I digress to remark proudly that my father helped organize this team in 1918 and was its manager. The original Kikade la Garza played on it. My uncle also played on the 30–30's, and so in later years did I.

But Najo was always the star. He went on to play with teams in Tampico, Mexico, and in Laredo and San Antonio. Farmed out by San Antonio to a team in Tyler, Tex., for a year, he batted .382. In 1952 he was sent to a Western Association team in Oklahoma, where he played against the famous Dizzy Dean. He hit 35 home runs that season and left a record of 196 runs scored.

Called back to San Antonio, he was drafted by the Chicago White Sox and was scheduled to start with that team in 1926. Unfortunately, before reporting to the White Sox, he broke a leg in a game and was robbed of his chance to play in the majors. However, he played several more seasons in the Texas League and in other leagues, his batting prowess still shining through.

He finally returned to Mission and rejoined the 30–30's. He held the team together for years and was still active with the club when it folded in the early 1960's.

Najo was a hero of my youth, and he is still a hero to me and other residents of Mission. October 12 was proclaimed as Leo Najo Day in Mission. A street and a baseball park were named for him. A well-attended barbecue was held in his his honor. Special tributes were bestowed upon him at a public assembly in Mission. And in our neighboring city of Reynosa, Mexico, admirers threw more bouquets his way.

I was honored to be in Mission on Leo Najo Day and to have a part in the celebration. It was an outstanding event in tribute to an outstanding man.

I include with my remarks an editorial from the Mission Times, a fine south Texas newspaper which did itself proud with a special edition on Leo Najo Day:

IT IS APPRECIATION TIME

Mission's Leo Najo, the former baseball great who became a legend in his own time, will be honored today by his hometown. Mexico has shown appreciation for this immortal player in the past, and now his closest friends and neighbors take their turn with the bouquets.

Leo Najo was the first really successful player of Mexican ancestry in Texas League history. Except for an untimely accident that took part of his blinding speed, he undoubtedly would have made it big in the major leagues. But his mark was made in the record books and his name is still a by-word.

These who followed baseball 40 or so years ago know they are the chosen ones; for they got to see Leo Najo in his prime. They saw him make sensational catches in the outfield; hit home runs; walk and then steal second, third and home on successive pitches.

These old-timers can be forgiven if a tear comes in their eye at the thought that never again will they see Leo Najo run with the grace of a frisky young deer. But those memories are lasting, those memories from a different time, a different world.

Leo Najo was the very soul of the 30–30's, Mission's strong semi-pro team that was the rage of South Texas for decades. New stars would come along, but Najo kept playing, coaching and managing. He has been an inspiration to young boys who look at him as an institution.

Leo Najo had a very humble beginning. Though highly respected today, he is still a humble man. And he is grateful. He has always found time to help youngsters, at least in baseball; for baseball has been his life, and he has found all the time in the world to come out and help.

When Leo Najo is the first man inducted into Mexico's Baseball Hall of Fame, part of Mission will be enshrined with him. We have a chance today to show that we appreciate what he has done for Mission. We can do justice to one who proved his worth on hundreds of occasions against opposition. He never failed his fans and followers and now it's time to show our appreciation.

## LEGISLATIVE PROGRAM

(Mr. GROSS asked and was given permission to address the House for 1 minute.)

Mr. GROSS. Mr. Speaker, I would like to know what is proposed for the remainder of this day—we still have legislative business scheduled for today—and what is proposed for tomorrow?

Mr. BOGGS. It is 6 o'clock at the moment, and it is proposed that we adjourn until tomorrow shortly, as soon as special orders are concluded.

As for tomorrow, some of the bills that have been listed on the whip's notice have been delayed. We were unable to get a rule on the higher education bill until a little while ago.

The Uniform Services Health Professions Revitalization Act has been put off at the request of the chairman.

The International Coffee Agreement has been put off at the request of the chairman, which probably pleases the gentleman from Iowa.

Mr. GROSS. It does not make me feel at all bad.

Mr. BOGGS. We have plenty of business for tomorrow: H.R. 10670, armed services survivor benefit plan, with 2 hours of debate;

H.R. 8787, Guam and Virgin Islands Delegate, will be considered, and I understand several amendments will be proposed to that bill.

Finally, if we get to it, H.R. 10729, the Environmental Pesticide Control Act, which is controversial.

So we have al. that we can do tomorrow.

Mr. GROSS. I thank the gentleman for telling us what the business will be.

Mr. BOGGS. I am glad the gentleman inquired, and I am happy to reply.

## REPORT ON INTERPARLIAMENTARY UNION CONFERENCE AT PARIS, FRANCE

The SPEAKER. Under a previous order of the House, the gentleman from Connecticut (Mr. MONAGAN) is recognized for 1 hour.

(Mr. MONAGAN asked and was given permission to revise and extend his remarks.)

GENERAL LEAVE

Mr. MONAGAN. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may have 5 legislative days in which to extend their remarks on this subject.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. MONAGAN. Mr. Speaker, from September 2 to September 10, the Interparliamentary Union held its annual fall meeting in Paris. The United States was represented by a large and distinguished delegation including 11 Members of the Senate and 10 Members of the House. Held as they were in the historic buildings of France, the meetings had a quality and atmosphere that was unparalleled in the experience of those attending.

The opening session was held in the Palace of Versailles with a speech by President Pompidou and the opening reception thereafter in the Hall of Mirrors. Other receptions were held in the Luxembourg Palace, the City Hall, and the Louvre.

The sessions were devoted to the discussion of various matters of international interest. From the viewpoint of immediacy, the most urgent question considered was that of the Pakistani-Indian dispute and the fate of the Bengali refugees. After debate and revision of the original proposal, the conference adopted a resolution which deplored the strife engendered and the inhumanities committeed in East Pakistan and called upon all concerned to bend every effort to bring about an acceptable solution of the problem and an amelioration of the tragic lot of the refugees.

From the viewpoint of immediate problems of vital importance to the United States, the decision of the Executive Committee to continue on its agenda the examination and discussion of the problem of controlling international traffic in drugs was gratifying and signficant. I had introduced and obtained unanimous passage of a resolution on this subject at the spring meeting of the IPU in Caracas, last April, but the continuing urgency of the problem and the change in the legal and factual situation since that time made it clear that further attention was necessary. I am pleased that the subject of international drug conrol will be the matter of study by the Economic and Social Committee under the chairmanship of Pierre Grégoire of Luxembourg.

Mr. McCLORY. Mr. Speaker, will the gentleman yield?

Mr. MONAGAN. I am pleased to yield to the gentleman from Illinois (Mr. McCLORY).

Mr. McCLORY. I thank the gentleman for yielding. I am pleased the gentleman from Connecticut has taken this occasion to recount for the benefit of the Members of the House the experiences of our U.S. delegation.

Mr. MONAGAN. I might say to the gentleman, I assumed to do this only be-

cause the gentleman from Illinois (Mr. DERWINSKI) is, as we know, in New York acting as a representative of the Congress at the United Nations and, therefore, is not able to do this. I have talked with him about it, and he is aware of the fact that we are making this record.

Mr. McCLORY. Mr. Speaker, it is a privilege to participate in this brief review of the recent Interparliamentary Union Conference in Paris, France which I had the opportunity of attending as a member of the U.S. delegation.

Mr. Speaker, first I would like to commend the leadership of our delegation, and particularly our chairman, Congressman EDWARD J. DERWINSKI of Illinois who served as spokesman of our delegation on various occasions—and who arranged for our representation at the various sessions in the presentations on the issues.

Mr. Speaker, I should add that the chairman was assisted by some of the ablest Members of this body—particularly in the area of foreign affairs—by the presence of our former chairman, Senator JOHN SPARKMAN of Alabama; the majority leader of the Senate, MIKE MANSFIELD of Montana; the Republican leader, Senator HUGH SCOTT of Pennsylvania, as well as by the vice chairman of our group, Representative JOHN JARMAN of Oklahoma; a former chairman of our U.S. delegation, Congressman ALEXANDER PIRNIE of New York; and by the gentleman from Connecticut, Mr. JOHN MONAGAN; the gentleman from Indiana, Mr. LEE H. HAMILTON; the gentleman from Ohio, Mr. JACKSON E. BETTS; the gentleman from California, Mr. CHARLES H. WILSON; and the gentleman from Texas, Mr. BOB CASEY.

Mr. Speaker, these colleagues, as well as those from the other body, assisted by the three honorary members, Judge Homer Ferguson, former Congresswoman Katherine St. George, and our former colleague Emilio Q. Daddario provided the background of experience and know-how which enabled us to deal with the critical problems with which we were confronted at the IPU meeting. The honorary members were effective also in their contacts with various foreign representatives in helping to achieve results favorable to the best interests of the United States. Mr. Speaker, I should add that the able Clerk of the House, Mr. Pat Jennings and the chief clerk of the Senate, Mr. Darrell St. Claire who served as our executive secretary, and our State Department Advisor, Mr. Jay Long, contributed substantially to the success of our mission.

Mr. Speaker, I would like to preface my further comments by calling attention to the gracious hospitality of the French National Assembly and other elements of the French Government, as well as the extreme cordiality of the French people at this 59th Interparliamentary Union Conference. The historic and beautiful receptions at the Palace of Versailles, the Louvre, the Luxembourg Palace, the Palais Bourbon, were memorable events which one rarely has an opportunity to experience in a single lifetime. These official receptions, combined with the day in the French countryside as guests of Moet and Chandon—including official receptions at Reims and Epernay and a colorful soiree at the Orangerie—contributed immeasureably to the goodwill and rapport generated at this important meeting.

Mr. Speaker, as a member and vice chairman of the IPU's Education, Scientific and Cultural Committee, I joined with the gentleman from Connecticut (Mr. MONAGAN) in discussing the "implications of communications by satellite." The detailed resolution which was considered and adopted at the Paris Conference required careful drafting and tactful explanation in order to set forth clearly the U.S. adherence to freedom of information and, at the same time, to give assure that we intended to protect the cultural identity and political integrity of nations which might be affected by communications transmitted by satellite. Mr. Speaker, the gentleman from Connecticut (Mr. MONAGAN) represented most ably our U.S. position and participated in the consideration of amendments proposed to the draft resolution—with the result that the resolution was adopted by the committee—and later by the Conference.

Mr. Speaker, having been named earlier by the special subcommittee of the Interparliamentary Union to attend the worldwide conference on the environment, to be held next year in Stockholm, I had occasion to meet other members of the special subcommittee in preparation for the Stockholm conference next year.

It was pointed out that the Interparliamentary Union delegation will be authorized to participate in the Stockholm Conference "as a nongovernmental body." Indeed, it appears that the IPU delegation may be the sole nongovernmental group authorized to participate in this manner. In anticipation of the Stockholm meeting, it appears appropriate for the IPU to prepare statements which can be presented to the committees to be set up at Stockholm, and possibly to be delivered at plenary sessions. Mr. Speaker, I have been tentatively assigned to serve on committee No. 1 at Stockholm which will deal with the planning and management of human settlements for environmental quality, and the educational, informational, social, and cultural aspects of environmental issues. This committee will also be represented by a delegate from India and by the chairman of our educational, scientific and cultural committee, Madame Hedwig Meerman of the Federal Republic of Germany.

Mr. Speaker, the next conference of the IPU which will be held in the spring in Cameroon also will provide an opportunity for the final preparation by our Interparliamentary Union Committee to participate in the first worldwide conference on the environment. I am hopeful that some particular input based upon actions taken by the Congress can be utilized in helping to make the Stockholm Conference a successful joint human effort.

Mr. Speaker, quite apart from the issues which we discussed in the committees of the IPU which resulted in the consideration of draft resolutions, there were a great many opportunities for individual communications on a wide variety of unscheduled subjects. Many of the private conversations between representatives of our U.S. Congress and the parliamentary representatives of other nations appeared to contribute substantially to our mutual understanding and to closer relationships between the peoples of our various countries.

Mr. Speaker, I can state without qualification that, in all but a few instances, the contacts which our delegates had with the delegates from the more than 60 other nations represented at Paris, were cordial and constructive. Indeed, the atmosphere at Paris was, for the most part, the most friendly which I have experienced in more than 6 years of service as a U.S. delegate to the meetings of the Interparliamentary Union. The policies of this administration, including the President's proposed visit to the People's Republic of China, appeared to strike a responsive note among most delegates at the Interparliamentary Union meeting. There were no essentially anti-American resolutions proposed, and the tone of the Communist statements which were presented on various of the issues was restrained and temperate in comparison with the invectives and diatribes of many earlier meetings.

Mr. Speaker, as one who attended most of the sessions of the Interparliamentary Union Conference at Paris, I can attest to its ringing success as an exercise of U.S. foreign relations—in action. I take great pride in having participated in this historic conference, and compliment our group chairman, Congressman EDWARD J. DERWINSKI and all who contributed to this success.

Mr. MONAGAN. Let me say I do welcome this opportunity to express appreciation for the work of the gentleman from Illinois (Mr. McCLORY) and what he did in the various subcommittees. His attendance was constant, and he contributed a great deal to the success of the deliberations.

I now yield to the gentleman from Louisiana (Mr. BOGGS).

Mr. BOGGS. Mr. Speaker, I would like to congratulate the gentleman from Connecticut and our other colleagues who have been active in the work of the Interparliamentary Union in the past several years. As we appreciate, he has done a remarkable job there. I am glad that the House and the Senate have given adequate support and have contributed a little more handsomely in the way of appropriations and so forth.

I served as a member of the American delegation for about 20 years and as vice president of the Interparliamentary Union. I am glad to see Members on both sides of the aisle are maintaining an interest in the Interparliamentary Union.

I was particularly interested in the fact that the gentleman mentioned the problems in East Pakistan and the tremendous suffering of millions of people there and the threat of open hostilities. I would hope that an organization such as the Interparliamentary Union would use the great prestige it commands in focusing world attention on these ter-

rible conditions and in bringing about conditions which will not only bring relief to the millions of people suffering there but also make less likely the advent of open hostilities.

In any event, the gentleman himself has made fine contributions to all of these Conferences, and, frankly, I hope to be able to go to one in the next few months.

Mr. MONAGAN. I thank the gentleman for his kind words and also for his contribution.

I am well aware of the fact that he was an active and valued member of the American group and the U.S. group in the Interparliamentary Union for many years. We fully expected he would be with us at the last meeting. It was to the regret of all that he was not able to attend. The next meeting will be held in Cameroon in the spring, and the gentleman might put that on his calendar.

I am now happy to yield to the gentleman from New York (Mr. PIRNIE) a former president of the U.S. group to the Interparliamentary Union.

Mr. PIRNIE. I thank my colleague for yielding to me.

I fully understand the circumstances under which it is appropriate for him to bring to the House a report of the sessions which we attended. We all recognize Chairman DERWINSKI, our colleague from Illinois, brought to his assignment a very commendable devotion. He provided outstanding leadership to our group.

The Conference was hosted by France with great dignity and warm hospitality. Our very able president, Mr. Chandernagor, certainly earned high praise for his excellent direction of a very impressive program.

I noted that the debate throughout the entire Conference was on a very high level with the evident purpose of promoting better international understanding.

However, I think we might agree that the greatest progress was no doubt assured through personal contacts with the over 500 parliamentarians who were in attendance. It is more effective to seek cooperation and exchange views in private conversation, than in sharp debate. Time has certainly demonstrated the beneficial results of such exchanges of our views.

Mr. Speaker, I congratulate my colleagues who have served so faithfully on these missions. I quite agree with the majority leader that continued service in this program brings greater ability to serve because there is closer acquaintance with other national groups and increased understanding of the opportunities to advance ideas. Also, there is the development of close personal friendships which enable one to enlist help from the other parliamentarians.

I am reminded also that we believe greatly in the parliamentary procedures which we have developed here in our country. We do well to share our experiences with other countries having the same concept, and by exchanges of views we do improve the quality of the legislative governments of the world.



Mr. Speaker, it is a continuing mission. It is not one that should be accompanied by any form of pressure, but through educational exchanges and constructive discussion.

I know that the distinguished gentleman in the well has welcomed, as have I, visiting delegations from other nations sent here to observe firsthand our committee procedures and also the conduct of our debate, so that they might carry back to their countries ideas that they consider to have merit, and it has been very interesting, that the committee system has attracted particular attention. Even the so-called mother of parliaments in Great Britain, has found it difficult for their members to be jacks of all trades and master of any of them. So, they are assigning various responsibilities within their bodies.

In conclusion, I would like to stress what the majority leader has emphasized, namely the need for support and cooperation of both the House and the other body in order to make as effective as possible our participation in these sessions. If we prepare adequately, knowing as we do in advance the subjects of debate, we can influence more effectively the resolutions which are adopted. Particularly, do I wish to strongly commend the preparation which the gentleman in the well made for this session, as he debated the subject of drug abuse and to a successful resolution. It was a constructive effort in this important field.

Mr. Speaker, sessions such as we experienced contribute to the well-being of our Nation and our relations throughout the world.

I considered it a privilege to have been associated with the gentleman in these efforts.

Mr. MONAGAN. I thank the gentleman for his complimentary remarks and also for his contribution. He certainly has stated the opportunities that lie before an international organization such as the Interparliamentary Union. It is our hope that we have in some small degree taken advantage of these opportunities with reference to the question of the international control of drugs which has been referred to and which I think in many ways is, perhaps, the most important subject that will come before the Union. I personally, will have proposals to make to the appropriate committee, and I believe that the international cooperation which can come from increased awareness of this problem will be vitally important for the United States in the treatment of its own domestic problem.

Another area of discussion by the IPU was the resolution dealing with direct satellite broadcasts and their implications for the nations of the world, particularly small and underdeveloped countries. The dangers of the imposition of alien cultures and inteference in the affairs of some States were discussed and a resolution adopted which urged further study of these problems and action to insure adequate consideration of the dangers and difficulties as direct satellite broadcasting came into more general use.

The gentleman from Illinois (Mr. MCCLORY) played an effective and prominent role in the discussion of this problem. The gentleman from Oklahoma (Mr. JARMAN) also served effectively on this committee.

I was privileged to share the assignment in discussing this problem with the gentleman from Illinois (Mr. MCCLORY).

The gentleman from New York (Mr. PIRNIE) and I served as U.S. Representatives on the Council of the IPU, and we took part in the election of three new members of the executive committee whose identity was satisfactory to the United States.

I want to express here my appreciation and that of the entire delegation for the contribution which the gentleman from New York made because with his background of experience in this organization, as the former President of the Interparliamentary Union, he brought to these very important deliberations a background of knowledge that proved to be very helpful to the U.S. delegation, and to the Union, in moving toward some of the objectives that most of the members of the Union have.

Other problems discussed by the Interparliamentary Union were those relating to the second decade of development, the problems of peace and security in Africa, and the disarmament and rapprochement between nations. All these matters received the attention of the U.S. delegation and its contribution to the Conference was substantial.

In my judgment, as the gentleman from New York has said, the opportunity for parliamentarians of various countries to meet and discuss mutual problems has vital importance for the peace and progress of the nations of the world. Even though there may be on occasion substantial differences between such countries the opportunities for future cooperation may appear to a small degree at meetings such as the recent one in Paris, and it may be that at such gatherings the first opportunities for future substantial improvement of relations may emerge. In this regard I believe that the Conference was a success.

One other aspect of the meetings had importance for the United States, and that is the increased costs for the operation of this international organization—a factor already adverted to by the distinguished majority leader. It may be that the schedule of financial support which was recently adopted by the House will not be sufficient to cover the assessment of the United States. This subject will have to receive detailed study in the immediate future.

Before closing, I should like to pay tribute to the leadership of the president of our delegation, the gentleman from Illinois (Mr. DERWINSKI). He was indefatigable in carrying out his obligation, and the commendable performance of the U.S. delegation was in no small part due to his efforts.

I should like also to express appreciation for the contributions of Senator SPARKMAN, the honorary president of the United States group, and the support of Senator MIKE MANSFIELD and Senator

HUGH SCOTT, respectively, the majority and minority leaders of the Senate.

The spring meeting of the Interparliamentary Union will be held in Cameroon, in April 1972, and the United States will once again be represented by a distinguished and effective delegation.

## IN SUPPORT OF H.R. 10670, TO ESTABLISH A MILITARY SURVIVOR BENEFIT PLAN

The SPEAKER pro tempore (Mr. PUCINSKI). Under a previous order of the House, the gentleman from Hawaii (Mr. MATSUNAGA) is recognized for 5 minutes.

Mr. MATSUNAGA. Mr. Speaker, I rise in support of H.R. 10670, a bill to establish a survivor benefit plan for our military retirees.

A large debt of gratitude, Mr. Chairman, is due the distinguished gentleman from New York (Mr. PIKE) and the distinguished gentleman from California (Mr. GUBSER), who headed the special subcommittee investigating this problem area, and the distinguished chairman of the full Armed Services Committee (Mr. HÉBERT), for his labors in assuring committee approval for this important bill.

Prior to the hearings and the report of the Pike-Gubser subcommittee in 1970, few people realized that any problem existed in this area. Members of Congress, as well as of the general public, were shocked to learn that when a retired serviceman dies, there is no universally applicable system which automatically provides for survivor rights in military retired pay.

The existing program, the retired serviceman's family protection plan—RSFPP—is so inadequate on its face that only 15 percent of those eligible have elected to participate. As the subcommittee pointed out in its report last year, there are two reasons why RSFPP has proved inadequate and unacceptable: First, it is overly expensive, and, second, it is incredibly complex. One illustration of the expense would be sufficiently instructive: A sergeant major who retires at age 49 with 30 years service would have a monthly annuity of $678. To insure a benefit of half that amount for his widow under RSFPP, he would be required to forgo one-eighth of his total retirement pay. As for complexity, the potential participant must consider his age, his dependents' age and his pay at the time of retirement in order to compute how much it will cost him to elect coverage under RSFPP—and he must make his decision at least 1 year, perhaps 2, before he actually retires.

Perhaps we ought to be surprised that as many as 15 percent of the retirees persevere to achieve coverage for their widows under RSFPP.

The result, unfortunately, is that, in the words of the subcommittee report—

> Many present widows are living in conditions of great economic deprivation—not just—widows of lower ranked enlisted personnel but—also—the widows of senior officers and senior enlisted men of long and outstanding service.

That is why, Mr. Speaker, on the first legislative day of the 92d Congress, I introduced H.R. 873, a bill almost identical to the measure now before us.

Under H.R. 10670:

First, military retirees could guarantee their survivors an annuity of up to 55 percent of retired pay.

Second, retirees would share in the cost by reductions in their retired pay of 2½ percent of the first $3,600, and 10 percent of any amount above that. For the first time, the Government would also contribute to the plan's funding.

Third, a widow could receive the annuity in addition to any social security benefits for her minor children. Once she begins receiving social security old-age benefits, the retirement annuity would be reduced by the amount of those benefits attributable to her husband's military service.

Fourth, all those on retired rolls when H.R. 10670 is enacted would have 1 year to enroll in the new program, and no back payments would be required.

These elements, Mr. Speaker, comprise a plan that will meet our moral obligation to insure that a man can commit himself to serving his country in the Armed Forces without having to worry that by so doing he will be subjecting his wife and children to undue hazards of economic hardship after his death.

Therefore, I urge the swift approval of H.R. 10670.

## THE SITUATION IN NORTHERN IRELAND

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. CAREY) is recognized for 60 minutes.

(Mr. CAREY of New York asked and was given permission to revise and extend his remarks.)

GENERAL LEAVE

Mr. CAREY of New York. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may have 5 legislative days during which they may extend their remarks on the subject of the resolution I have introduced today concerning Northern Ireland.

The SPEAKER pro tempore (Mr. MCKAY). Without objection, it is so ordered.

There was no objection.

Mr. CAREY of New York. Mr. Speaker, I rise today to speak of the politics of violence, and of the tragedies taking place daily in Northern Ireland.

If anything should be obvious to Americans, it is that violence only generates more violence. In the 3 years since the current cycle of street battles began in Northern Ireland, almost 130 lives have been taken, and in the past 2 months the death rate has accelerated at a shocking rate. The majority of those killed, wounded, or maimed have been civilians—including a priest, women, and children struck down by stray bullets. Soldiers and police have been slain and wounded on a daily basis.

No hope for peace appears close at hand. On the contrary, there are calls on both sides for escalating their efforts; the British Government is under particular pressure to abandon many of the restraints on its 14,000-man force in Ulster. I made a visit to Belfast in August. From my observations, as well as those of others who have followed the situation closely, it is clear that if some real steps are not taken soon, a massacre of innocents may take place in Ireland that could make peace impossible for years to come.

I believe that the violence and bloodshed in Ulster is of the deepest concern to Americans of all faiths, origin, and political persuasion. They would like to see an end to the killings—whether perpetrated by the British Army, the IRA, or the Orange extremists.

But neither the British or Northern Ireland Governments have taken any effective steps toward halting the bloodshed. The major British response has been to throw in more and more troops—this past week their army of occupation in Ulster was increased to 14,000 men. One cannot help but note the parallel with American naivete in Vietnam when many in this country thought it only took more and more troops to defeat a determined people. Added to this are the reports from the British press of torture and inhuman interrogation methods practiced on those Irishmen interned in Belfast without due process. More than this, during my own visit to Belfast, I heard the testimony of members of families who had been subjected to brutal and humiliating interrogation treatment after being apprehended and held under the internment policy.

Furthermore, no serious steps have been taken in Northern Ireland to end the systematic discrimination against the minority in Northern Ireland in jobs, housing, educational opportunities and political representation. For 50 years a third of the population has in effect been disenfranchised, and will remain so under the present governmental setup. The only reforms offered are both superficial and protracted, while the "reformers" sight down the gun barrel.

For these reasons, I join today with our colleagues in the Senate, Senators RIBICOFF and KENNEDY and numerous Members of this body in presenting a resolution designed to bring a lasting peace to troubled Ulster. Although the Northern Ireland Government has been repressing its Catholic minority for 50 years, the problem goes back much further than that. This problem has been festering since the 12th century when an Anglo-Norman army crossed the Irish Sea to establish the precedent of British rule in Ireland.

I include the text of the resolution in the RECORD at this point, as follows:

RESOLUTION ON ULSTER

Calling for peace in Northern Ireland and the establishment of a united Ireland.

Whereas, the continuing violence and bloodshed in Northern Ireland is a cause of the deepest concern to Americans of all faiths and political persuasions;

Whereas, the causes of the present conflict may be traced to the systematic and deliberate discrimination in housing, employment, political representation and educational opportunities practiced by the governmental authorities of Northern Ireland against the minority there;

Whereas, the governments of the United Kingdom, and of Northern Ireland have

failed to end the bloodshed and have failed to establish measures to meet the legitimate grievances of this minority;

Whereas continued repression and lack of fundamental reforms in Northern Ireland threaten to prolong and escalate the conflict and the denial of civil liberties;

Resolved that the House expresses its deepest concern over the present situation in Northern Ireland and in accord with the fundamental concepts of nondiscrimination, fairness, democracy, self-determination and justice requests the United States government at the highest levels to urge the immediate implementation of the following actions;

1. Termination of the current internment policy and simultaneous release of all persons detained thereunder.

2. Full respect for the civil rights of all the people of Northern Ireland and the termination of all political, social, economic and religious discrimination.

3. Implementation of the reforms promised by the Government of the United Kingdom since 1968 including those reforms in the fields of law enforcement, housing, employment and voting rights.

4. Dissolution of the Parliament of Northern Ireland.

5. Withdrawal of all British forces from Northern Ireland, and the institution of law enforcement and criminal justice under local control acceptable to all parties.

6. Convening of all interested parties for the purpose of accomplishing the unification of Ireland.

Our resolution outlines the specific actions that can bring about a fundamental and permanent solution to the Irish question. It has the full support of the American Committee for Ulster Justice and other representative American-Irish organizations pledged to nonviolence. It includes not only the essential immediate steps—an end to internment and withdrawal of British forces in favor of civil peace patrols, but also the only long-term action guaranteeing a peaceful Ireland—an end to the unjust and artificial partition of Ireland.

Westminster, of course, has shown itself obdurate in recognizing the obvious. Just a few days ago, Prime Minister Heath reaffirmed his government's commitment to keep Northern Ireland a part of Britain, though it is quite clear from British polls and commentary that most Britons do not share their government's commitment.

Mr. Michael Stewart, former British Foreign Secretary, told the British Parliament within the last month that if peace were to be obtained in Ulster, the proposition had to be accepted that "the whole island of Ireland has to be a single Republic," and that the current strife in Ulster all stems from the fact that "we are trying to maintain a connection that cannot be maintained."

May I also quote a leading Conservative commentator, Peregrine Worsthorne. He recently wrote:

It is part of a make-believe world to pretend that Ulster, in any meaningful sense, is part of the United Kingdom. We do not feel its agony, share its sentiments, understand its history, suffer its tearing rages.

As Mr. Worstthorne has recognized, the British hold on Northern Ireland today is clearly an anachronism. The six counties of Ulster are Irish, and always will be. Their six names are an integral part of Irish history and culture; I speak of County Armagh, of Derry, Fermanagh, Antrim, of County Down, and Tyrone. To say they are not Irish in every sense is to say that New England is not part of these United States.

It is too late for Westminister to come up with token measures labeled reforms. It is too late for peace to be maintained by bayonets or by blowing up country roads. But it is not too late for men of good will on all sides to sit down and discuss the provisions of a free and united Ireland. I am talking of an Ireland in which Protestant and Catholic alike can live and work alongside each other in peace and harmony, as do Protestants and Catholics in the south of Ireland today

It was an Irishman, George Moore, who said:

After all, there is only one race—humanity.

I hope the Members of this House will join us in this resolution urging that humanity again might prevail in Northern Ireland.

Mr. MONAGAN. Mr. Speaker, I compliment the gentleman from New York for bringing this question before the House for consideration. Certainly all of us who are interested in the welfare, as the gentleman has said, not only of Ireland but also of England, have been tremendously concerned with the suffering and with the destruction that has taken place there, and also with what appears to be a tremendous escalation of the conflict and the possibility of further growth concerns all of us. I, myself, have followed it closely. I have sought both with representatives of Great Britain here in Washington and in the Foreign Office in England to bring home to the authorities the concern of people of all segments of the community in the United States about this tragedy.

So I congratulate the gentleman on the recommendation that he has made. I certainly am interested in his proposals, and I shall study them with the end in view of obtaining some adequate resolution that may be filed, submitted, and, hopefully, agreed upon by Members of the House.

Mr. CAREY of New York. I thank the gentleman from Connecticut for his observations as a senior and highly respected member of the Committee on Foreign Affairs.

It is my hope in that great committee we may find some opportunity to have hearings on this kind of resolution, and I am pleased to report to the House that in discussions I have held with my colleague from New York (Mr. ROSENTHAL) chairman of the Subcommittee on European Affairs, there is some hope that we can have a proper hearing on this kind of resolution and get greater understanding and consideration in the House on a possible resolution on which a great number of us could agree.

Mr. TIERNAN. Mr. Speaker, will the gentleman yield?

Mr. CAREY of New York. I yield to the gentleman from Rhode Island (Mr TIERNAN).

Mr. TIERNAN. I also want to join my colleague from Connecticut in congratulating the gentleman from New York for bringing this matter before the House today. I join with some of our colleagues in sponsoring the resolution which the gentleman has proposed. That resolution would certainly go a long ways in relieving the tension in Northern Ireland.

I think the most important thing is the fact that the British Government have imposed internment, which means that militant Roman Catholics have been taken off the streets of Belfast in Northern Ireland and placed in jail without the usual protections of civil liberties. This I think cries out to all Americans for opposition. I think the House and the Senate should certainly strongly indicate through our State Department and other officers that we do not want to see this continued.

I was in Ireland a month after the British troops were sent there, and I observed the British troops there trying to keep the peace and keep the calm. At that time they were doing a reasonably good job. The escalation of the tragedy in Northern Ireland has only come about recently when Prime Minister Faulkner reinstated the internment policies. It was under the government of Wilson that certain reforms were undertaken, and those reforms recognize the fact that the Catholic minority in Northern Ireland had been deprived of civil liberties that we expect any minority should be granted.

It was brought to my attention, for example, that in Northern Ireland not one Catholic was employed in the postal service of that government. This, to me, is not even tokenism. They do not even recognize the fact that there should be tokenism. This is what has caused so much difficulty in that part of Ireland.

I think the policy that the Heath government has been pursuing is one that is going to lead, as the gentleman from New York so ably stated, to continued intensification of violence, innocents being killed on the streets of Belfast in Northern Ireland.

I strongly urge that every effort be made by our Government to consider the viewpoints expressed here today and that the resolution introduced in the House and Senate should be adopted.

Mr. CAREY of New York. I thank the gentleman from Rhode Island for his very sage observations. They are most pertinent and cogent. I am in agreement with the gentleman as to the policy of internment, which is in clear derogation of all the declarations of human rights entered into in the United Nations. It is a medieval policy, an unworkable policy, and the Irish will never settle for that kind of insufferable and inhumane method of approaching the question. It is a most horrendous way the British Government has seen fit to treat some of its citizens.

Mr. HANLEY. Mr. Speaker, will the gentleman yield?

Mr. CAREY of New York. I yield to the gentleman from New York (Mr. HANLEY).

Mr. HANLEY. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I concur with the remarks of the gentleman from Rhode Island and certainly with those of the gentleman in the well. I commend the gentleman from New York (Mr. CAREY) for the initiative which he has taken in this matter.

Mr. Speaker, this is a historic day in the House of Representatives, because for the first time, at least in my memory, this body is addressing itself officially to a tragedy which has been allowed to continue for far too long.

Several colleagues and I are cosponsoring a resolution calling for the end of the partition of Ireland and an end of the internment policies invoked earlier this year by the Stormont Parliament. All freeminded peoples throughout the world are appalled at the tragic and disgraceful situation which has prevailed in Northern Ireland for the past 50 years.

In the wake of the Irish Rebellion, in the early 1920's, the six counties of Ulster were partitioned off from the rest of Ireland under pressure from the British. They were established as a quasi-autonomous province of the British Empire and therein began one of the most monstrous policies of discrimination and prejudice known in modern times. Although the population of Northern Ireland is roughly one-third Catholic, the legislative districts in the Parliament have been so gerrymandered that the Catholic population has only 5 percent of the representation in it. An equally insidious, albeit unofficial situation has likewise developed with regard to housing and job opportunities. Catholics are virtually barred from government jobs and the ugly head of prejudice has established a barrier in employment in the private sector. Their lot is not entirely different from that of blacks and other minorities in our own country.

For years England simply looked the other way while a handful of bigots systematically excluded the minority Catholics from the mainstream of life in Ulster. A thousand pleas for reform fell on deaf ears. England continued to enjoy the fruits of untrammeled trade with industrial Belfast but did nothing to insure that the basic elements of social and political dignity were extended to all citizens of the province. The situation reached the boiling point in 1969 when rioting broke out in several areas of Ulster. Reform minded individuals in the United States, the Republic of Ireland, England and Northern Ireland all tried in vain to have the question brought before the United Nations General Assembly. But the British Government balked, claiming that it was a matter of internal policy, and the United States scurried away. And so the festering wound continued to fester all the more and the inevitable explosion occurred earlier this year.

In a move heavily tinged with a sense of kangaroo court justice, the government of Northern Ireland invoked internment as an official policy. Any known antagonist of the government who could be found was rounded up and simply put in jail without a hearing, without a trial and without legal counsel. The move set Anglo-Saxon justice back several centuries. Those arrested, and they number in the thousands, are still rotting in jail. And now we are receiving numerous reports of torture and indignities at the hands of British soldiers. The response of the U.S. Government to all this agony and to the bitterness it has spawned on both sides of the question has been complete silence. I have tried to convince the State Department to use its not inconsiderable influence with England but the Secretary replied to me that ". . . greatly as we wish to help, we see no way by which actions of the United States could contribute constructively to a solution . . ." That from the State Department of the most powerful nation on earth.

From my observations, Mr. Speaker, it is both an oversimplification and a fallacy to label the situation as a religious controversy. I know that the overwhelming majority of Protestants in Northern Ireland want an end to the discriminatory practices of the Stormont Parliament. But, like the Catholic minority, they are powerless to do anything until England recognizes its own moral obligations to a democratic form of government. Unfortunately, Mr. Heath's response up to this point has been to send in more troops, issue more statements and intern more Irish citizens.

Mr. Speaker, I am against discrimination wherever it surfaces and in whatever form it takes. Whether it is against the Jews in Russia, the blacks and Puerto Ricans in our urban areas, the Chicanos in Southern California or the Catholics in Northern Ireland, it is intolerable, and we must speak out against it.

Mr. TIERNAN. Mr. Speaker, will the gentleman yield?

Mr. CAREY of New York. I yield to the gentleman from Rhode Island.

Mr. TIERNAN. That seems to be the statement the State Department is hiding behind, because certainly that does not exist in the remainder of Ireland. We have had the representative from the Irish Free State, who was a Protestant, here in the United States. We have had a mayor of Dublin who was a Jew. The first President of the Irish Free State was a Protestant. The heroes of the revolution, many of them, such as Parnell and Briscoe, were Protestants. I think our own representatives in the State Department seem to try to equate religious differences between the Protestants and Catholics in Northern Ireland as the basic reason when we know, in fact, that is not the case. The different British Government committees that have investigated have made findings on that point.

The thing that really bothers me the most in this is that the present British Government seems to think that by sending more British troops into Ireland, they are going to be able to solve this.

Mr. Speaker, I join with my colleagues in New York in trying to impress upon the representatives in the State Department that more should be done to bring this internment policy to an end. Certainly, this is not going to lead to any basic solution of the problems in Northern Ireland.

And further let me say a few weeks ago some distinguished members of the British Parliament came to Capitol Hill to urge the Congress to act to get this country out of Vietnam. I told them that I completely agreed with them and that I was glad their concern brought them here. However, I did suggest to them, somewhat but not entirely tongue-in-cheek, that our Government should make a bargain with them: We will get out of Vietnam if they will get out of Northern Ireland.

Certainly the present situation in Northern Ireland is tragic. Terror has escalated to levels of indiscriminate violence. As free men, we cannot accept or condone this.

Several weeks ago the Prime Ministers of the Republic of Ireland, Northern Ireland and Great Britain met to attempt to find solutions to the Ulster situation. They concluded their meeting by condemning violence. Mr. Speaker, I find this truly unbelievable. These men are condemning the very violence their own inaction and, in many cases, their wrong actions are fostering.

On August 9, Prime Minister Faulkner, with the consent of Prime Minister Heath, reinstated the internment policy as provided for under the Northern Ireland Special Powers Act. This act, in effect, means that some of the most serious abuses of individual liberty are legal in Northern Ireland. There are presently over 200 prisoners being held without being charged and with no trial, all Roman Catholic militants. Some of the prisoners who have been able to escape have relayed stories of brainwashing and brutal torturous treatment. Prime Minister Faulkner has denied these allegations, but has to date refused to look into them deeply. I urge Mr. Faulkner and Mr. Heath to initiate a prompt and thorough investigation of these charges and if found to be true, bring them to an immediate halt.

In addition, the entire internment policy must be brought to an end. Violence, whether it be on the part of the 14,000 British soldiers, the "B Specials," the RUC or the IRA will not solve the problem. Prime Minister Lynch, who has long been criticized for his apathetic reaction to the movements of the IRA in the south, appears now to be taking some active steps in halting the shipment of arms into the north. His government has tightened up the border security and the illegal smuggling of guns and explosives into Northern Ireland. In addition, he has prohibited the state-owned radio and television network from broadcasting—

> Any matter that could be calculated to promote the aims or activities of any organization which engages in, promotes, encourages or advocates the attaining of any political objective by violent means.

The people of Northern Ireland, however, must not let attempts at punishing the perpetrators of crimes hide what really must be done. The violence is not the cause of the problems, but rather the result. Law and order cannot be an aim in itself, as we can see so clearly in our own country. When there is decent housing in which men can live, when there are

clothes to keep men warm, when men have the opportunity to work and bring dignity to their lives, then the crime will surely diminish.

Thus, the government of Prime Minister Faulkner must implement the reforms promised in 1968 by the Government of the United Kingdom, guaranteeing to all of the citizens of Northern Ireland decent housing, equal educational opportunities and voting rights, and equal employment opportunities. The government can lead the way in this latter point. Presently, the percentage of Catholics in government employment is well below the one-third proportion that might be expected. For example, I understand that in professional and technical grades beginning with cabinet officer and continuing down to Parliamentary draughtsmen, there is a total of 209 persons, of whom only 13 are Catholics. Additionally, I have been told that there are no Roman Catholics presently working in any of the Northern Ireland post offices. Certainly the government can act and act now in this area.

Political reforms are also imperative. Recently Mr. Faulkner and Mr. Heath agreed to consider the enlargement of the Ulster Parliament, election by proportional representation, minority chairmen for committees, and minority representation in the cabinet. Before 1969, local elections in Northern Ireland were not on a universal franchise basis. The right to vote was given only to men and their spouses with dwelling houses, thus excluding subtenants, lodgers, servants, and children over 21 who lived at home. This amounted to one-fourth of those who were allowed to vote and was blatantly discriminatory against the poor. In 1969 a law was passed lowering the voting age to 18 and changing the voting process to one-man, one-vote. While this was a tremendous accomplishment, it did not go far enough. Blatant gerrymandering in the upcoming 1972 elections will strongly favor the Protestants again. Proportional representation, along with the other reforms now being considered, must be implemented.

Finally, I would urge all parties to convene to work out a program for the establishment of local law enforcement which is equitable to all. The present 14,000 British troops in Northern Ireland must also be withdrawn if calm is to return. And I would urge all those Irishmen who hope for the eventual unity of their isle to face the reality that Northern Ireland must become united before Ireland can become reunited.

Mr. Speaker, I also include with my remarks at this point a copy of a page from the New York Times of Thursday, September 23, 1971:

TIME IS RUNNING OUT

Unless there is immediate action, the whole of Ireland may become involved in outright civil war. That means more battles, more bloodshed, more death.

Americans cannot be silent while cruelty is visited upon the people of Northern Ireland . . . cruelty sanctioned by a government with whom we have shared hopes for universal liberty through two world wars.

Our bonds with Ireland began when Ireland's political exiles and hungry emigrants found refuge in a brave new land. As our nation grew, it acquired its own Irish heritage, marked in history by such men as Andrew Jackson and John F. Kennedy.

The American Committee for Ulster Justice pleads for an end to oppression in Northern Ireland. We want this tragedy to stop. We have united to help achieve peace and justice.

The events of the last two years compel us to appeal to all persons, but particularly to those of Irish lineage, to join with us now so that all Americans will be informed of the conditions of a deprived and distressed minority.

We are now marshalling responsible sources of information in Ireland. We are determined to bring the problem before governmental bodies and we shall pursue it before the United Nations.

Please join us.

"By agreeing to an inquiry into allegations against British soldiers in Ulster, the government has taken the only course open to it . . . But London should do more in this direction. Although Stormont has executed internment, London authorized it and should not be satisfied to preside inertly over this extraordinary infringement of basic liberties."—London Times (Editorial) Aug. 22, 1971.

"Ireland was the first colony and the first to break free. When the British gave independence to Southern Ireland in 1922, after four years of terrorism and guerrilla warfare, they started down the long road of imperial withdrawal that was to wind through India, Palestine, Kenya and Cyprus. Now, a half-century later, Britain again finds itself hunting down rebels and trying to find a compromise for the insoluble.—William V. Shannon N.Y. Times, July 29, 1971.

"For the Catholics in Ulster partition posed far greater problems than those faced by their brothers in the south. Denied all but the most menial jobs and the most decrepit housing, unrepresented and often terrorized, they became the 'niggers' of Northern Ireland. Like any oppressed people, they waited and they cursed and then they took to the streets and made them battlefields.—Commonweal, Sept. 1969.

It is clear that existing policies are moving more and more to a dead end because of the refusal to accompany resistance to violence with a positive political solution . . . The army's position has been undermined by an arbitrary internment policy deliberately, selectively and provocatively aimed at one section of opinion.—Harold Wilson, Labor Prime Minister, Sept. 8, 1971.

"Prime Minister Edward Heath has flatly rejected any United Nations intervention in Northern Ireland or an end of partition of Ireland between North and South, British government sources said yesterday."—London, United Press Int. Sept. 10, 1971.

"More than 5,000 refugees fled Belfast, leaving their homes and belongings behind because they felt the army and the Government were unwilling or unable to protect their lives."—Anthony Lewis, N.Y. Times, Aug. 15, 1971.

"The British came, as they always did, in the dead of night. They kicked in doors and went to the upstairs rooms."—Pete Hamill, N.Y. Post, Aug. 17, 1971.

"Mr. Heath has to reckon with the possibility to put it no higher that confidence among Catholics is now irrevocably lost. Interment may well have clinched the disillusionment bred of their long failure to secure either equality before the law or any share of executive power. If that has happened, then the state of Northern Ireland has no future except as a military tyranny.—London Sunday Times Editorial, Sept. 5, 1971.

"Last week, the Protestant government poured fuel on the smoldering fire. Invoking a preventive-detention law giving it the power to jail suspected terrorists without trial, the government ordered the arrest of more than 300 alleged Catholic guerrilla fighters. The violent Catholic reaction and Protestant counter-reaction exacted a harsh toll: 26 persons were killed, hundreds more were injured and more than 7,000 people were driven from their homes."—Newsweek, Aug. 23, 1971.

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O'Dwyer, Patrick Bedford, Daniel Eisenberg, Esq.

Mr. HANLEY. Mr. Speaker, the gentleman from Rhode Island puts the matter quite well. It is rather inconceivable that our State Department assumes the attitude which it does in this matter.

Again, it was very troublesome to me to note the statement of Prime Minister Heath just on Friday of this past week, I believe, when addressing his Conservative Party in Great Britain, and his insistence that they would continue to send troops into Northern Ireland. Certainly this does not evidence good faith or a burning desire to terminate the problem that has existed there for far too long.

So, Mr. Speaker, I am very happy with what is happening here in the House today. To the best of my recollection, it is the first time we have evidenced this sort of interest in the partition of Ireland. That is what it all goes back to. I am hopeful that the united effort that appears to be developing both here in the House and in the Senate will ultimately lead to a solution not only of the present problem, but also move in the direction of encouraging and influencing the end of the partition of Ireland.

Mr. Speaker, I thank the gentleman.

Mr. CAREY of New York. Mr. Speaker, the gentleman from New York (Mr. HANLEY) has spoken with characteristic eloquence and accuracy. I would underscore what he has said in every respect, and I would add only this. Our State Department does seem to have an attitude of elusiveness and indifference which is characteristic in this regard.

It is uniquely different from their attitude in other parts of the world, where they are aggressively involved and are very much entangled in developments in civil affairs of other countries.

They are not reluctant to engage in discussions, and I might say all sorts of enterprises, with regard to the governments of Rhodesia or South Africa, or the happenings in East Pakistan. I believe they should be very much concerned and involved in these matters.

Of course, they are not reluctant to have a policy toward the Government of Greece or toward many Republics and juntas of South America.

But with respect to Ireland I would not like the record to rest, so far as the State Department is concerned, with any impression that our own representatives there are not both able and dedicated. In particular I refer to our Consul General at Belfast, Neil McMannes, who was recently relieved and returned to a post in the State Department. He is a most valuable man who has done a fine job in Northern Ireland. I hope the State Department will avail itself of his experience and his knowledge of the situation there. I found him to be most informative. I believe, without prejudicing his position, he could contribute a great deal to enlightening the State Department as to what they might be able to do to save some lives and to save a people over there while it is still possible to do so. I hope our State Department will wake up.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield?

Mr. CAREY of New York. I yield to the gentleman from Illinois.

Mr. PUCINSKI. I want to congratulate my colleague from New York (Mr. CAREY) for his initiative in arranging this special order and arranging a resolution and marshaling the forces of this House and of the other body into a frank and complete discussion of the tragedy which is now occurring in North Ireland.

Our colleague MORGAN MURPHY and I recently visited Belfast. We had an opportunity to talk with a lot of people there and to see for ourselves the kind of terror which exists in that city and in Northern Ireland.

There is no question in my mind that the discussion here about the failure of our own State Department to put this great tragedy into proper perspective is correct, that it is indefensible. I hope the hearings the gentleman has referred to by an appropriate committee of the Congress will indeed be conducted. I am convinced that the hearings will show the root cause of the great struggle in Northern Ireland today is a last stand effort by the British to hold on to the last colony.

It so happens that North Ireland is the last colony the British still have. Particularly with Britain's decision to enter the Common Market, the British feel they need Belfast as a hub upon which to complete the economic picture.

All this turmoil—the occupation troops in North Ireland, the special internment act, the repression against a minority people in North Ireland—is designed to break down the will of the people of North Ireland for union with the rest of Ireland.

This is not a religious war, as was stated here. It was so eloquently stated by the gentleman from Rhode Island. If it were a religious war, why do they not have the same turmoil in the rest of Ireland?

As MORGAN MURPHY and I drove through the beautiful landscape of South Ireland, we saw Protestant churches, Catholic churches, and Jewish synagogues. We saw Protestant and Catholics working side by side in stores and factories. We saw their huge respect for each other.

It is a myth to suggest that this is a religious war. I believe the media have done a great disservice by trying to create the impression that this is a religious war, by referring to the Catholics and the Protestants. What they really have in North Ireland today is a growing number of people who are for union with all of Ireland, and rightfully so. It so happens that a good many of them happen to be Catholics, and it so happens that there is a great deal of discrimination against those who are for union with the rest of Ireland.

The extent of discrimination that exists in North Ireland today is perhaps best reflected by the fact that 48 percent of the Catholics were for the most part for union with South Ireland. Forty-eight percent of the Catholic males in Belfast and North Ireland are unemployed. They are unable to find work because of brutal discrimination. It has been properly stated here that the Catholics do not have a single Catholic member in the North Ireland Government. Not even in the secondary or tertiary level. So here is a large segment of North Ireland's population which is being brutally discriminated against simply because the British do not want these people to be in a position where they can move forward on a very much needed reunion of that country.

I know why England is so concerned. It is because there is a growing tide toward reunion. More than 37 percent of the people of North Ireland are now for unification. More importantly in the British Isles itself important factors are lining up behind union. The most responsible newspapers in England, such as the London Times and various other responsible journals, have spoken out editorially for reunification of the northern Ireland counties with the whole of Ireland. So the British see the picture is closing in.

Mr. Speaker, I agree with the gentleman that the presence of British troops in North Ireland is an abrasive factor which led to this turmoil. Perhaps even more abrasive is the internment of 300 men, people arrested on August 9 because they were suspected of possibly committing a crime. There was thought that they might. There was no evidence that they had ever committed a crime and they had never been charged with a crime or brought before a magistrate and charged with any offense against the State. They are not permitted to go out on bail. They are taken and kept on a ship off the coast of Belfast because they do not want them to be near anyone who can get to them. There is no question in my mind but that this is probably the most brutal factor in the turmoil which exists today. There will be no peace in North Ireland until these internees are released.

I am happy to advise the House that a very prominent international attorney, Lew Gutner, chairman of the habeas corpus movement, and I and a number of others in Chicago are now preparing a writ of habeas corpus on behalf of the parents and families of these internees which we intend to file in the international court at Salisbury. We intend to pursue this fully. We believe the release of these 300 internees is paramount for peace in North Ireland.

So, Mr. Speaker, I congratulate the gentleman from New York. I believe we have been beguiled and hoodwinked too long in the silence of this country in believing that this is a religious war in which we have no interest.

This is not a religious war. It is a very brutal attempt by one of our allies to keep people in North Ireland in constant British bondage.

I remember only too well that not too long ago the Prime Minister of England denounced the membership of Greece in the Council of Europe. The British Government led the movement to drive Greece out of that Council because Greece allegedly was harboring political prisoners. It seems to me that if that

argument stood up against the Greeks, it surely ought to stand up against the British Government today for harboring these 300 internees in Belfast.

So, Mr. Speaker, I congratulate my colleague, the gentleman from New York (Mr. CAREY) for bringing this situation to the floor and to the attention of the Members of this body.

I hope that these hearings are going to put this whole subject into proper perspective. We have a very vital interest in what happens in North Ireland. If there is a full-scale civil war in that country, it will affect the ability of our biggest ally in NATO, England, to participate in its responsibilities.

So, it occurs to me that this is not a sentimental journey. The United States has the highest interest in what happens in North Ireland. For that reason, I think the committee ought to hold appropriate hearings on the resolution.

I congratulate the gentleman from New York for bringing to us a better understanding of that problem.

Mr. CAREY of New York. I thank the gentleman from Illinois for his very keen observations. They are absolutely in accord with the facts as I have seen them and have understood them to be.

I hope we can at another time address ourselves to this question and bring it before the attention of the people of America. Thereby, I think there will be a better understanding and Ireland will eventually be free.

Mr. BURKE of Massachusetts. Mr. Speaker, I am proud to be associated with such a distinguished group as that which has joined together behind the leadership of the honorable gentleman from Broooklyn (Mr. CAREY) and, on the Senate side, behind the leadership of Senators KENNEDY and RIBICOFF. In doing so, I am not simply joining together with a few sons of Erin and doing what the Irish have been doing for years, lamenting the fate of their divided homeland. Today I am doing something which should make sense to men of good will and conscience the world over and that is, trying to bring pressure to bear to end senseless and needless bloodshed in a corner of the globe. I know the tendency is, however, where Ireland is concerned, to dismiss even the most serious problems as part of some Irish preoccupation with past battles and, indeed, another scene in the continuing bittersweet comedy of errors that is recent Irish history. As a matter of fact, I am convinced that it is just such an attitude of patronizing tolerance for whatever injustices are perpetrated in Ireland in the name of home rule for Northern Ireland that has brought the island to the brink of disaster it faces even while we speak here today. The fact of the matter is that we are not a group of Americans of Irish descent here today taking comfort in brooding over ancient injustices and the fate of history in general. We are not trying to reopen old wounds, we are not taking part in a religious war right out of the middle ages, as some have tried to say. We rise today as a group because lives are being lost, because whole communities have been divided and barricaded and civil order virtually extinguished. Not only, in other words, do Catholics or Protestants fear to walk the streets of Belfast or Londonderry today, but armed soldiers run the risk of encountering stray or well-aimed bullets. Arson, looting, sniping, firebombs, stonings, ambushes, kidnappings—all have become part of everyday life in Northern Ireland in recent months. It is time the world realized the situation for what it is—full-scale guerrilla warfare and civil war. This Nation does not have to look for causes of concern as far away as Southeast Asia, the Indian Ocean, or the silent and mysterious stretches of land along the Russian-Chinese borders. One only has to look to Northern Europe today, the ancestral home of so many of this Nation's people and source of so much of its cultural heritage, to find the most flagrant cause for serious concern.

Up until now, some have been content to ignore the inevitable and wish it would disappear. The press, however, reminds us each day that such has not happened and is not likely to happen. And the longer events are allowed to continue along their present course, the more likely it will be that, in the end, both sides in the controversy will have passed a point of no return and a full scale bloodbath. Pouring more troops into the chaos is not the answer, as we have learned from our own bitter experience in Vietnam. The only thing that will bring peace to the six counties of Ulster is a serious attempt by the British Government to address itself to longstanding injustices which have kept the political scene simmering for so long in those counties.

If I thought for 1 minute that I was intervening in the internal affairs of another nation in making this speech today, I would have hesitated to do so, even though a nation was beset with civil war; but to view the situation in Northern Ireland as a purely internal matter is to ignore reality. As long as British troops are involved, we are dealing with what can only be viewed as foreign intervention and a continuation of present injustices. The Government of Ireland must be concerned and ultimately involved in the fate of Irishmen to the north. Blowing up roads and turning further in upon itself is no solution to the problems faced by the Goverment of Northern Ireland. Before any more lives are lost, it is worth trying the approach we are recommending today, and that is for this body to serve notice to the parties involved that the eyes of the world are indeed on the major parties involved and that when any local situation gets out of hand to the extent that this has, it ceases to be a purely local matter, if indeed it ever was, and becomes a matter of genuine international concern.

Mr. BOLAND. Mr. Speaker, I join the gentleman from New York (Mr. CAREY) in introducing this resolution. For a half a century, the world has remained glacially aloof to Northern Ireland's politics despite the grievances of that state's Catholic citizens. Faced wtih woefully substandard housing, with gerrymandered political districts that virtually disenfranchised them, with civil rights laws that constituted only a fake smiulaccrum of social justice, Catholics in Northern Ireland have been living in conditions tantamount to those of a medieval feifdom. The ruling Unionist class—a class still largely characterized by right wing political views—has systematically exploited Catholics for 50 years. The social tumult in Northern Ireland over the past few years is the direct result of this oppression. Barricaded streets; mobs clashing on the cobblestones outside Northern Ireland's Parliament; armed soldiers standing vigil at streetcorners; have become commonplace sights. Something akin to civil war erupted in Northern Ireland a few years ago and peace is still a distant prospect. Some reforms, to be sure, have been instituted. The Royal Irish Constabulary—a paramilitary group that has treated Catholics savagely—has been civilianized and removed from political control. And the "B Specials," a reserve police force with dogged loyalty to their political masters has been disbanded.

Housing reforms, too, have been enacted. The distribution of new housing—and old housing as well, for that matter—is now governed by Northern Ireland's central government instead of local political satraps. Perhaps the most significant reform of all is the 1969 Electoral Act, a law equivalent to the U.S. Supreme Court's celebrated "one man-one vote" rule. It scrapped the householder vote and company vote system, giving everyone 18 or over the right to cast ballots in local elections. Everyone agrees that such reforms are admirable. Yet they do not go far enough. Indeed, the reforms I have cited here have yet to be fully implemented. The electoral act, for example, may turn out to be a hollow mockery of political justice: local elections were suspended indefinitely last year, and a ward redistricting project yet to be completed shows signs of arrant gerrymandering.

The United States should—indeed, it must, if Northern Ireland is to remain a viable political entity—exert every effort to help guarantee the prompt implementation of reform. And, perhaps even more significantly, it must press for the enactment of still further reform. One of the most pressing needs is the abolition of the 1920 Special Powers Act—a package of laws that gives political authorities in Northern Ireland veritable carte blanche any time they seek to declare an emergency. Let me cite just a few of this act's grim provisions: Arrest without warrant, imprisonment without charge or trial, press censorship, punishment by flogging, prohibition of public meetings, seizure of private property. Certainly, Mr. Speaker, such awesome power must be abolished if Northern Ireland's citizens are to achieve even the most remote and tenuous form of civil rights. What Northern Ireland plainly needs—and what the United States must help create—is a sweeping reform program that outlaws discrimination and guarantees civil liberties.

Northern Ireland's people, its protestants as well as its Catholics, will not achieve social stability and social justice without such a program. The resolution we are introducing today calls on the United States to urge these actions: One,

termination of the current internment policy, simultaneous release of all persons detained thereunder. Two, full respect for the civil rights of all the people of Northern Ireland and the termination of all political, social, economic, and religious discrimination. Three, implementation of the reforms promised by the government of the United Kingdom since 1968, including those reforms in the field of law enforcement, housing, employment, housing, employment and voting rights. Four, dissolution of the Parliament of Northern Ireland. Five, withdrawal of all British forces from Northern Ireland and institution of law enforcement and criminal justice under local control acceptable to all parties. Six, convening of all interested parties for the purpose of accomplishing the unification of Ireland.

Mr. RYAN. Mr. Speaker, I want to commend my colleague from New York (Mr. CAREY) for taking this special order today, so that Members of the House may express their deep concern over the critical situation in Northern Ireland. And I am pleased to join him in cosponsoring the resolution on Ulster which calls for peace in Northern Ireland and the establishment of a united Ireland.

We must all be gravely concerned by the continuing tragedy in Northern Ireland—tragedy marked by bitter conflict and bloodshed.

The root of this crisis lies in the deliberate and systematic discrimination visited upon the Catholic minority of Northern Ireland for some 300 years. This discrimination has taken its toll in housing, employment, political representation, and educational opportunities. I cite the 1969 Cameron report, which refers to well documented cases of political gerrymandering—deliberate manipulation of electoral boundaries. The same report describes well documented cases of discrimination in making local government appointments. Housing allocations have been employed discriminatorily against the Catholics, and they have been forced to take low-paying, deadend jobs as their lot.

And now the Government of Northern Ireland has revived internment—a device employed to deprive citizens of their most fundamental rights by detaining them without any legal recourse.

At stake in Northern Ireland are freedom and justice. And it is clear that the Catholics of that beleaguered country, oppressed for centuries, will settle for no less than is theirs by right: full equality, full freedom, total justice. They will not stand silent. Nor can we.

We must support their efforts. We must call upon our Government—as I have done—to exert its influence with the British Government to rectify the situation in Northern Ireland.

We must call upon our Government—as I have done—to provide aid to the hapless refugees who have fled to the Irish Republic from Northern Ireland. We must open our gates to these refugees. As the violence in Northern Ireland mounts, more and more individuals are being made homeless. Our Nation can provide refuge for these people, and I have introduced legislation which would accomplish this purpose. First introduced in April 1969, I subsequently reintroduced this legislation as H.R. 1652 on the first day of the 92d Congress.

And we must—as we are doing today—continue to raise our voices against the denial of civil liberties abroad, just as we must reject it at home. Morality does not grind to a halt at water's edge.

We are speaking out today because the tragedy in Northern Ireland compels our most serious attention, the attention of the Congress, of this Nation, and of all the world. We must make our stand for the basic and fundamental rights so long denied the Catholic minority in Northern Ireland.

Mr. BIAGGI. Mr. Speaker, I am most anxious to participate in this special order on the Northern Ireland situation. This problem has been of great concern to me for almost 2 years now. While many in this Nation have sat back complacently in the early stages of the confrontation in Northern Ireland, I was seeking an early peace.

I am pleased to note the number of colleagues who have come out today to discuss this problem. It gives me hope that a unified voice from this body may yet prove to be instrumental in bringing about a settlement of the Northern Ireland question.

Mr. Speaker, I would like to emphasize here that my primary objective and the primary objective of the vast majority of the Irish people—is reunification of their island country. This artificial partition of Ireland is a black spot on the reputation of Great Britain, one of the leading pillars of democracy in the free world. It cannot be allowed to stand.

Moreover, the continued denial of basic human rights to the majority of citizens in Northern Ireland is an affront to freedom-loving people the world over. We as Americans cannot stand idly by while the democratic principles of this country's founding fathers are trampled under the banner of the British Army.

The most ignominious aspect of this distasteful operation is the use of the infamous Special Powers Act which permits the internment of civilians without allegation or charge. How ironic it is that this country just removed from its books legislation granting such repressive authority. In light of that how can this body remain silent to the internment, torture and harassment of citizens in Northern Ireland? We cannot.

Mr. Speaker, for the last several weeks I have been running a series of reports on the Northern Ireland situation. Much of the material was secreted out of the country by my daughter and her friend, Carol Nolan, who at great personal risk went to Northern Ireland on my behalf.

They witnessed the abuse of civil liberties perpetrated on a fearful populace by the British troops. They saw the shooting and killing by both sides. They lived with the same fear of the night that every citizen of Northern Ireland experiences.

However, they would be able to leave while those who daily face the trials of a near-war have nothing to hope for but peace. Yet that peace continues to remain elusive and frankly will never come unless the British Government chooses to end its occupation of the Northern province.

The gentleman from New York (Mr. CAREY) has just introduced a resolution on Northern Ireland. I welcome it and am a cosponsor. But for me, it is not enough. Nothing short of reunification of the island will be satisfactory. While I am pleased that more of my colleagues are taking up the cry against the injustices and abuses that daily occur in Northern Ireland, we cannot be wishy-washy in our protest. Let us seek full justice for the people of Northern Ireland. Let us call for a return of basic human rights and dignities.

There must be an immediate end to the use of the Special Powers Act;

There must be an immediate and complete withdrawal of all British troops;

There must be a dissolution of the present government of Northern Ireland and the establishment of an interim governing body that will—

Conduct a plebiscite of all the Irish people in the South as well as the North to determine whether reunification of the country is mandated by the people.

This Chamber has been the source of much affirmation of freedom and civil rights for the people of this country. Today, we are expressing our belief that all the people of the world are entitled to enjoy those same rights. Let us not forget that tyranny takes subtle forms and it is tyranny that we are witnessing in Northern Ireland. For the sake of all free people the world over, let the beleaguered people of Northern Ireland have their human rights restored and see peace in their land once again

Mr. WOLFF. Mr. Speaker, I would like to commend my very able colleague from New York (Mr. CAREY) for his leadership in coordinating House action on the tragic situation in Northern Ireland. As a cosponsor of his resolution calling for peace in Northern Ireland, I feel that we in the Congress must express our shock and dismay at the continued strife and violence in Northern Ireland.

We have all seen on television and read in the newspapers accounts of the devastation and destruction which has beset Northern Ireland for all too long. For all too long, Congress has been silent about the death, the broken families, and the ruined lives created by the virtual civil war in Northern Ireland.

As a member of the House Committee on Foreign Affairs, I have been deeply concerned about the plight of persecuted peoples throughout the world. This concern is evidenced in legislation which I have introduced to allow emergency immigration of Irish people, as well as Soviet Jews suffering persecution. However, such measures offer only temporary relief for small numbers of people.

The resolution which we are introducing today offers a particularly constructive approach to this vexing problem because it deals not only with the current violence, and the underlying factors which have caused it, but also with the steps which should be taken to restore

peace. This measure eloquently expresses the necessity of implementing the fundamental democratic values of equal opportunities in the areas of housing, employment, education, and political representation.

I sincerely hope that the Congress, on behalf of the people whom we represent, will adopt this resolution and thus make it clear that the American people, whose ties to both Ireland and Great Britain are so strong, want an end to the continued tragic loss of life, an end to discrimination, and progress toward the goal of peace and equality for all of her citizens.

Mr. MORSE. Mr. Speaker, the continuing violence and bloodshed in Northern Ireland is a matter of deepest concern to this Congress and to all Americans, of whatever faith and poltical persuasion.

In recent weeks we have read reports of increasingly higher levels of conflict within this province that historically has been ridden with religious-political strife and factional conflict. Most regrettably, it currently appears that the situation may well escalate even further in the near future.

I greatly deplore the violence that has so far occurred, and deeply hope that further bloodshed can be adverted by moderation on all sides and through thoughtful compromise. Therefore, like many others, I am most distressed by recent indications that extremist behavior is on the upswing. In this regard, recent allegations of brutal physical and psychological treatment of suspected terrorists who have been detained in Northern Ireland are especially disturbing, and I welcome the inquiry into the situation that was ordered by British Prime Minister Heath. By the same token, I note with great regret the death of yet another British soldier in Ulster this past weekend, bringing the total number of civilian and soldier deaths to 128 since British troops were deployed in the province in August 1969. Ninety-four fatalities attributed to the civil strife have been reported in Ulster so far this year alone.

Recent reports of intercepted arms shipments destined apparently for the Irish Republican Army are equally disturbing. All these incidents seem to indicate that the strife that has been part of Irish history since the 1600's is moving inexorably toward another period of intensified crisis and violent upheaval. Certainly, we all deplore this situation. I believe, however, that there is still hope for a compromise solution. At this juncture it is imperative that equitable proposals of real substance, rather than just the rhetoric of good intentions, be brought forward by all sides, in order to prevent the currently very real possibility of a further descent into civil conflict.

There is no doubt that much of the present strife relates directly to historical failures of governmental authorities in Northern Ireland to deal adequately with the very pressing problems of discrimination in housing, employment, political representation, and educational opportunities that have long existed in Ulster. Certainly, both the present government and the past government of Chichester Clark can be credited with some movement toward reform in these areas. However, passions continue to run high, with basic long-standing grievances continuing to serve as rallying points.

Recent events, including the interment without trial since August 9 of over 300 Catholics under the Special Powers Act, have acted to exacerbate the situation. The Special Powers Act of 1922, which allows arrest without charge or trial, was invoked to arrest more than 300 members of the Irish Republican Army in connection with the recent increase in bombing and snipings. At the same time, the government chose not to arrest under the same statute any of the armed Protestant militants who are believed by some to have been responsible for part of this increase. This action on the part of the government, and other similar incidents, are working to convince many Catholics that compromise and adjustment are no longer possible.

I deeply regret this development and I wish to express my concern over the growing possibility that the Catholic minority in Northern Ireland has begun to seriously call into question the fundamental legitimacy of the government in Ulster. The time appears to be growing closer when the Catholic minority will be convinced that it is not possible for them, within the existing framework, to secure either equality before the law or any share of executive power. Such an event would be a great tragedy for all concerned, and everything possible must be done to avoid its occurrence.

I applaud all continuing efforts on the part of the interested governments to work toward a suitable and equitable solution to this highly complex problem. Above all, I would urge that moderation and restraint be observed on all sides so that massive and useless loss of life may be avoided.

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## THE SHARPSTOWN FOLLIES—XLVI

The SPEAKER pro tempore (Mr. PUCINSKI). Under a previous order of the House, the gentleman from Texas (Mr. GONZALEZ) is recognized for 10 minutes.

Mr. GONZALEZ. Mr. Speaker, Will Wilson resigned last Friday.

Mr. Wilson said that he resigned because he wished to spare the administration any embarrassment from further political attacks. Others say that he was asked to resign. It does not matter, because either way it is a tragedy for him, and I regret that. It gives me no joy to see a man fall; I bear no animus for Mr. Wilson, whatever our differences.

It is tragic that Mr. Wilson became entangled in the crooked empire of Frank Sharp and did not have the judgment to extricate himself from it because he could not separate his personal interests from his official responsibilities. No official can have it both ways; one must often choose between personal interests and the public good, and I am sorry that Mr. Wilson did not make better choices.

The tragedy goes far beyond Mr. Wilson, sad as that is. The Sharpstown Follies involved many men. Mr. Wilson has lost his job, Sharp has lost millions, but others have also lost their jobs and their fortunes. Hundreds and even thousands of utterly innocent people have lost their savings and their investments in the fall of the Sharp empire. Beyond even that melancholy scene, the whole integrity of the State government of Texas has been brought into disrepute, and even the Department of Justice has been tainted.

As for Mr. Wilson, it is unfortunate that from the beginning he believed my motives were political, and even now he believes that to be the case. My concern has been moral, not political, and it is sad evidence of Mr. Wilson's own moral obtuseness that he does not recognize this.

I am not happy that this matter has been portrayed as a political contest, nor that it has been personalized, because the truth is that my concerns have never been political or personal. The Sharpstown case goes far beyond politics and personalities; it reaches into the very heart of decent government. That is what I am concerned about, decent government.

No political party has a monopoly on corruption. I have unmasked corruption in both parties. It is nonpartisan, and wherever it is found it ought to be exposed and stamped out. I think that Mr. Wilson understands this.

I can understand Wilson's state of mind right now, and that he would feel personal animosity toward me. But that is beside the point. The point is whether he was unjustly accused, whether he was unjustly asked to resign. Was he or was he not involved in the Sharp empire, and did he or did he not know of the questionable and outright dishonest deals that were taking place all around him, some indeed involving Wilson himself. Those are questions that have never been answered publicly. It would seem from events that the Department of Justice has answered the questions, and so asked Mr. Wilson to leave, but no one has made a public response. Maybe that is no longer necessary. In any case Wilson should not take the matter personally. He had every opportunity to reply to me, but declined to do so, for reasons of his own.

It is deplorable that he should think, as he evidently does, that subordinates of his at the Department of Justice furnished me information about nim, and contributed to my statements. Nothing could be further from the truth. No information I have came from the Department of Justice, save from Wilson's own mouth. He has needlessly impugned the loyalty of his subordinates, and I assure him here and now that they never contacted me, not once, nor did I make any effort to contact them. If Mr. Wilson has fallen, it is of his own weight, not because of any subversion by his staff.

The Sharpstown case reaches far beyond any single personality, and its ramifications involve more than a mere assistant general. It is not a political matter, but a moral problem that reaches, as I have said, the very heart and vitals of decent government.

Wilson is gone, and his personal tragedy is great. But I have not merely asked for his position to be vacated; I have asked for justice, and for answers to questions of fundamental importance to our whole society and system of justice.

The issue of whether Wilson was corrupt or incompetent was only part of the Sharpstown follies. Perhaps only he knows the answer to that one, and it is now between him and his conscience, unless the Department of Justice itself cares to speak. What remains though is the issue of how and why Frank Sharp ever got immunity, and how and why his case received the extraordinary treatment it did.

Beyond that there is the sordid mess that Sharp left behind him. There is the question of whether all the guilty will be punished and whether the innocent will be compensated for their losses. I hope that the innocent investors, the savers, the insurance policy holders, and all the others who were bilked and ruined by the collapse of Sharp's paper web, will be fully compensated for their losses, though from all the facts that I can gather this seems most unlikely to happen. I fervently pray that I am wrong about this. As for the guilty, I hope that one and all receive their just deserts, not least among them Frank Sharp himself.

I continue to be amazed that Sharp received the treatment he did from the Department of Justice. How, by whom and why he was granted immunity are still questions that remain unanswered. Nor does anyone know, save the Department of Justice, why he was not held to account for even a significant fraction of his crimes.

Other bankers who have violated their positions of trust and privilege have felt the full wrath of the Department of Justice; but incredibly, not Frank Sharp. Others who merely damaged their banks have been indicted on charges in the multiple dozens, but Frank Sharp was never even indicted by a grand jury, let alone tried. He only entered a plea of guilty to a two-count information, and received what amounts to a merit badge from the judge who heard his case, plus his grant of immunity. Men whose crimes were of far less magnitude face far more severe charges than he does. How can this be called fair administration of justice?

The immunity statute itself raises serious questions.

According to the judge who granted immunity to Sharp, he had no choice but to do so, once it was requested by the Department of Justice. As I understand it, under rules of Federal practice, conviction can be obtained on the basis of uncorroborated evidence, so that a criminal like Sharp, in exchange for his immunity, can be instrumental in convicting his erstwhile pals. The immunity grant is a powerful attraction to testify to anything the Government wants, and from what I hear of Sharp's testimony at least, the results may be less than desirable, since it often conflicts with known facts or even previous Sharp statements.

It seems to me that the business of granting immunity is too serious to leave solely in the hands of prosecutors. The judge ought to at least have a choice of his own, either to follow or not to follow the recommendations of the Department of Justice. Surely the judges might add some wisdom to the case, and might offer a buttress for the true public interest in these matters. They could consider the case, the situation, and decide objectively whether or not the public weal would be served by a grant of immunity. Such objectivity is not possible when the whole issue is left up to the prosecutors, and questions of such gravity should not be left, in any case, to a single arm of government, regardless of its supposed expertise. After all, the prosecuting attorney can always be an incompetent, as has been the case with Mr. Anthony J. P. Farris, who has handled the Sharp case with utter, complete stupidity. It may be that he has some motives, some design, but I rather hope that he is only stupid. When you consider that a man like Farris could alone decide, under the existing statute, to either grant immunity or withhold it from a grand criminal like Sharp, it becomes clear that the judges ought to at least have the option of not granting immunity if it is requested. There ought to be a better chance that the public interest might be protected if two heads considered the issue independently.

Beyond that, there is the question of Judge Singleton himself. I still believe that he had more than a nodding acquaintance with Frank Sharp, and that he could not have judged the case against the standards commonly applied in such cases. Otherwise the sentence imposed would have been far different than it was, and the conduct of the hearing would have been less like a merit badge ceremony among old friends. The judge probably should have disqualified himself—I still believe that—though the matter is between him and his conscience.

Indictments and trials remain yet, for many of those who were part of the schemes Frank Sharp concocted and carried out, and I fervently pray that every guilty party will be found out, tried and convicted and punished in due course. Some of these will be private citizens, and some may be public officials of one kind or another. Somehow the confidence that people have in the integrity and decency of government in Texas must be restored, and it will take time to accomplish this, but the task is urgent.

The great tragedy of Will Wilson—and of other public officials who have been involved in the Sharp scandal—is that the public expects and has a right to demand a higher than average standard of morality in its elected and appointed officials, and Wilson never understood this. While Wilson has a perfect right to pursue his private investments, he has no right to do so at the expense of his plain public duty, and certainly none to engage in business deals which, however, prudent they are as business deals, might in any way compromise the integrity of his office. For a public official has to guard more than his own personal morality, but to protect the integrity of the office he occupies. Officials who fail to know when their personal interests compromise their public duties do a great disservice to the Country, and ultimately to themselves.

The public has every right to demand this higher standard of morality and conduct from public officials, however unfair it might seem to Wilson and others who were involved with Frank Sharp in one degree or another. It is tragic that Wilson is fallen. It is sad that the Governor of Texas has been brought under such severe criticism. It is unfortunate that the Texas House speaker and some of his aides and associates have been indicted and criticized, that others have resigned their offices under fire. All of this is sad for these men personally, but it is also a tragedy for the integrity of government. It is absolutely essential for people to hold trust in their government, and they have every right to demand integrity in the men who are charged with its conduct. It is after all, the government of the people, not of the men who occupy its offices.

Justice has not yet been done in Sharpstown, and it may never be. Tragedies there are aplenty, Will Wilson's, not least of them. Questions remain to be answered, and I am still waiting for those answers. Unhappy as I am to say it, I tell you that I will continue to raise the questions and demand answers to them, not because it satisfies me, but because the public interest demands it.

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## WILLIAM H. BATES CENTER OPENED AT SALEM STATE

The SPEAKER pro tempore. Under a previous order of the House the gentleman from Massachusetts (Mr. KEITH) is recognized for 5 minutes.

Mr. KEITH. Mr. Speaker, the William H. Bates Center for Public Affairs at Salem State College, Massachusetts, was recently dedicated with an inspiring address by Ambassador George Bush, U.S. Representative to the United Nations and former distinguished Member of Congress from the great State of Texas.

This center, which had its origin in the minds of a group of Salem State College students, will house the papers of the late Bill Bates with whom, like George Bush, many of us had the privilege of serving in this body.

As the Ambassador put it in his excellent address:

> Bill Bates, until his unfortunate, early death, was an outstanding Member of the House of Representatives. . . Like his father, George Bates, he represented well Essex County and the people of the Sixth District of Massachusetts.

All of us from the Massachusetts delegation deeply appreciate the fact that the Ambassador took the time to pay tribute to our late good friend and colleague and, in so doing, to deliver an address of considerable substance regarding the need for greater participation by more of us in world affairs.

In that appreciation, I insert the address in the RECORD at this time:

THE UN WHERE DO WE GO FROM HERE?

(Address by Ambassador George Bush)

I was particularly happy to be able to come here today for this dedication ceremony for the William Bates Center for Public Affairs.

First of all it gives me an opportunity to honor Bill Bates with whom I served in the United States Congress.

Bill Bates, until his unfortunate, early death, was an outstanding member of the House of Representatives dedicated to his work on the Armed Services Committee and in the areas of atomic energy and NATO affairs.

The life of a Congressman is one involved in long and busy schedules—and working in the House, exchanging views, consulting on issues—a member gets a chance to know some of his colleagues fairly well.

Bill Bates was a good Congressman. Like his father, George Bates, he represented well Essex County and the people of the Sixth District of Massachusetts.

I wish we had more of this kind of dedication, sincerity and willingness for hard work at the United Nations. The tasks of our own U.S. Mission, which I head, as well as the delegations of the 126 other countries, which make up this world body, could be enhanced immeasurably by such spirit.

It also pleases me to be here because I understand the idea of starting this center is one that was initially generated by a group of students at Salem State College.

This whole business of participation, of being an active part of the world we live in is something we need more of in America today—it is something we also need at the United Nations.

Leaving the job we find which needs to be done in our society to "the other guy" may be an easy way to get out from under. But we don't contribute anything to ourselves, to our community or to our fellow man by adopting this way of thinking.

Michael Vogt, Ellen Kennedy, Kathleen Walsh, Michael Mahoney, and Mary Sullivan are due great praise for conceiving the idea of developing the William Bates Center for Public Affairs.

I hope in the years to come the principles of promoting non-partisan excellence in research, education and giving service to the area of public affairs is fully achieved by this Center.

A final reason which delights me in being able to come here from New York and be with you in Salem this morning is that this ceremony is part of the inauguration of the new President of Salem State College.

In his life span, Dr. Frank Keegan, has reached high plateaus of academic excellence. In terms of the 70's, he is certainly a "young man". Like many others of my generation, he has found time to spend part of his distinguished career in public service. He has worked with the Peace Corps in Mexico, our neighbor to the south, which borders my own state of Texas.

With the success of the Peace Corps in countless lands around the world, the United Nations is right now working on an adaptation of the U.S. Peace Corps concept on an international basis.

As it is with our general aid giving, in our assistance to developing countries, the United States is now entering a new era. Where our help, whether it was Peace Corps, other technical assistance or an IBM computer, they went out with the label "given by your friends in the USA".

We have been understandably disappointed when instant friendship did not result.

Now President Nixon is trying a new approach—working more actively through the United Nations, using the multilateral, rather than bilateral approach.

This approach will require discipline; the UN itself must be sure the programs are efficiently run. Without this we can lose the support of the Congress and the public.

I will be working to help make efficiency a hallmark of this multilateral approach and in my task at the UN I certainly wish I had men like your Dr. Frank Keegan to help me.

And as students and scholars come here and use these facilities of the Bates Center for Public Affairs, and as undergraduates progress in their education at Salem State and think about their future—think, and consider for a while the need we have for young blood, for intelligence, and for young vision in our world of diplomacy and international affairs in which I now find myself engaged.

I say I wish I had people like Frank Keegan to help out in our cause—and we need battalions of them, regiments to fill the need.

Just reflect for a moment on the many knotty problems which face our country in the United Nations, and those which confront the UN itself.

From budgetary difficulties to peacekeeping there are subjects to give you nights with no sleep. As you know the whole subject of Communist China and our relations with it are under review at the highest quarters of our government. Earlier this week, in London, Secretary of State Rogers indicated that he expected there might be some decision reached within the next month.

The Middle East continues to be a hot spot and the effort under way to bring about a settlement may well prove to be decisive in shaping the future of the United Nations.

Whether it is these subjects that must be tackled, or areas in the social and economic field like narcotics, population control, the environment or air hijacking—for all we need individuals with keen minds and young spirits.

Like the recruting poster said, "We need YOU!" Give some thought in the days and months ahead on the role you could play, the things you can contribute in the whole sphere of activity aimed toward preservation of peace in our world, on a planet made better through our joint efforts and work.

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## AMBASSADORS DAY PROGRAM IN ROCHESTER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. HORTON) is recognized for 10 minutes.

Mr. HORTON. Mr. Speaker, on Friday, October 15, I was privileged to attend the Ambassadors Day program sponsored by the World Trade Council of the Rochester Chamber of Commerce. The purpose of the event was to promote international understanding and trade between our community and other nations of the world.

In order that my colleagues may appreciate the broad scope of this program, I will list the international guests who came to our city and those Rochester enterprises which acted as their hosts.

The list follows:

LIST OF INTERNATIONAL GUESTS AND ROCHESTER AREA HOSTS

Belgium, Herman Dehennin, Economic Minister, Eastman Kodak Co.

Canada, Bernard Dussalt, Consul and Assistant Trade Commissioner, Schiegel Mfg. Co.

Costa Rica, Carlos L. Salera, Counsellor, Economic Affairs, Pennwalt Corp.

Czechoslovakia, Jaroslav Zantovsky, Charge d'Affaires, The Gannett Co.

France, Pierre Weill, Assistant Commercial Attache, Rochester Gas and Electric Corp.

Germany, Dr. Richard Achenbach, Consul General, Harris, Beach & Wilcox.

Great Britain, Christopher Mallaby, Commercial Consul, Wiser, Shaw, Freeman, Van Graafeiland, Harter and Secrest.

Israel, Ram-Bar-Haim, Director, Security Trust Company.

Italy, Dr. Giorgio P. Cuneo, Commercial Counsellor, Itek Business Products.

Ivory Coast, Augustin Douoguih, Financial Counsellor, Marine Midland Bank-Rochester.

Jamaica, Hector Bernard, Counsellor, Central Trust Company.

Malaysia, Ben Haron, Counsellor, Pan American World Airways.

Nepal, Naryan S. Pelapa, Second Secretary, Lincoln Rochester Trust Company.

Netherlands, J. H. A. Leydekkers, Consul, General Railway Signal.

Nigeria, A. Adeusi, Commercial Consul, R. F. Communications.

Poland, Jerzy Kowalski, Charge d'Affaires, Garlock, Inc.

Portugal, Dr. Fausto Periera Esteves, Acting Consul General, Rochester Telephone Co.

Romania, Corneliu Bogdan, Ambassador Extraordinary and Plenipotentiary, The Gleason Works.

Singapore, George Seow, Counsellor, General Motors Corporation.

Thailand, Payong Chutikul, Deputy Chief of Mission and Minister Counsellor, Bausch and Lomb, Inc.

Uganda, John B. Moli, First Secretary, The R. T. French Company.

Yugoslavia, Dr. Josip Presburger, Consul General, Xerox Corporation.

Zambia, Unia G. Mwila, Ambassador Extraordinary and Plenipotentiary, Sybron Corporation.

Kenya, Simon Gichuru, First Secretary, Commercial Letters, Arthur Andersen & Co.

A concerted effort was made to match the Rochester host firm with a foreign dignitary who had a common business interest. In this way, existing avenues of trade were strengthened while new channels were opened up for an increased flow of Rochester-made and foreign products.

Mr. Speaker, I can point with great pride to the fact that the Rochester area ranks first, per capita, in the United States in the dollar value of manufactured products exported. Our area has a higly specialized industrial base, world reknowned in the manufacture of film, cameras, office equipment, optical products, electronics, and surgical instruments. Moreover, the area boasts a large general industry, including the manufacture of clothing, food processing, machinery and tools, printing and publishing.

As a result of Ambassadors Day, 24 countries are now better acquainted with the goods and technologies our area can offer them. At the same time, Rochester is more fully aware of their products and specialities. The establishment of trade ties has long been recognized as one of the best means of fostering cooperation between countries. Rochester has truly been a leader in this approach to world partnership and progress.

As a part of the formal proceedings of Ambassadors Day, Mr. Roderick M. MacDougall, president of the Marine Midland Bank, delivered a major speech entitled "Rochester—A World's Success Story." The story began as follows:

One hundred fifty (150) years ago what is now Monroe County was a struggling agricultural area without the benefit of minerals or raw materials; a town in what was then the West with little to distinguish it from other parts of our growing country . . . but then came the fabulous Erie Canal providing transportation to and from the outside world. Trade with other cities of America and of the world turned this into a boom area almost overnight. But, almost as

quickly, the city learned that progress can destroy as well as help—the arrival of the railroads as competition to the canal quickly turned Rochester back to physical isolation. Rochester turned the only way it could—to develop skilled industry of its own and products of its own. These efforts at industrial development during the last half of the 19th Century and the first half of this century were dramatically successful—primarily because of the character of the people who provided the leadership. They were resourceful people—imaginative people—with strong traits of idealism. Rochester had then—as now—a climate that tolerated and even fostered fresh thinking. The products of this climate were great industrial leaders such as Sibleys, the Gleasons, Bausch and Lomb, and of course, George Eastman. It probably can be safely stated that no man has ever contributed more to the overall progress of a city in modern times than George Eastman. Through his pioneering efforts in industrial research and in work benefit programs for employees he contributed to the progress of the whole world, not just Rochester.

This climate of free thinking produced more than industrial leaders, however, it produced:

Susan B. Anthony—the world leader in the Women's Rights movement;

It introduced the Mormon religion to the world;

It was the home of the first spiritualistic movement;

And the tolerant attitude of the community attracted one of the ablest black leaders in our history—Frederick Douglass, who found in Rochester the right home base for publishing his attacks on slavery.

I dwell on this atmosphere of progressive thinking because it was the key that permitted Rochester to capitalize on world prosperity that followed World War II. Rochester's growth outstripped the national growth in the 50's and 60's because our industrial leaders recognized that it was a new era that required fresh thinking . . . an era when the world's markets were open wide . . . an era when you had to spend money on capital goods to gain leadership in the world's markets. During this period, new capital expenditures per factory employee in Monroe County surpassed such expenditures in all the other cities in New York by a wide margin and were higher than most cities of the world. The result was that output per factory employee moved to levels well above any metropolitan area in the state. The extent of our boom is illustrated by the fact that between 1947 and 1967 industrial output rose 425% with value added per employee rising even a greater percentage during that 20-year period. This dramatic growth in output was possible not only because increased productivity allowed us to produce competitively, but because of sophisticated marketing activities.

A classic example of the effective use of modern techniques in marketing as well as product development is the Xerox Corporation, of which all Rochester is proud.

Coincidental to, or perhaps the result of this dramatic growth in industrial production came the growth of transportation facilities in and out of our area. Assisted by the opening of the St. Lawrence Seaway our lake port grew dramatically and is now served by twenty steamship lines. The New York State Thruway was constructed permitting truck transportation to grow to the point where today we are served by more than 100 truck lines. Add to that our five railroads and our modern airport and we can say that our boundaries are gone and that Rochester has fully shaken off the handicap of physical isolation.

A share of the credit for the success Rochester is enjoying today, in 1971, must go to the leaders in its history, but an equal share of the credit must go to the outside world. A quick review of how modern Rochester depends on the outside world will hopefully convince you of this point.

Seventy percent of the manufacturing employees in the Rochester area work in establishments that manufacture for export. We lead this nation in per capita dollar value of manufactured exports. Purchases by our friends abroad of our automotive products, dental and medical supplies, electric and electronic products, measuring devices, machinery, optical products, photographic products, etc., etc., have produced thousands of jobs for Rochesterians. Our imports are also important, however, with almost every major company in Rochester using some foreign-made components in its finished products. This produces jobs abroad but it also makes our products better and more competitive in world markets. In the last six years American imports have grown explosively, rising at an average annual rate of 13.5%. Rochester has been responsible for a share of that import growth, but contrary to the country as a whole our export growth has outpaced the import growth. In other words, Rochester has not been a contributing factor to our recent unfavorable balance of trade.

We are guilty of depressing our overall balance of payments by deficits in other categories, however. Rochesterians travel abroad in droves, dumping their dollars in almost every country represented in the audience—but we get full value in return in the form of better educated citizens with broader horizons. We work against our balance of payments by also adding to the capital outflow as our major companies make investments abroad and build plants abroad. But we get full value from profits returned, and we know those invested dollars produce jobs for the unemployed of both developed countries and the developing countries. We wish we could say we helped the balance of payments by attracting foreign industry to settle and grow in Rochester but we have failed in this area despite the fact that such investments are encouraged and more than welcome.

Mr. Speaker, one can easily understand the pride which all Rochesterians have for their city's past accomplishments. But we are also equally proud of our present achievements and the future goals we seek. Mr. MacDougall expressed it this way:

The balance of payments does not measure all the flow of imports and exports in a city such as Rochester, however. There is another area of exchange that is primarily responsible for making us a truly international city. I refer to the exchange of ideas and knowledge and the pleasures of the arts. Let me illustrate the extent to which we have shared in the explosion of international communication by listing some of the current activities in Rochester:

(1) Rochester Institute of Technology is responsible for many current programs involving educational exchange:

The International Research Institute for the Graphic Arts has representatives from 13 countries here on campus to explore new developments in the graphic arts field.

Three staff members of R.I.T. have just returned from Brazil where they went to help set up the first lithographic press in Sao Paulo.

Representatives from 18 countries just left Rochester having completed a workshop on web offset presses.

The famous school of photography at R.I.T. currently has visitors from Zurich, London and Cologne here to learn and take back with them teaching techniques in photography.

(2) This month at the University of Rochester there are visiting academicians from New Zealand, Austria, England, the Soviet Union, Yugoslavia, Germany and Italy either attending seminars or giving guest lectures.

(3) Tonight at the University of Rochester a group of musicians from India will perform for the benefit of the Pakistani Relief Fund.

(4) The Rochester Philharmonic Orchestra will have guest performers from Germany, Czechoslovakia, and Japan in coming weeks.

(5) We are particularly proud of our Eastman School of Music which has just begun a Festival in recognition of 50 years since its founding. In appropriate fashion this Festival year will have 80 major musical events between October and May. Included are 22 world premieres of musical works commissioned by the school of leading composers. Commissioned composers visiting us will come from Canada, Portugal, the Soviet Union, Poland, Chile, Peru, England and Italy. Performers at other events to be held during this anniversary year will come from England, Austria, Netherlands, the Soviet Union and Italy. Representatives from Hungary, Japan, Argentina, Denmark, Belgium, and Switzerland will participate in educational symposia during this period.

(6) At our new Nazareth Arts Center dancers from Sierra Leone will perform next week.

(7) The most famous museum of photography in the world, the George Eastman House, will open an exhibit this week of the work of a photographer from Mexico.

(8) And of course our great Art Gallery has a semmingly endless list of lectures and exhibits this season on art and artists from all over the world.

This flow of talent both into and out of Rochester doesn't just happen needless to say. Most of these activities occur because Rochester is a major educational center as well as a cultural center. Currently, there are over 50,000 individuals taking courses at the college or graduate level in the Rochester area. More than 1000 of this number come from abroad, and judging from past experience all but a handful of that 1000 will return to their native lands taking with them new ideas and a better understanding of our country.

Supplementing the work of our colleges in promoting the flow of ideas and people in and out of Rochester are organizations such as the Rochester International Friendship Council, the Association for Teen-Age Diplomats, the Rochester Association for the United Nations, the Rochester Committee on Foreign Relations, the Sister Cities Program and, of course, the World Trade Council of the Chamber of Commerce.

Yes, Rochester is a success story and measured by world standards it is healthy and growing. But I can't end my remarks on our area of New York State without reference to our problems, because like all cities of the world we have major problems. For the most part they are not unique problems—they're the same ones shared by most areas of the world. The pollution of our air and water is reaching disturbing proportions; we have inadequate housing for our growing population; urban decay still riddles the core of our city; there are insufficient employment opportunities for our unskilled and under-educated; and racial discrimination still stalks our suburbs, our schools and even some of our employment offices. We recognize that little will be accomplished if we restrict our efforts to purely local solutions to these problems, however. We know that our long range success as a city will only be in line with the success of the bigger world that we are now irretrievably a part of. We willingly accept the fact that the shrinkage of international distance will continue and that the flow of international ideas will accelerate. We hope and expect to play an increasingly important role in turning that flow of ideas and knowledge into mutually arrived at solutions to our mutual problems.

## THE HEARINGS ON NATIONAL EMERGENCY TRANSPORTATION STRIKES HAVE CONCLUDED

The SPEAKER pro tempore. Under a previous order of the House the gentleman from Michigan (Mr. HARVEY) is recognized for 5 minutes.

Mr. HARVEY. Mr. Speaker, the hearings before the Transportation and Aeronautics Subcommittee concerning national emergency transportation strikes have concluded. The subcommittee is now working in executive session to fashion a bill which can receive the support of a majority of its members, and which can eventually be brought to the House with the support of the full Committee on Interstate and Foreign Commerce.

In response to the many legitimate concerns and suggestions expressed by the very able witnesses before the subcommittee, I introduced last Monday a bill, H.R. 11281, which modifies previous bills—H.R. 8385, H.R. 9088, H.R 9089, H.R. 9571, H.R. 9820, H.R. 10433, H.R. 10781, and H.R. 11242—submitted by myself and some 70 cosponsors. This change recognizes that the recent court rulings permitting selective strikes in the rail industry apply as soon as mediation fails. We have, therefore, restructured my original bill to insert the limitations on those selective strikes at the appropriate place in the Railway Labor Act, and to preserve this basic right of labor in an effective and responsible manner.

It is, of course, possible that these limited selective strikes could subsequently threaten to interrupt interstate commerce to a degree, such as to deprive a section of the country of essential services. Then the emergency provisions of our earlier forms of the bill would apply, and the President could convene an emergency board and proceed to utilize the administrative options provided.

There will undoubtedly be many proposals offered during our deliberations, and probably many will be agreed upon. I am very pleased, however, that the subcommittee, under the able chairmanship of Congressman JARMAN, is moving steadily and conscientiously forward on a very complex and difficult subject.

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## FRANK FELICETTA—MAN OF THE YEAR

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. KEMP) is recognized for 5 minutes.

Mr. KEMP. Mr. Speaker, it is indeed an honor and a privilege to take a few minutes today to call attention to the accomplishments of my very good friend and one of the outstanding law officers in this Nation, Frank Felicetta.

I look forward to Saturday, October 23, 1971, in Buffalo when the Cystic Fibrosis Research Foundation honors Frank as the man of the year. It will be my good fortune to be on hand and make the presentation.

I feel deeply favored to join in this well-merited tribute to Frank Felicetta—a genuine hero of our time.

The policeman has long stood as a symbol of protection and law to the American people. He faces harassment, tough working conditions, and low pay and too often his only reward has been a charge of police brutality. This deterioration in respect for both the law and the law officer threatens to ultimately bring a total breakdown in law and order. Today, more than ever, the law and the law officer must have our active support.

It is time that responsible citizens are heard from; that they act to assist the law officer, show him the respect he must have to carry out his job and provide him with the cooperation necessary to preserve the peace.

The average police officer is a mixture of lawman, lawyer, defender of society and social worker—an almost impossible task for anyone.

In many districts of any city the policeman on patrol may find himself being asked for help as a friend, counselor, doctor or minister. Above all, however, he remains the law and apprehends criminals—too often sacrificing his life in that cause.

One hundred police officers were killed criminally during the last full year—1970—for which complete statistics are available. An astounding total of 43,171 were stabbed, beaten, assaulted, and wounded with bullets. The 1971 total is expected to be as bad or worse. An FBI report released this week showed that the number of law enforcement officers killed in the United States this year is 87 with seven more deaths during September.

Mr. Speaker, the police today find themselves caught in the tempest of social change which has its repercussions on law enforcement as on other aspects of community life.

The wind of controversy blows hard about the police. This is not their fault. It is the fault of vast changes in society—not least the changes in social conditions, in analysis of crime, and in the whole area of its prevention.

Today it is often difficult to define where police work ends and social work begins. There is a growing tendency toward leniency in criminal cases.

There is more frequent dispute between the needs of a changing social order and the needs of the war against crime. And the policeman is in the middle.

Yet, in spite of it all, the humanitarian side of a police official is ever present, often unnoticed and certainly rarely commended. But any citizen has only to ask himself where he turns to for help. The answer is always the police.

The immensity of the law officer's task in today's society cannot be overemphasized. They are our first line of defense against those who would destroy our freedom and all we hold dear.

Plutarch said if all the world were just, there would be no need of valor. But the world is not filled with all just men and we do need valor—we need valor such as that exhibited by Frank Felicetta and the men of the Buffalo Police Department.

Mr. Speaker, here is a man whose efforts have been tireless in the war against crime.

His endless services to this community, his deep concern and dedication to duty, have led him up through the ranks to become the first American of Italian extraction to achieve the post of police commissioner.

During his first administration he organized the K-9 Corps and the Cadet Corps.

And these highly successful programs are living monuments to his imaginative leadership.

At his insistence, receipts from a 1954 testimonial dinner—given in his honor and attended by more than 600 well-wishers—went into a fund to provide scholarships for children of policemen and firemen, thus beginning the Felicetta Scholarships.

Over the past 6 years he has contributed countless hours to the Cystic Fibrosis Research Foundation to help bring closer the day when this and other dreaded lung diseases will no longer pose a threat to our children.

Frank has received numerous honors and awards from organizations from all over the United States for his outstanding achievements in the community and for his efforts to professionalize law enforcement.

Saturday, his splendid contributions are being formally recognized through the presentation of the "Man of the Year" award.

I can think of no more fitting choice.

My heartiest congratulations to Frank Felicetta—"Man of the Year."

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## CONGRESSMAN DON H. CLAUSEN'S WATERSHED CONSERVANCY PROGRAM

The SPEAKER. Under a previous order of the House, the gentleman from California (Mr. DON H. CLAUSEN) is recognized for 15 minutes.

Mr. DON H. CLAUSEN. Mr. Speaker, last Friday I was privileged to address the Eel River Water Council's annual meeting in Crescent City, Calif.

I took the opportunity presented by this meeting to outline a new, comprehensive proposal that I feel can best meet and solve the problems that face the Eel River basin.

These problems are many and varied but they are not insurmountable. The approach I outlined to the Eel River Water Council is, in my judgment, the most effective and realistic means to bring to bear all of our knowledge and foresight to meet the challenges of the Eel River basin.

I know my colleagues will be interested in studying the following statement on the proposal for an Eel River Flood Control, Water and Watershed Conservancy program:

As you know, the North Coast water controversy in all its forms, goes on. Many knowledgeable and highly regarded people with varying views on the issue have taken positions on this question and we have seen a form of polarization set in that tends, as with any controversial issue, to blind us to the realities of the question as well as to the challenges and opportunities that so often accompany problems.

You will note, by my remarks today, that I am directing most of my comments to the Eel River—which has been included in the

suggested list of rivers for so-called Wild River designation.

For many of you in the audience, familiar with the Eel and for those of us who have lived in the Southern Humboldt-Mendocino-Eel Basin/Delta area and observed the annual flood threats, we do not believe it requires a legislative statute to remind us of the fact that the Eel, when it goes on its winter rampage, is one of the "wildest of all rivers".

The devastating floods of 1937, 1955 and the "Grandaddy of them all"—the flood of 1964, where 12 people lost their lives (many were life long friends of the Clausen family), over 4,000 head of cattle were swept out to sea. A 58-foot wall of water wiped out bridges, roads, the main north-south Railroad line and road bed, the communities of Pepperwood and Wieott, threatened Fortuna and cut off Ferndale, Loleta and all of the connecting transportation systems in Humboldt Country with the outside world. Thus, requiring us to request an aircraft carrier with squadrons of helicopters to fly to the devastated areas to assist during this period of extreme emergency.

The recorded volume of velocity and water that went to sea from the Eel during that flood was 780,000 cubic feet per second. Compare this with the 100,000 cubic feet per second on the Mississippi and Missouri Rivers at flood stage and you can see the reality and the magnitude of destruction of this extremely wild Eel River. This tragedy was featured on the cover of Life Magazine and brought national newsmen and T.V. cameramen to our area.

It is amazing how short the memories of people can be. I have often said, Each day away from a flood makes peoples' memories that much shorter.

In addition to the many problems of concern of people living outside of the Eel Basin area—to mention a few—pollution problems of Clear Lake, the water *means* of the San Joaquin and Sacramento Valleys, the fresh water barrier in the Sacramento-San Jaoquin Delta, the need to prevent salt water intrusion and the ecological balance of the San Francisco Bay area. The Eel River must be managed to control the floods, the water shed erosion, the summer algae and and low stream flooding and the fish, forestry and wild life problems of concern to the area.

The challenge to the North Coast is to strike a balance between conservation and the development of our natural resources. The present and future economy of our area is tied directly to the way in which we meet this challenge.

Fundamental to achieving this goal, in my judgment, is the necessity to consider all our natural resources and human needs on a systematic basis. A comprehensive watershed conservancy program approach to the resource and economic problems of the North Coastal area is not only needed—it's absolutely essential.

Many of you are aware that for some time I have been exploring and studying the many facets of establishing an Eel River Basin Flood Control, Water and Watershed Conservancy program on a river system basis.

I have had a number of discussions and working sessions with Senator Collier, Assemblyman Belotti, Assemblywoman Davis and County Supervisors and officials in Mendocino, Humboldt, Lake, Sonoma and Napa counties. I have met with many acknowledged experts, conservationists, and other interested individuals and, out of these discussions, I have become convinced of the validity of this approach.

The reason for this kind of program is that current efforts, being fragmented, piecemeal and uncoordinated, will be unable to solve the problems effectively and efficiently.

Today, it is my intent to submit a conceptual proposal for your consideration. It is also my intent, as a follow-up to the Eel River Basin Advisory Committee which has been helping me with this proposal, to appoint a broadly based regional watershed conservancy advisory and coordinating committee to develop this multi-purpose regional concept.

In addition, I shall call upon and draw from all interested and affected public and private sector organizations in order to develop what I believe will stand as a model for the nation in how best to plan and provide for these vital land and land-related—and water and water-related resources that include not just the rivers, not just flood protection, not just water for the future—but the total environment!

I envision a comprehensive Eel River Basin Watershed Conservancy Program which will have a role in every aspect of the conservation and development of the Eel River basin and delta.

It should include basin-wide water and watershed management. Elimination of the threat of annual flood devastation. Improvement of water quality. Prevention of water pollution. Development of water supplies for municipal, industrial and agricultural uses. Enhancement of fishery and wildlife resources. Achievement of recreation potential. Protection and improvement of the aesthetic aspects of the basin.

As Secretary of the Interior Rogers C. B. Morton recently said before our committee hearings on a National Land Use Policy—"its time we begin looking at those problems which affect our environment, not as isolated entities, but in terms of how they will affect our total environment." Thus, I submit that the watershed conservancy program approach is the only one that does, in fact, take into account the total environment of our North Coast.

In my capacity as a Member of the House Flood Control Subcommittee, I have numerous opportunities to see first hand how other areas in the country have dealt with problems similar or, in some instances, nearly identical to our own here on the North Coast. In Texas, the Sabine Water Conservancy Authority established one of the largest water conservancy programs in the nation. An identical act in Ohio created some 23 individual watershed conservancy districts and, from them there is much that we, on the North Coast, should examine carefully.

The basic purpose of this or any water conservancy program, on behalf of water quality control, is to provide the direction, expertise, and management necessary for the use, treatment and development of the surface and ground water in a given geographical area so it will meet and continue to meet not only State and Federal water quality standards, but the highest possible standards for that patricular area.

Since rivers, streams and all other bodies of water for that matter, do not always respect established city, county or even state boundaries—the task of dealing with and resolving water resource, water quality and flood control problems must be considered by county or multi-county groups and organizations such as your own. Only through this broad-based regional approach, in my judgment, can we on the North Coast of California transcend these basic, fundamental jurisdictional questions and, at the same time, deal with the total environmental aspect of land and water-related resources.

The Miami Conservancy District in Ohio, by way of example, was formed following a disastrous flood in the Miami Valley in 1913 in which over 300 people lost their lives and five cities made wastelands. The conservancy organization solved the initial and most threatening problem of flood control with a well planned, well thought-out and well balanced system of flood control protective devices for the entire valley through a regional systems approach. Since this system was completed, the Miami Valley has remained unthreatened and untouched by what had previously been a long series of "killer floods".

With the flood control problem resolved, the Miami Watershed Conservancy Authority charged by the State of Ohio for planning and developing a sound regional water quality program, is today directing its efforts toward fighting the problems of pollution in its streams and rivers. The fight to restore a polluted river to a full balance of life is of vital concern to every citizen and, in Ohio, that problem is being attacked now by the established watershed conservancy program.

The long-range responsibility and duty of the authority is finding effective technical and administrative ways and means of achieving improved water quality and water resource management once the flood problem has been resolved. To realize and accomplish this goal, the watershed planners have a wide range of services and facilities available to them for research and study.

Thus, my desire is to see the establishment of just such a comprehensive planning program for the Eel River Basin. It can only be truly comprehensive, however, if it has the participation of the greatest possible number of individuals and groups representing the broadest possible spectrum of opinion on where we go from here.

No plan can go forward toward ultimate implementation unless it has the broad acceptance of the people living in the principal areas of origin. That is why we must take the lead in fashioning the program that will determine the future for the Eel River basin.

I want to see the Klamath, Trinity, Smith, Noyo, Redwood Creek, Mattole, Bear and Navarro rivers as well as portions of the Russian River left in their free flowing status.

The Eel River has a number of unique and distinct factors and problems that need more in-depth evaluation and consideration. We must consider the total environment, the entire basin and advance recommendations on a total river system approach. It is for this reason that I am suggesting the Eel River Basin Watershed Conservancy Program.

Our goal must be to maximize balanced consideration of the "three E's"—Environmental quality, Education and Economics.

In order to accomplish this we will be counting heavily on conservation organizations; fish and wildlife groups, professionals in forestry, fish biology, wildlife management, and students in these fields; and from all other interested individuals and organizations who have a stake in the North Coast and its vast and beautiful resources.

A coordinated educational program can be developed with the Federal, state and local government agencies; our fish and wildlife biology, ecology and forestry departments of our high schools and colleges, the forest products industry, the Redwood Region Conservation Council, our commercial fishermen—all serving in an advisory role.

The education program would also be directed toward the involvement of our young people, with summer programs directed toward stream debris and litter clean-up and tree planting reforestation programs to stabilize the watersheds.

In conjunction with this we can work out an accelerated reforestation on the watershed, working in concert with the public and private land owners and the forestry management experts.

In view of California state legislation pending or enacted, as well as proposals before the Congress, it will be my intention to submit this coordinated conceptual plan to the

county, state and federal agencies and organizations for careful consideration with the idea that it can serve as the basis upon which to build.

My interests in this question are reflected in my assignments in the Congress. I am the ranking member of the Flood Control Subcommittee and a member of the Economic Development Subcommittee, the Parks and Recreation Subcommittee, Public Lands Subcommittee, and the Rivers and Harbors Subcommittee. It is my strong desire to take advantage of these key committee assignments to help the people of our area advance the best possible and economically feasible flood control and water conservation program.

I believe the watershed conservancy program I am proposing today can be the conceptually comprehensive program that can serve as a basic foundation on which to build the finest example of conservation programming in the country.

I believe we can and must put together a river flood control system in the Eel River basin and delta without doing violence to the environment.

I believe we can and must implement a coordinated program to enhance the fish and wildlife resources and improve their natural habitat.

I believe an integrated water quality management program of erosion control, water pollution prevention, waste water treatment and stream flow regulation can be adopted.

If we are to help man live in harmony with his environment, the job before us now is to think bigger than we ever have before. The problems are great, the obstacles many, the tasks awesome—but the job must be done!

This, in my view, represents one of the major challenges for the 70's for all of the people living in the Redwood Empire Counties on the North Coast of California.

It is up to us to provide the leadership. I stand ready to cooperate with you and our people living in the area who have the most to gain if we are successful and the most to lose if we are pre-empted.

## THE 13TH CAPTIVE NATIONS WEEK OBSERVANCE AND THE URGENCY FOR A SPECIAL COMMITTEE ON THE CAPTIVE NATIONS

The SPEAKER pro tempore. Under a previous order of the House the gentleman from Pennsylvania (Mr. FLOOD) is recognized for 10 minutes.

Mr. FLOOD. Mr. Speaker, the troika policy of Moscow continues to fool many of our people but it certainly doesn't fool those who observed the 13th observance of Captive Nations Week, which is afforded in Public Law 86–90. As given in many other accounts since July, the various activities of the Week's observance stressed this troika policy of cultivating divisions in the free world, consolidating under the Brezhnev doctrine the Red empire with an attainment of Russian military superiority in the world, and developing the groundwork for more Communist takeovers in the developing or LDC states. It appears that those with a fixed eye on the 27 captive nations in the Red empire can never be fooled by the diplomatic and political guiles of Moscow. For this reality of captivity is a basic one which we must face up to—or else.

With the exercise of foresight and vision we can offset this insidious troika policy by concentrating on the captive nations. In the execution of this policy, Moscow would like nothing more than for us to acquiesce to the permanent captivity of the 27 nations. This would virtually assure the success of its policy. Looking to the near future when Moscow will again flex its nuclear muscles, I once again call for the establishment of a special committee on the captive nations, particularly those in the U.S.S.R. and Red China. It is not sufficiently appreciated that the many nations in both of these imperial complexes are at the core of the vicious propaganda that has been going on between Moscow and Peking since 1963. This is an area that requires extensive investigation, and such a committee can accomplish it in our own long-term interests.

Mr. Speaker, once again I wish to submit several exemplary indications of the significant meaning of Captive Nations Week by introducing:

First, the proclamations of Gov. Kenneth M. Curtis of Maine and Mayor Roman S. Gribbs of Detroit, second, the captive nations week issue of Twin Circle, the National Catholic press, third, letters-to-the editor in the Beacon News of Illinois and Greater Boston newspapers, fourth, the program of Americans to Free Captive Nations in New York, along with an article in the July 15 issue of the Catholic Standard on "Racism Is Policy of Soviet Government" and fifth, accounts on the week in Svoboda as to the "Arizona Governor Sounds Warning at CN Fete" and "Thousands Take Part in CN Week" and the "Plan Captive Nations Center Near Shevchenko Monument", as well as America's report on "The Confrontation of Negotiation":

PROCLAMATION

Whereas, the imperialistic policies of Russian Communists have led, through direct and indirect aggression, to the subjugation and enslavement of the peoples of Poland, Hungary, Lithuania, Ukraine, Czecho-Slovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, Mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Serbia, Croatia, Slovenia, Tibet, Cossackia, Turkestan, North Vietnam, Cuba, and others; and

Whereas, the desire for liberty and independence by the overwhelming majority of peoples in these conquered nations constitutes a powerful deterrent to any ambitions of Communist leaders to initiate a major war; and

Whereas, the freedom-loving peoples of the captive nations look to the United States as the citadel of human freedom and to the people of the United States as leaders in bringing about their freedom and independence; and

Whereas, the Congress of the United States by unanimous vote passed Public Law 86–90 establishing the third week in July each year as Captive Nations Week and inviting the people of the United States to observe such week with appropriate prayers, ceremonies and activities; expressing their sympathy with and support for the just aspirations of captive peoples for freedom and independence;

Now, therefore, I, Kenneth M. Curtis, Governor of the State of Maine, do hereby proclim the week of July 18–24, 1971, as Captive Nations Week in the State of Maine and call upon the citizens of Maine to join with others in observing this week by offering prayers and dedicating their efforts for the peaceful liberation of oppressed and subjugated peoples all over the world.

Given at the office of the Governor at Augusta, and sealed with the Great Seal of the State of Maine, this Fourteenth day of July, in the Year of Our Lord, One Thousand Nine Hundred and Seventy-one, and of the Independence of the United States of America, the One Hundred and Ninety-sixth.

KENNETH M. CURTIS.

CAPTIVE NATIONS WEEK: JULY 18–24, 1971

Freedom and justice continue among mankind's greatest aspirations irrespective of race, color, creed, social, political and economic status or predisposition.

The United States government historically has pioneered and persevered toward liberty and is commonly recognized as the world's foremost leader in pursuits of freedom.

In support of the National Captive Nations Committee efforts to promote freedom, this government's Joint Congressional Resolution and Presidential Proclamation established Public Law 86–90 to advocate freedom and independence for all captive nations.

Therefore, I, Roman S. Gribbs, Mayor of the City of Detroit, proclaim July 18–24, 1971 as Captive Nations Week in Detroit in support of the Captive Nations Week Committee and all who are concerned about oppression and man's need and desire to attain full justice, liberty and independence.

CAPTIVE NATIONS WEEK

Too often the plight of the captive nations people is dismissed as a political consideration passed by in the sweep of history. Twin Circle however believes that the issue is essentially a spiritual and moral one.

Man's nature was fashioned to enjoy the blessings of liberty and freedom. A political regime that chokes these aspirations runs counter to the laws of God.

Twin Circle believes that we have an apostolic mission to help all people and all nations, and therefore it is our duty to devote this issue to this noble cause.

ROBERT MORRIS,
*Editor-Publisher.*

WHAT DO WE OWE THE CAPTIVE NATIONS?

(By Cletus Healy, S.J.)

"Peace on earth, which all men of every era have most eagerly yearned for, can be firmly established only if the order laid down by God be dutifully observed."

This first sentence of Pope John's encyclical *Pacem in Terris* epitomizes the entire encyclical. It also very succinctly delineates the obligation of the Christian in the arena of international politics.

BINDING IN JUSTICE

Our obligation to seek international justice is not something we can take or leave; it binds us in justice. Being a natural law obligation, it has its own built-in sanction; we can ignore our responsibilities, but only at the high price of living with the consequences of our folly.

Today we are enjoying the "peace" not of an "order laid down by God," but of a disorder dictated by a postwar convenience. What we took away from Hitler over two decades ago at enormous sacrifices, we surrendered to Stalin; what we wrested from Tojo, we abandoned to Mao—all in the interest of "'peace!"

Today, instead of recognizing our folly; repenting our fault, and recommitting ourselves to the cause of international justice, we are casting about for excuses to surrender yet another nation to the same treacherous foe.

Furthermore, such is our fundamental dishonesty that we pretend that such a betrayal is a dictate of morality. It is a morality more appropriate to the Cro-Magnon man rather than to the Christian.

Passivity is a Christian counsel only when one is surrendering his own rights—other people's rights are not ours to surrender; these rights we are often obliged to protect, often seriously obliged.

"A people threatened with an unjust aggression, or already its victim," Pius XII warned in his Christmas message of 1948,

"may not remain passively indifferent if it would think and act as befits Christians.

FAMILY OF NATIONS

"All the more does the solidarity of the family of nations forbid others to behave as mere spectators in an attitude of apathetic neutrality. Who will ever measure the harm already caused in the past by such indifference to wars of aggression, which is quite alien to the Christian instinct? . . .

"Has it ever brought any advantage in recompense? On the contrary; it has only reassured and encouraged the authors and fomenters of aggression."

Our most acute and most critical responsibility today is to come effectively to the aid of those people presently under attack, but our obligation does not end with Vietnam.

The proper definition of our obligation is moral, not geographical. Our obligation is to the human, not to some geographical or racial fragment of it. Human rights are our frontier.

Long ago this frontier had been violated by the intolerable abuses of Communist governments. And the violation continues today.

VIOLATIONS HOURLY

This day, far behind the line of the Iron, the Bamboo, and the Sugar Cane Curtains, our fellow human beings must endure hourly egregious violations of their most sacred human rights. It is not civilized mankind's legitimate privilege to ignore this manifest fact!

Nor is it our Christian privilege to tolerate it.

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ANOTHER ASPECT OF CAPTIVE NATIONS WEEK—WILL VATICAN RECOGNIZE RED CHINA?

(By Raymond J. de Jaegher)

Will the Vatican recognize Red China? Two factors prompt this query following a story in the *London Observer* (June 7, 1971) on "Peking Seeking Link to Vatican?"

Father Leon Triviere of the Paris Mission Society published a 28-page article in *Actualites Asiatiques* titled "Speaking About the Holy See and China." He favored closer relations between the Holy See and Red China and more and more contacts.

SOURCE

The second source of this confusion is a 500-page book by Father Louis Wei Tsing-Sing, *The Holy See and China* (May, 1971). This book is a plea for "normalization of relations between the Holy See and China."

These articles by Fathers Triviere and Wei give an occasion for many speculations to restore normal relations with the Holy See, which were broken off when the Vatican's Internuncio Archbishop Riberi was jailed and later expelled from Mainland China.

TO DESTROY RELIGION

Father Louis Wei never lived in China under the Communists. It is difficult for him to realize that Communism in China wants the destruction of all religions and of course the Catholic Church.

Since the founding of the Republic of China, outstanding men like Cardinal Paul Yu Pin and Father Vincent Lebbe understood the great changes being initiated. More Chinese were becoming involved in the Catholic Church and Chinese bishops were providing leadership.

At the takeover of Mainland China by the Communists in 1949, half of the dioceses were ruled by Chinese bishops. There were 144 archdioceses and dioceses, and the Church was in full expansion.

RAMPANT DESTRUCTION

It would be too long in this article to describe the destruction of the Church that followed. All foreign priests, nuns, lay Brothers, and bishops were expelled, and many died as martyrs in China.

Many Chinese bishops, priests, nuns and Brothers are still in Communist jails. All churches, universities, schools, hospitals, and dispensaries operated by the Church were closed. Not one of the bishops in China was allowed to attend Vatican Council II.

In 1937, Pius XI condemned Communism in his encyclical letter "Divine Redemptoris." And in November, 1970, Pope Paul VI, presiding at a meeting of all Asian bishops, condemned Communism again.

Communism will not change its basic ideological attitude just to please the small Catholic minority when all religions are attacked in China.

During its 2,000 years of history, the Catholic Church has survived despite tyrannical regimes—from Roman emperors to Fascism and Nazism and now Communism.

Church policy is to survive without giving up her doctrine and moral principles. Persecutors come and go, and Communism will disappear like all the errors and heresies of past centuries.

Pope Paul told the Chinese bishops that Communism did not have the required qualities to be recognized by the Holy See. And we should not forget that atheistic Communism aims at the destruction of the family, the state, and private property, and thus makes man only an instrument of the Party.

ANOTHER TACTIC

The smiling policy of the Communists today—their stretching hands—is one more tactic to destroy the Catholic Church from the inside. After so many years of experiences with Communism, it is strange that government leaders have not yet learned this lesson.

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THEIR BONDAGE IS OUR CONCERN

With each passing year, the plight of the captive peoples becomes more of an accomplished fact. The reason for this is that we are treating it as a political problem, when it is essentially a moral and spiritual one.

If as a matter of fact we did not help the Hungarians when they regained their freedom for four exciting days in 1956, at a time when we had a 100 to one nuclear superiority, how will we be able to help these people now that we have an inferior relative position?

Christ's apostolic mandate was to teach all men and all nations. We cannot consider that only people in our sphere of influence are our brothers. All men are—on both sides of the Iron Curtain.

Liberty and freedom are spiritual concepts. Only a structure of government that allows for these precious ingredients conforms to the nature of man. For man's aspirations and yearnings are the reflections of intellect and will which make up man's essence.

We should try to bring to bear the spiritual and moral content of this issue to help our brothers.

This is truly an apostolic imperative.

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THE PEOPLE ARE THE CAPTIVES

(By Father Dan Lyons)

If the United States had made half as much effort to help the people behind the Iron Curtain as it has to help their leaders stay in power, the whole world would probably be free.

Ever since the Bolsheviks took over the Russian Empire, liberal professors and the liberal press have vied with each other in their unfounded assertion that the Communists are "mellowing."

We have been told that a thousand times since 1920. We were not told it by the Reds. They vehemently deny it. The media keep insisting the Communists are softening. As Dubcek found out, the system cannot be allowed to mellow because it could not mellow and survive.

RUTHLESS SYSTEM

Less than half of the people in the Soviet Union are Russian. The others are exploited as colonials. So are the Russian people, except those who rule the Party. It is a ruthless one-party system, with less than one per cent belonging.

Twin Circle is calling your attention to Captive Nations Week because our leaders in government are too timid to do so. They do not want to aggravate the rulers of those nations. Washington's timidity encourages such dictators to extend their boundaries.

In our delusive efforts to seek peace, we unwittingly encourage those leaders to wage more "wars of liberation." We encourage them and frustrate the peoples suffering under their rule.

Had we tried to make trouble for the self-appointed leaders in Moscow and Peking, we could have done a great deal to make their empires crumble.

Had we simply used our foreign trade by threatening to withdraw it, we could have forced the Kremlin to stop building the Berlin Wall. We could have forced Moscow to stop supplying weapons to Cuba. We could have forced the Red bloc to stop training our own youth as guerrillas in Cuba to be used against us.

CONFUSION

Instead we have acted with hesitation and confusion. We have acted against our own interest because of subversion, infiltration and propaganda.

No despot in history has ever ruled with such an iron fist as have Red rulers. Countries occupied by Hitler, for example, had a picnic by comparison. Other conquerors have reached out for complete power over their subjugated peoples.

But no despot has ever tried to reach into the minds and hearts of his victims half as much as Communist rulers. Others have exercised life or death control over their subjects, but none before have tried to control every thought and word of every person in their hands. Black slaves, in many ways, had much more freedom.

Take the case of the Baltic states. Just three among so many, they were brutally and brazenly invaded by Soviet troops on June 15, 1940. Gun-barrel "elections" were then held, and in one of history's greatest frauds the Kremlin claimed that Lithuania, Latvia and Estonia had voted to be colonies of the USSR.

Since then these three nations have lost more than 25 percent of their entire populations. The genocide continues and the Baltic states have disappeared from modern maps.

Lithuania was 75 percent Catholic. Thirty thousand of its freedom fighters lost their lives in the first 12 years after its annexation. These countries have a proud and ancient history, and I am proud to be a board member of the Americans for Congressional Action to Free the Baltic States.

We should have a single standard for freedom. We should scheme and work to weaken Communist tyranny, not strengthen the tyrants by trade and aid.

It is not a question of seeing "Communists under every bed." But do not underrate them. Do not think they are so inept they have not been able to get into such seats of power as the State Department, CBS, and *The New York Times*.

RELENTLESS

Their struggle to take over the world is relentless. Their system is inferior, but they have one big advantage: they have a clear-cut goal. They have a plan and they are pushing it.

As the leader of the free world, we should be promoting world freedom as much as we push for peace, for without freedom, peace is worthless. As the leader of the free world, when are we going to pass to the offensive?

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[From the Philadelphia (Pa.) America Amephka, July 15, 1971]

THE CONFRONTATION OF NEGOTIATION

WASHINGTON, D.C.—On the eve of the 1971 Captive Nations Week, the National Captive Nations Committee in Washington has appealed to the President and Congress for a

strong expression of "the moral conscience of America toward the one-third of humanity still in the bondage of totalitarian Red tyranny." Proclaimed by the President and most Governors and Mayors of large cities, Captive Nations Week will be nationally observed on July 18–24. This will be the 13th Observance since Congress passed the Captive Nations Week Resolution (Public Law 86–90) in 1959.

Led by its Chairman, Dr. Lev E. Dobriansky of Georgetown University, the committee stresses in its appeal to every Senator and Congressman, "No matter how engrossed we might become in implosive domestic problems, both useful and trivial, the realities of the world we live in may prove to be explosive if we fail to regain our perspective." Charging that we have lost our perspective concerning "the captive nations in toto," Dr. Dobriansky states, "the imposing reality of the captive nations in Eastern Europe, in the USSR itself, Asia and Cuba cannot be ignored if we value our own national freedom." A Congressional Record reprint, titled "The Captive Nations Scorecard" and distributed widely by NCNC, points out that if some irresponsible notions on Vietnam were to succeed, more nations in southeast Asia would be added to the now long list of captive nations, dating back to 1920.

"In real terms, the issue today," says the Professor, "is not confrontation or negotiation, but the confrontation of negotiation." His current book *U.S.A. and the Soviet Myth* highlights the instrument of confetti diplomacy that Moscow and Peking are confronting us with. Behind this confetti the NCNC statement declares, "The cardinal Soviet Russian objective has persistently been to extract Western acquiescence to the permanent captivity of 27 nations in order that Moscow's penetrations in South Asia, the Mideast, Africa and Latin America may be effected with minimum resistance."

The committee also announced the election of Dr. Alton Ochsner, Jr., (M.D.) of Louisiana, and Mr. Joseph Lesawyer of New Jersey as executive members of NCNC. For years Dr. Ochsner, who is chairman of the Americanism committee of the New Orleans Chamber of Commerce, has spearheaded the Captive Nations Week event in New Orleans. His dedication and selfless works for the cause of human freedom have won him national renown. Mr. Lesawyer is president of the Ukrainian National Association, an American fraternal that has supported the captive nations movement since 1959. The new member has frequently testified at national party conventions in behalf of the captive nations idea.

During Captive Nations Week, NCNC will emphasize (1) the largest captive nation of 700 million Chinese and the U.N. ineligibility of the unrepresentative Peking regime, (2) the need to expand Radio Free Europe and Liberty against Moscow's anti-American propaganda, (3) the Supplemental Statement of the Blue Ribbon Defense Panel on U.S. insecurity in the 70's, and (4) the creation of a Select House Committee on the Captive Nations, "among other ends to symbolize our conscience toward the plight of one billion souls."

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TWELVE YEARS AND BEYOND

For the past twelve years the United States of America has been observing "Captive Nations Week," a solemn observance dedicated to the captive nations of Europe and Asia enslaved by Russian communist imperialism and colonialism. This observance is based on the "Captive Nations Week Resolution" which was enacted by the U.S. Congress on July 17, 1959, and which upon the signature of President Dwight D. Eisenhower, became a law of the land, specifically, Public Law 86–90.

This year the week of July 18 to July 24 will be the thirteenth Captive Nations Week in the United States. As in the past it will be commemorated throughout the nation. The late President John F. Kennedy, in issuing a "Captive Nations Week Proclamation," stated, among other things: "This country must never recognize the situation behind the Iron Curtain as a permanent one, but must, by all peaceful means, keep alive the hopes of freedom for the peoples of the captive nations . . ."

This catches the essence of the annual observation of the "Captive Nations Week" in this country and in other parts of the world (last year the observance of "Captive Nations Week" was celebrated in seventeen foreign countries). During twelve years of activity in this area, a tradition has been built and the observance has grown in scope and intensity. It has also generated considerable discussion of the captive nations problem throughout the world and this is no mean feat, considering the powerful forces that have in this long period militated against the observances and have sought the elimination of the Week.

Highly significant is the fact that the very idea of the captive nations observances utterly enraged the Russian totalitarians. It is to be recalled that after the passage of the Resolution Mr. Khrushchev threw tantrums and assailed the President of the United States for taking official cognizance of the plight of the enslaved nations. The Soviet press and radio were ordered to stage a vast counter-offensive charging that the U.S. Congressional Resolution was a "cover-up" for the oppression of American Negroes and for American "Imperialist" ventures in Indo-China, the captive nations concept has been consistent and well-planned. Every year after the "Captive Nations Week" observances are held in the United States the Soviet press berates the American President and the U.S. Congress. Now, as a result, some American liberals and Soviet appeasers openly point out that one substantial obstacle to a better Russian-American understanding is the attention paid in America to captive nations.

To be noted is that all these critics and opponents of the captive nations concept are also among the severest critics of President Nixon's policies in Vietnam, and are, in fact, advocates of our surrender in Asia. While this fact is of small comfort to the friends of the captive nations, it does throw a proper light on these critics, showing how truly "liberal" they are.

There can be little doubt in any American's mind that our involvement in Vietnam is simply reaction to the over-all Communist strategy of "wars of national liberation." Thus far have neither Brezhnev nor Kosygin officially rejected this strategy and Mao Tsetung has long been practicing "wars of national liberation" strategy while Fidel Castro's Cuba is a nest of Communist saboteurs poised for the destruction of Central and Latin America.

The United States, in accepting the Communist challenge, must in doing so fully understand the far-reaching implications of Communist strategy. It must also reinforce its attitude toward the captive nations inside the Soviet Russian colonial empire. The United States and its true allies should counteract the communist "wars of national liberation" with a far more vigorous espousal of the captive nations concept.

In his recent book "USA and the Soviet Myth," Prof. Dr. Lev E. Dobriansky, president of the Ukrainian Congress Committee of America (UCCA) and president of the National Captive Nations Committee (NCNC) has suggested: "One of the paramount objectives of Captive Nations Week is the education of our people regarding the captive nations, especially those in the USSR. In the past decade, remarkable progress has been made in this respect. But we would be deluding ourselves to think that the task is even close to completion. If these were so, our policy toward the Soviet Union and the Red Empire would be sensibly different. Much remains to be done to overcome and eradicate numerous strands of protracted ignorance and even obscurantism in many sectors of our nation."

This is what Captive Nations Week set out to do. Twelve years and beyond the captive nations movement in this and the other Free World countries has campaigned to achieve this important goal and it will doubtlessly continue in order to complete it with a success.

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[From the Aurora (Ill.) Beacon News, July 18, 1971]

CAPTIVE NATIONS WEEK JULY 18–24

EDITOR, BEACON-NEWS:

On the eve of the 1971 Captive Nations Week, the National Captive Nations Committee in Washington has appealed to the President and Congress for a strong expression of "the moral conscience of America toward the one-third of humanity still in the bondage of totalitarian Red tyranny."

Proclaimed by the President and most Governors and Mayors of large cities, Captive Nations Week will be nationally observed on July 18–24. This will be the 13th observance since Congress passed the Captive Nations Week Resolution in 1959.

Led by its Chairman, Dr. Lev. E. Dobriansky of Georgetown University, the committee stresses in its appeal, "No matter how engrossed we might become in implosive domestic problems, both useful and trivial, the realities of the world we live in may prove to be explosive if we fail to regain our perspective."

Charging that we have lost our perspective concerning "the captive nations in toto," Dr. Dobriansky states, "The imposing reality of the captive nations in Eastern Europe, in the USSR itself, Asia and Cuba cannot be ignored if we value our own national freedom.

"In real terms, the issue today," says the professor, "is not confrontation or negotiation, but the confrontation of negotiation." His current book "U.S.A. and the Soviet Myth" highlights the instrument of confetti diplomacy that Moscow and Peking are confronting us with. Behind this confetti, the NCNC statement declares, "The cardinal Soviet Russian objective has persistently been to extract Western acquiescence to the permanent captivity of 27 nations in order that Moscow's penetrations in South Asia, the Mideast, Africa and Latin America may be effected with minimum resistance."

During Captive Nations Week, NCNC will emphasize (1) the largest captive nation of 700 million Chinese and the U.N. ineligibility of the unrepresentative Peking regime, (2) the need to expand Radio Free Europe and Liberty against Moscow's anti-American propaganda, (3) the Supplemental Statement of the Blue Ribbon Defense Panel on U.S. insecurity in the 70's, and (4) the creation of a Select House Committee on the Captive Nations, "among other ends to symbolize our conscience toward the plight of one billion souls."

HAFIZI YOUSOF AZEM.

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CAPTIVE NATIONS WEEK 1971

(NOTE.—The following letter, highlighting 1971 Captive Nations Week, appeared in the following Greater Boston newspapers on July 21, 1971: West Roxbury Transcript, Roslindale Transcript, Dedham Transcript. Orest Szczudluk is director of public relations of the Boston Chapter of the Ukrainian Congress Committee of America, Inc.)

EDITOR, TRANSCRIPT:

I should like to call the attention of Transcript readers that Captive Nations Week is being observed thru July 24.

Its purpose is to publicize in every feasible

way the fact that Moscow is holding in captivity many once independent countries, such as: Ukraine (47.7 mil.), Armenia (2,300 mil.), Latvia (2,300 mil.), Lithuania (3,064 mil.), Estonia (1,304 mil.), Byelorussia (8,820 mil.), and other nations. In fact, over 50 percent of the population of the Soviet Union consists of non-Russian captive peoples.

News from the captive countries indicate that these nations are the thorn in the Russian Communist empire. In Ukraine alone, thousands of Ukrainian writers, students, religious men, workers and peasants are tried in Communist "kangaroo" courts and sent to concentration camps for voicing protest against Moscow's planned destruction of Ukrainian culture and national heritage.

The cases of Valentyn Moroz, Svyatoslav Karavansky, Ivan Dziuba, Vyacheslav Chornovil have received a worldwide attention. Similar acts of defiance against Moscow's oppression are taking place in Latvia, Lithuania, Estonia, Armenia, Turkestan and other captive nations.

Captive Nations Week provides immense opportunity to us for advancing the cause of freedom to all captive peoples. The U.N. Human Rights Committee would perform a vital service by investigating Moscow's atrocities against captive peoples in the Soviet Union and elsewhere and implement the U.N. Universal Declaration on Human Rights Committee in New York, requesting action on captive nations.

OREST SZCZUDLUK.

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OBSERVANCE OF THE CAPTIVE NATIONS WEEK AT THE STATUE OF LIBERTY

On July 18, 1971, Sunday afternoon, many representatives of the Captive Nations organizations and American friends, with their national and American flags and banners, and signs, gathered at the Statue of Liberty to commemorate the Thirteenth anniversary of the Captive Nations Week Resolution of the American Public Law 86-90.

The rally, entitled: *Captive Nations Honor America*, was opened by Alexis Tchenkeli, Vice-President of Americans to Free Captive Nations, Inc. After an invocation given by the Most Reverend Bishop Andrej, Ukrainian Orthodox Church in U.S.A., Hiram Ruiz, Master of Ceremony, led the pledge of allegiance to the Flag. Because the rally was attended by a Canadian delegation, both American and Canadian anthems were played.

The participant organizations registered for this event were:

1. Canadian delegation of the Association for the Liberation of Ukraine, Inc., Repr. John Hladun;
2. Presidential Heritage Club, Inc., President Alfred Korn, Jr.;
3. All Nations Women Club, Inc., President Conchita Ruiz;
4. Byelorussian American Association, Inc., Repr. Nicholas Kuncevich;
5. Cubans in exile, Repr. Hiram Ruiz, also Vice-President of Americans to Free Captive Nations, Inc.;
6. Bulgarian National Front, Inc., Repr. Luben Ivanov;
7. Committee for the Liberation of North Caucasus, Inc., President Albert Karali;
8. American Association of Crimean Tartars, Inc., President Fikret Yorter Kiriml;
9. Georgian National Front, Inc., Repr. Gregory D. Abuladze;
10. Hungarian Freedom Fighters Federation, Inc., Secretary-General Gyorgy Lovas;
11. Polish American Congress, Repr. Dr. Sigmund Sluszka;
12. Association for the United Caucasus, Inc., President Alexis Tchenkeli;
13. Association for the Liberation of Ukraine, Inc., Repr. Ivan Marchenko;
14. Lithuanians in exile, Repr. Antoinette Binkins;
15. Kasan Tartars, Repr. Naime Gulpinar;
16. American patriotic organizations, such as: Support your Local Police, Repr. Dr. Rosemary Holters.

Among those who attended the rally were also Germans, Jewish, Russians, Puerto Ricans, Black People and others.

Proclamations of the Captive Nations Week in July 1971 signed by the President of the U.S.A. Richard Nixon, and by the Governor of the State of New York Nelson A. Rockefeller were read by Hiram Ruiz; also the greetings from the Chairman of the National Captive Nations Committee Dr. Lev Dobriansky; the Secretary of Transportation John A. Volpe; Senators Jacob K. Javits and James L. Buckley, Congressmen Edward J. Derwinski and John R. Rarick; from the Ambassador and Senior Advisor Yu-Tang Daniel Lew.

The speakers of the rally were; Dr. Valentina Kalynyk, President of Americans to Free Captive Nations, Inc.; Laszlo Pasztor, Director of the Heritage Groups Division, Republican National Committee; Gyorgy Lovas, Secretary-General of the Hungarian Freedom Fighters Federation, Inc.; Dr. Daisey Atterbury, a missionary to China; Hiram Ruiz, Cubans in exile; Alexis Tchenkeli, President of the Association of the United Caucasus, Inc.; Nubein Alten, American Association of Crimean Tartars, Inc.; Albert Karali, President of the Committee for the Liberation of North Caucasus, Inc.

Valentina Kalynyk, President of Americans to Free Captive Nations, Inc., in her speech named all the Captive Nations, enslaved by Communism. However, she stressed upon the fact that non-Russian nations within the Soviet Union suffer under the double yoke. They struggle also against Russification imposed by Communist imperialist Moscow to destroy their national identity.

Dr. Daisey Atterbury captured the attention of the audience with vivid description of her homeland China. As an-anti-Communist, Dr. Atterbury is against the admittance of Red China into the United Nations.

Colorful national costumes of the dancers-Tartars and Cherkesses, their impressive dances and music attracted a big crowd of spectators—tourists and visitors at the Statue of Liberty.

Then a parade to honor Freedom Fighters proceeded to the foot of the Statue of Liberty National Monument. A wreath carried and placed by Raisa Stankievic, Secretary of Americans to Free Captive Nations, Inc., and Cherkess Mishar Abaza.

Dr. Carl McIntire, a featured speaker, joined this procession and delivered his speech. He was interviewed by the Associated Press and television media.

STATEMENT BY DR. CARL MC INTIRE AT THE STATUE OF LIBERTY, JULY 18, 1971

There are two kinds of peace confronting the world: that of the Communists, which is the peace of slavery, murder, intimidation; and the peace of free men, which offers liberty and justice.

The two are irreconcilable. The President in going to Peking is attempting the impossible, only to mislead and confuse our people. He has given the enemies of our peace the victory they need in recognition and the prestige to further their deceptions and peace offensive for their world conquest. The peace which America must maintain and secure requires the repudiation of the Communist peace, not a co-operation with it. It is of the nature of evil that the co-operation which the President is now exemplifying will destroy the deceived, not the deceiver. The life and future of the United States and the Free world is in great jeopardy.

A favorable coverage of the rally was telecast by Channel 5, July 18, at 10:00 p.m.

The newspapers which printed articles about our activities during the Captive Nations Week in July 1971 were: Long Island Press, July 19; Spanish-El Diario-La Prenza, July 20; El Tiempo, July 12 and 16; El Diario, July 15 and 16; Lithuanian Dervininkas, July 14; Ukrainian Svoboda (Ukr. and Engl. Editions), July 2, 3, 17, 21, 23, etc.

The leaflets distributed during the Captive Nations Week were issued by Americans to Free Captive Nations, Inc.,—Captive Nations Honor America; by the Committee for the Liberation of North Caucasus, Inc.,—We Unite for Liberation Against Communist Tyranny; also by the American Association of Crimean Tartars, Inc.,—with their appeal to the good will of people—our right to live.

CAPTIVE NATIONS HONOR AMERICA

I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

Captive Nations peoples all over the World look upon America as a leader of the Free World, the Champion of the Freedom and Independence among the Nations, the country of free enterprise, of equal opportunity in mankind's progress.

Captive Nations peoples who have fallen victims to the Communist brutal aggressors, have been warning the Free World not to trust, not to assist Communists, not to reveal secrets to them, for Communists are their enemies whose goal, as Khrushchev stated, is "to bury you".

In order to weaken this country and then to destroy it, the Communist conspiracy from behind the Iron and Bamboo Curtains support or organize the rioting, anarchy and chaos; Black people's and youth unrest; the destruction of the American institution, including education; desecration of the American flag; attacking the police; undermining the military establishment; propagation of atheism, sex and dope addiction, pornography and obscenity; abolition of the family; disrespect for parents and elders; degrading of American womanhood, etc.

The products of the pro-Communist educators are evident in the herds of the confused idle unwashed young Americans who, running from the reality, aimlessly are treading on other counties; the "revolutionaries" who collaborate with enemies; servicemen overseas who denounce America.

Who respect those which lost their dignity and national pride? Neither friends nor enemies.

And yet do they care about the youth behind the Iron Curtain who burn themselves to death, protesting the Communist Russian colonialism, Russification and genocide?

Do they know that Captive Nations peoples have been discriminated and persecuted there for speaking their own languages in their native countries?

Captive Nations peoples support those American politicians who firmly oppose the misguided senators and congressmen who forget the old wisdom: to prepare for war in order to preserve peace.

Captive Nations peoples honor the American youth who trust in God, love their parents, maintain human decency and dignity; respect the American flag and institutions; channel their energy into constructive action for God and country; fight to preserve the freedoms for which their forefathers sacrificed their lives; carry the torch of liberty, righteousness and self-determination among the nations in the world.

Only mighty morally and militarily U.S.A. can remain as ever a fortress against Communist domination in the World.

God bless America! Long Live America!

God bless Captive Nations peoples and help them in their struggle to regain their Liberty and Independence!

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[From Catholic Standard, July 15, 1971]

RACISM IS POLICY OF SOVIET GOVERNMENT

(By Fr. Denis Dirscherl, S. J.)

This article is written in conjunction with Captive Nations Week, which begins Sunday. The author, Father Dirscherl, has a Ph. D. in Russian Studies from Georgetown University and an M.A. in Russian Studies from Middlebury College in Vermont. He also has studied at the Institute of Russian Studies at Fordham University. He is the author of over 50 articles.

While racial and ethnic tensions seem to be subsiding here in the United States, similar tensions continue unabated in the Soviet Union. And during the annual observance of Captive Nations Week, signed into Public Law by President Eisenhower in 1959, it is an appropriate time to look at a perennial problem facing the Communist regime in Moscow.

SEMANTICS

As in other attempts to understand the Communist world there is the question of Semantics. Even after over 50 years since the Bolshevik uprising, many people still prefer to call the Soviet Union or Union of Soviet Socialist Republics as just plain Russia. Since the speedy incorporation of all the diverse peoples of the old Russian empire and the new ones after the revolution, there has been much confusion over what the words Russia, Russian, and Soviet actually mean or are meant to signify.

When the Bolshevik leaders changed the name of the former "country" they did this to evoke the sympathy and support of the dominant ethnic or nationality groups within the borders of the old Russian empire. Eventually they divided the land into 15 unequal territorial portions representing the dominant but by no means all the minority groups at the time. On the surface, the structure of the new "union" resembled a modified federalism, but only on paper.

"Self-determination" became the watchword for all minority groups. Each republic therefore was entitled to its own Constitution, guaranteeing the right to initiate and break off relations with foreign countries, to build its own armed forces, and conclude peace treaties. Included was the right to secede from the union. But it was all window dressing.

RESISTANCE

Resistance was stiff after the revolution to the incursions and military takeover by the Soviets of such nations as Estonia, Latvia, and Lithuania as well as Georgia and the Ukraine. But the Red Army trampled on their legal claims to independence.

From the very beginning and right down to our own era the most insistent and persistent source of resistance to Russification has been from the Ukraine. The spirit of freedom and independence has strong tradition in the hearts of the Ukrainian people.

They own a history of daring resistance to the high-handed policies of Moscow, both in the Czarist and Soviet periods. The Ukrainians have paid a high price for their fight for freedom, most notably during the Krakov trials of 1930 and the man-made famines that followed in the years ahead.

The Ukraine has always been one of the testing grounds for the NKVD because of the Ukrainian's love for independence and resistance to the often arbitrary rule of the Soviets. In this instance Khrushchev's famous disclosure in his secret speech of 1956 is relevant. At that time he related that the Ukrainians avoided meeting the fate of deportation under Stalin only because there were too many of them and there was no place to deport them. The statement was greeted with "laughter and animation in the hall."

As the largest non-Russian Republic, both in size and population, the Ukraine plays a vital role in the economic makeup of the Soviet Union. With its vast agricultural productivity—sometimes referred to as the breadbasket of the Soviet Union—and impressive industrial and mineral resources, the Soviet Union must depend on the Ukraine for its own survival. In fact Professor Lev Dobriansky in his recent book, "U.S.A. and the Soviet Myth" makes the startling statement that the Soviet Union minus Ukraine would equal zero. Still further he states that the Red Empire minus Ukraine also would equal zero Simply put, the domino theory is operative within the Iron Curtain itself.

One of the most daring attacks on Russification in recent years is Ivan Dzyuba's "Internationalism or Russification." In his book Mr. Dzyuba suggests that the people of the Soviet Union have had their minds dulled to the regime's injustices, to the mass resettlements, the dispersement of the population, and economic inequities.

There also is the case of Vyacheslav Chornovil who officially covered the trials of Ukrainian intellectuals in the fall of 1965. In the process he witnessed the travesty of law perpetrated by the courts, and for divulging his views he was sentenced to a forced labor camp. Eventually he was able to smuggle out the letters, petitions, and diaries of the many victims in the labor camps.

Ever since the revolution many of the leaders spearheading resistance to Russification in the Ukraine have been from the ranks of the clergy, notably those of the Eastern Catholic rite in union with Rome. Metropolitan Sheptitsky is an outstanding example. Because of his stature this great priest shares the double responsibility of being a religious as well as a secular leader.

In our own day Soviet writers still strike out at the brave role played by the clergy in the Ukraine. V. Shanovsky, a candidate in philosophy, for instance, recently wrote of what he called "the identical sociopolitical causes that lie at the basis of the collaboration between the clergy and Ukrainian bourgeois nationalists: a hostile attitude towards the essential interests of the workers and attempts to reduce these to solely religious and national concerns . . Quite a few spiritual overseers entered into an alliance with Ukrainian bourgeois nationalists and in single harness with them waged a relentless battle against everything which was capable of easing the workers' lot in any way.

"This alliance manifested its anti-people nature especially glaringly in the struggle of the nationalists and the clergy against Soviet order, which they conducted under the false slogan of 'an independent, united Ukraine . . .' "

Soviet historians today carefully perpetuate the myth that friendly relations have always existed between the diverse ethnic groups in the Russian Empire and Moscow. But even the Red Chinese have taken issue with the overbearing policies of the Russians in their attempt to assimilate and submerge the various ethnic groups, especially the Ukrainians.

In an article in the Peking People's Daily entitled "The New Tsars Are the Common Enemy of the People of All Nationalities of the Soviet Union," the author claims that "The Khrushchev-Brezhnev revisionist clique has usurped the state and party leadership, completely betrayed the national policy of Lenin and Stalin and, taking over the mantle of the Tsar, ruthlessly oppressed the minority nationalities."

FASCIST RULE

The author goes on to say that the people of the Soviet Union should resist tolerating "the Fascist rule of the Soviet revisionist renegade clique."

Perhaps the most graphic illustration of the feeling of Ukrainians today towards the Russifying policies of the regime is expressed by a sixth-grade student of a Kiev school: "The world shouts: 'Freedom for Asia, Freedom for Africa!' When will it shout: 'Freedom for Ukraine!'?"

Captive Nations week offers crucial considerations for all freedom-loving people. Its reflections suggest that there is still too much exaggeration about the so-called "Liberalization and democratization of Soviet society." Dissent still comes at a high premium. Suspicion of foreigners is still fostered by the regime to complement its own Russification policies.

Clearly, as Captive Nations week emphasizes, the Soviet Union is a false federalism. The USSR is not Russia, but an empire of many separate countries and nations themselves. And each time the "Soviets" claim to have solved the nationality problem, this claim only serves to underscore the enormous proportions of the problem involved.

In any final appraisal the present regime in Moscow has realized some of the most extravagant ambitions of 19th century Russian nationalist and Pan-Slavists. Indeed, much of the third Rome ideology is still alive in the Soviet Union, driven forward as it is by a sense of inferiority and inadequacy. Self-determination in the last resort is a non-entity in the Soviet Union, pointing up the game of semantics at work in our world of the seventies.

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[From Svoboda, the Ukraine Weekly, Aug. 21, 1971]

ARIZONA GOVERNOR SOUNDS WARNING AT CN FETE

SUN CITY, ARIZ.—"A thousand years from now historians will be asking, "Why, at the peak of their power did they throw it all away to become another captive nation?' "

The speaker was Arizona Gov. Jack Williams, addressing a crowd of 200 to 300 persons during Captive Nations Week observances Friday, July 23, in Sun City Sun Bowl, according to a report written by Esther Huff in the July 28th issue of Sun Citizen.

DON'T APPRECIATE

Comparing conditions in this country today to conditions in Britain when Churchill made his famous "blood, sweat and tears" speech in 1935, Williams declared. "Today we're the greatest nation the world has ever seen. We have everything everybody in the world wants, and we don't appreciate it.

Glancing back over recent military history, Williams asserted that when Gen. Douglas MacArthur was called home this country began a long retreat and "we've been retreating ever since."

"The demand for years now," he said, "has been to 'bring the boys home.'

"We've brought them home from Germany, from Poland, from Czechoslovakia, from Rumania—and every time this country has moved out it's created a vacuum and Soviet Russia has moved in."

People in this country are living in the comfort and security of a nation that hasn't known the ravages of war for a long time. Williams said adding that "we forget those things."

"Every time we retreat, we give up a few things. Slowly one step after another, we've been backing up.

"Now we're backing up again. We're fighting an unpopular war and nations that fight unpopular wars lose them—always!

If this country were to declare war today, Williams maintained, hardly anyone would go, but what the nation fails to realize is that it is actually fighting "a 100-year war, right here at home, a war for the minds of men.'"

The United States thought it was victorious in World War II, he pointed out, but today Japan in the East and Germany in the West lead the nation economically and industrially, and Russia surpasses us militarily.

"Russia has submarines off the coast of Florida," Williams said. "Russia has the greatest army in the world magnificently equipped.

NO PICKETS

"When they put on their Armed Forces Day, nobody pickets them, nobody makes fun of them."

In conclusion, Williams referred again to Churchill, reminding his listeners that Britain's great war time leader had rallied his countrymen before it was too late, and he repeated an earlier question . . . "Why? The greatest nation the world has ever seen! Why are we choosing such a course?"

Ceremonies opened with the advance of the colors by members of the Marine Corps Recruiting Station in Phoenix.

Music was provided by the 541st Air Force Band from Luke Air Force Base.

Walter Chopiwskyj, president of the Arizona branch, Captive Nations National Committee, urged free people everywhere to "remember the hundreds of millions of persons forced to live in slavery in the Communist empire . . . and to remind ourselves that, eternal vigilance is the price of freedom."

In a tribute to U.S. fighting men, Lt. Col. Albert T. Koen, USAF (Ret.) said, "What we have in Vietnam today is no different from what our fighting men have had in other wars, except that in those other jungles, like the jungle of Normandie, they had a country behind them.

"They went with full knowledge, so important to them, that they had the backing of the folks at home.

DIFFERENT NOW

"It's different in this war. When they return, even while they're there, a sizable segment of people in this country call them 'oppressors,' 'murderers,' 'invaders.'"

"We expect that from the enemy, but what would it be like if you were out there?" Koen asked. "What would it be like to come home and even be made to feel ashamed because you'd participated in a war for which, probably, you were drafted, a war you were sent to fight?"

"Rise up," Koen urged his listeners. "Drown out such accusations with your letters, with your voices, with your answers.

The program concluded with numbers by the Canyon Statesmen Barbershop Quartet and folk songs by the Lithuanian American Community Chorus.

ARTISTS AWARDED

NEW YORK, N.Y.—The Empire Saving Bank announced recently that it was presenting a Ukrainian artist, Taras Shumylowych in a one man show of paintings. The show, which began on August 2nd and which will continue to August 27th is being held at one of the Empire's midtown branches located at 1250 Broadway at 32nd Street in New York City.

Mr. Shumylowych took part in an arts and craft show sponsored by the Mountain Top Chamber of Commerce last month, where his work "Ukrainian Village" won him third place honors in the oils category. He also took first place in the tempera category for his "Landscape."

Other members of the Shumylowych family also received awards. Vasyl Shumylowych took second in the tempera category with his "Trees," while a third place in the same category went to Olena Shumylowych for her "Landscape," and honorable mention to Vera Shumylowych's "Mushrooms."

THOUSANDS TAKE PART IN CN WEEK

NEW YORK, N.Y.—Religious services, rallies, marches and speeches were on the agenda Sunday, July 18, in cities across the nation as thousands of Americans of various ethnic backgrounds launched the annual Captive Nations Week observance.

Designated for the third week of July each year by Public Law 86-90 and preceded by President Nixon's official proclamation, the Week is intended to draw world public opinion to the plight of nations and peoples held in Communist captivity and to reassert their inalienable right to freedom and independence.

As in previous years, Ukrainians formed the largest contingents in the rallies, parades and other events which marked the week-long observances.

NEW YORK

In New York, the day's program commenced with a Holy Liturgy celebrated at capacity-filled St. Patrick's Cathedral by the Rt. Rev. Msgr. John Balkunas, president of CACEED.

Very Rev. Patrick Paschak, OSBM, Provincial of the Basilian Order in the U.S., delivered an inspiring sermon, stressing the denial of religious, national and political freedoms by the Communist regimes behind the Iron Curtain, while citing the specific cases of Valentyn Moroz and Katherine Zarytska, both Ukrainian political prisoners, as recent examples of both the Ukrainian people's struggle and the Kremlin's oppressive policies.

Presiding over the Liturgy was Terence Cardinal Cooke of New York.

A march that extended for several blocks along Fifth Avenue proceeded to the Central Park Bandshell where the throng heard such speakers as Laszlo Pasztor, Director of the GOP Heritage Division, Judge Matthew Troy, chairman of the New York chapter of the CN Committee, George Volosin, representing Ukrainian student organizations, as well as representatives of other ethnic groups taking part in the program which was sponsored by the American Friends of the Anti-Bolshevik Bloc of Nations. Leading the Ukrainian contingent in the march was Harry Polche of the Ukrainian Catholic War Veterans.

Following the Bandshell program, several hundreds of participants staged an orderly protest demonstration at the Soviet U.N. Mission.

STATUE OF LIBERTY

An impressive rally with Ukrainian participation was staged later in the day at the Statue of Liberty by Americans to Free Captive Nations, headed by Dr. Valentyna Kalynyk. The Association for the Liberation of Ukraine is a member organization of the AFCN and it was well represented at the rally which heard Dr. Carl McIntire as the principal speaker. News accounts of the program were carried over local television and radio stations.

## PROBLEMS CONFRONTING CORRECTIONAL INSTITUTIONS

The SPEAKER pro tempore. Under a previous order of the House the gentleman from Tennessee (Mr. FULTON) is recognized for 15 minutes.

Mr. FULTON of Tennessee. Mr. Speaker, the problems confronting correctional institutions and the search for solutions to those problems affect every family and community in the Nation.

However expedient it would be to push the events at Attica and San Quentin into the furthest recesses of our minds, we dare not, for those events are symptoms of a virulent national cancer—apathy. In the absence of a true commitment on the part of society to finding a cure, we will ultimately find that the disease is indeed terminal and the cost in human life at Attica only the beginning.

Penal reform is not simply a problem for correctional officers or administrators, legislative subcommittees or agencies of government. It is, as I see it, a problem for all elements of society who have the obligation to insure—in the name of justice—not simply that a criminal offender pay a debt to society, but that he be allowed to do so in an atmosphere protective of the moral precept that no man's punishment should encompass the sacrifice of his basic dignity as a human being.

If we sit idly by while human dignity is torn from an inmate, or from anyone, our own dignity is diminished and the cries for law and order and demands for justice become simple hypocrisy. We have a moral duty to protect the individual from degradation by those in authority, fellow inmates, or unreasonable physical conditions of incarceration. If society is to demand rehabilitation as payment for criminal offenses, as is its right and duty, it must not close its eyes to the conditions under which payment is exacted and rehabilitation attempted.

For that reason I would like to put into the RECORD the concern of one man for the human dignity of those in our correctional institutions, and to tell you what he has done, on his own, to insure that all men retain that last, great hope that someone, somewhere does indeed give a damn. B. B. King, a black man with a red guitar who sings the blues so well he is recognized as the foremost artist in that field today, is a product of the cotton fields of Mississippi, a man who was poor as a child and who, in his own words:

> Probably would be in prison today if it had not been for someone caring about me.

B. B. King cares that prisoners know that there is still hope. Without that, he believes, rehabilitation is impossible.

B. B. King and his guitar, Lucille, began giving prison concerts with a performance at Chicago's Cook County jail more than a year ago. His talent and understanding of the social conditions continuing to breed despair leading to lawlessness and violence are being used in prisons throughout the Nation to lighten the burden of those society claims it is trying to rehabilitate. It is the tragedy of a tragic age, however, that if law-abiding citizens with the power to change the Nation's social conditions do not understand it when B. B. and other blues artists such as Johnny Cash sing of ghetto apartments, broken Government promises, and despair, the Nation's inmate population does.

B. B. King is not a man making idle promises. His message to inmates is simple: "Be cool and come back with us," and of his prison audiences, he says:

> I don't know how long these fellows are in for. I'm just doing my thing to give them a little inspiration so they can say, "If he's making it, maybe I can, too."
>
> Those who are here for a long time, *maybe* they'll know that people on the outside haven't forgotten them, that they can still dream, and that miracles still do happen.

His first prison concert was arranged by Cook County Jail Warden Winston E. Moore, a black psychologist, who is an enlightened and dedicated official, and one who has long felt that a program involving the Nation's top entertainers in prison concerts would be worthwhile. Moore notes that of a long list of entertainers approached to do prison concerts, King was the first to agree, asking simply, "When do they want me?"

Since Cook County, King has performed at Lorton Reformatory here in Washington; at the Dade County Stockade in Miami, Fla.; at New York City's Rikers Island; at the Tennessee State Prison in Nashville; and at the Wisconsin State Reformatory at Fox Lake, Wis. Concerts are scheduled at Walpole, Mass., with F. Lee Bailey, chairman of the Penal Reform Committee of the American Trial Lawyers Association as emcee, and at the Federal Penitentiaries at Leavenworth, Kans., and Danbury, Conn.

B. B. King hopes that these concerts

help bring a change in attitude both within and outside of our prison system. He makes no claim to being an expert on penal institutions or reform, but thinks prisons should be rehabilitative rather than merely punitive, and that programs should be instituted to get the men interested in something they can use when they return to society. Prisoners should be treated humanely and feel they have a chance upon their release.

His concerts help alleviate the boredom and doldrums of the routine of prison life, and in fact, after the Cook County concert, prisoners began producing and performing in their own shows.

For 25 years B. B. King has paid his dues to the blues. He has played it all—from small black clubs to mediocre hotels. He has played Vegas, where he is known as the bosman of the blues, and has run the entertainment gamut from two Fillmores to Carnegie Hall. It has been a long road from Indianola, Miss.—a long time since he plunked down $8 for his first guitar.

B. B's blues tell a story that should be heard—and heeded. When he stands on the concrete stage of a prison and wails songs of the jail and back streets, of love betrayed and the loneliness of separation, his very presence amounts to hope for those for which there is little to hope. His human charity and kindness serve as examples not only for other entertainers, but also for all of us who have something to contribute—our understanding of the dignity of man.

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## SCHOOLBUS SAFETY IS PRACTICAL

The SPEAKER. Under a previous order of the House, the gentleman from Wisconsin (Mr. ASPIN), is recognized for 60 minutes.

Mr. ASPIN. Mr. Speaker, recently 52 Members of the House joined me in cosponsoring the Schoolbus Safety Act of 1971—H.R. 11160. Senators GAYLORD NELSON and WILLIAM PROXMIRE have cosponsored identical legislation in the Senate.

The purpose of this bill is to—

First, require the Department of Transportation to issue comprehensive safety design standards for the construction of schoolbuses within 18 months after the bill's enactment.

Second, require both manufacturers and dealers to inspect and test drive every schoolbus before it is sold to a school district or to a local bus company.

Third, require the Transportation Department to build a prototype schoolbus within 3 years after the bill's passage.

Fourth, require DOT to investigate every schoolbus accident which results in a death.

This morning Mr. Charles Ward, president of the Ward School Bus Co., displayed a prototype of a new schoolbus which is far more advanced in terms of safety than schoolbuses presently on the road.

The number and quality of rivets used in a schoolbus body is one of the most important factors in determining the safety quality of the schoolbus. Mr. Ward's new schoolbus has more than five times the total rivets as the average schoolbus presently in use.

Mr. Ward's new bus also has about half as many structural panels as the average schoolbus now being used. By reducing the number of structural panels, and by overlapping them as Mr. Ward has done, the possibility of the bus becoming a "cookie cutter" when it is involved in an accident is greatly reduced.

Mr. Ward's new bus complies with all of the Vehicle Safety Commission's standards on schoolbuses.

The VESC is a voluntary compact of 46 States. The schoolbus safety design standards that VESC has recommended are the most comprehensive and most practical standards ever to be proposed. I believe that the VESC bus standards should be used as a basis for the promulgation of national schoolbus safety standards by DOT, which would be required under our legislation.

Mr. Ward's pioneer efforts in the crucial area of school bus safety are particularly important because they convincingly demonstrate that school buses can be built far more safely than they presently are for a negligible increase in cost. The cost in meeting the very tough and comprehensive VESC standards is only $390, Mr. Ward said. What a small price, indeed, that is to pay for vastly improving the safety quality of the school buses presently in use, which have been described as "the unsafest vehicles on the road."

Mr. Speaker, at this point I would like to include in the RECORD a copy of Mr. Ward's remarks this morning made before a large number of State and Federal officials, as well as many members of the press and other interested individuals. After Mr. Ward's remarks I would like to include a copy of the Vehicle Equipment Safety Commission's school bus standards. I believe my colleagues will find both of these statements highly informative and important. They follow:

### REMARKS BY CHARLES D. WARD

On July 29, 1970 the National Transportation Safety Board published a report entitled "Special Study Inadequate Structural Assembly of School Bus Bodies." This report dealt with certain failures which were noted in school bus accidents that occurred in Decatur and Huntsville, Alabama. Copies of this report are available to anyone interested.

We at Ward School Bus very carefully studied the report and found that in many areas we are in agreement with some of its basic conclusions. Our main area of disagreement with the report concerned the comparison between school buses and inner-city buses on the basis of an unsubstantiated claim that inner-city and city service buses are stronger and safer than school buses.

Subsequent to the publishing of this report, in January 1971 the Vehicle Equipment Safety Commission issued VESC-6 regulation entitled "Minimum Requirement for School Bus Construction and Equipment" in which Section 5.6 dealt with the strength of structural joints of school bus bodies. This standard was adopted after many months of study by the Vehicle Equipment Safety Commission which held approximately four days of public hearings at which many interested parties in the field of school bus safety testified. At this time, VESC-6 has been adopted by two states and is now being considered by many others.

There has been a great deal of conversation by various school bus manufacturers, national officials, state officials and other people in the area of school transportation concerning what actually would have to be done to meet the standards as set forth in VESC-6. Ward School Bus, in keeping with its long tradition of taking a positive rather than a negative approach to safety, commissioned its engineers to build such a bus. It is our belief that the bus we have on display today will meet, with two very minor exceptions, the VESC-6 standards. One of the major considerations that is always discussed is the cost of the various standards contained in VESC-6. Some of the requirements of this standard are not exclusive to it, i.e., padded seats will be standard on all school buses prior to the time the VESC-6 standard will go into effect. So the pricing data we are talking of today will be on those items peculiar only to the VESC-6 regulations. Primarily, they are Section 5.6 which deals with the strength of structural joints; Section 6.1 which deals with the rear bumper; Section 8.1 which deals with the defroster and Section 58.5.5 which deals with a flasher light warning system. All parties should keep in mind today that the cost figures we will discuss will not include any chassis items which might be required. To meet the basic body requirements needed to comply with those items contained in VESC-6 that will not be specified otherwise in federal or state specifications, will cost an adidtional $390.00 for a 66-passenger bus, which is the size most often required. Insofar as the methods used to comply with the VESC specifications are concerned, I think that it would be well if prior to that discussion we all adjourn to the display area to view the two buses that are on display. We have a special bus identified as Model "S" that our engineers built which we feel will comply with VESC-6 and we also have a bus identified as Model "CS" as presently manufactured to meet all national minimum and Maryland specifications.

I would invite your attention to two or three particular areas on the safety bus—one being the care taken not to have joints on the same horizontal lines on the inside and outside the bus. To be more specific, the inside roof panels do not join the same body section as the outside roof panels. It is the feeling of our engineer that this method of construction will further strengthen the great joint efficiency now achieved by a large number of rivets. Also, in an area not visible, the roof bow has been greatly strengthened at the upper and lower window area by the inclusion of a strengthening member within the bow. Although this is an area not covered by the VESC-6 regulations our company highly recommends that a standard be written to include strengthening in this particular area.

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### VEHICLE EQUIPMENT SAFETY COMMISSION

(Regulation VESC-6, Minimum Requirements for School Bus Construction and Equipment—Applicable to School Buses Manufactured After October 1, 1972)

#### PREFACE

In 1968 the Vehicle Equipment Safety Commission (VESC), comprised of 44-member states, appointed a special committee to study school bus construction and equipment. It was the function of this committee to write a standard for school bus construction and equipment to provide improved protection for children riding on school buses, and, also establish a uniform minimum standard to serve as model legislation for all states.

After more than two years of study, a proposed standard was presented to the VESC membership at the Annual Meeting held August 26 and 27, 1970, in Atlanta, Georgia.

The membership of the Commission adopted the proposed standard subject to public hearings. The membership directed the Executive Committee to conduct the public hearings, to evaluate the testimony presented at the hearings, and authorized them to issue the standard. The Executive

Committee held public hearings in Pittsburgh, Pa. on December 15, 1970.

Representatives from interested parties appeared and testified before the Executive Committee of the Commission. The Executive Committee reviewed and evaluated the testimony presented, and issued "minimum requirements for school bus construction and equipment" to be known as Regulation VESC–6, dated January, 1971.

Members of the School Bus Subcommittee who drafted the proposed standard presented to the membership were: E. Theodore Gunaris, Chairman, Deputy Registrar of Motor Vehicles, Massachusetts; Edward A. Carroll, Assistant Director of Engineering, Connecticut; Captain N. C. Boyd, Safety Director, Wyoming; Major Porter Weaver, Georgia State Patrol; R. L. Wimbish, Supervisor, Pupil Transportation, Virginia; and, Robert Cromey, Enforcement Bureau, Wisconsin.

*1. Scope*

1.1. This regulation is intended to provide certain minimum standards for the construction and equipping of school buses manufactured after October 1, 1972.

*2. Definitions*

2.1. A school bus is any motor vehicle with provision for more than 135 inches cumulative length of passenger seating space measured longitudinally, designed principally for the transportation of students in 12 and lower grades to and from school.

2.2. SAE—Society of Automotive Engineers.

2.3. Body on Chassis Type—This refers to the mounting of a body on a truck chassis.

2.4. Integral Type Bus—A bus manufactured as an integral unit and not constructed of a separate body and chassis.

2.5. School Bus Alternately Flashing Signal Lamps—Alternately flashing red signal lamps mounted at the same horizontal level, to inform highway users that the school bus is stopping to board or discharge passengers.

*3. Dimensions*

3.1. Outside body with not to exceed 96 inches. Outside overall length—maximum 40 feet. Inside height—minimum 72 inches, metal to metal.

CONSTRUCTION OF BODY

*4. Battery Carrier*

41. When the battery is mounted outside of the engine compartment by the chassis manufacturer, the body manufacturer shall securely attach battery on slide out tray in a closed, weathertight and vented compartment in the body skirt, whereby the battery may be exposed to the outside for convenient servicing. The battery compartment door or cover shall be secured by an adequate and conveniently operated latch or other type fastener.

*5. Body structure*

5.1. Construction shall be of fire resistant material.

5.2. Construction shall provide a reasonably dustproof, weathertight and fume proof unit. Openings between the chassis and passenger compartment shall be sealed to prevent fumes or exhaust gas from entering the bus body.

5.3. The bus body, including all of its components and reinforcements, shall be of sufficient strength to support the entire weight of the fully loaded vehicle on its top or side if overturned. The body shall be designed and built to provide impact and penetration resistance into the passenger compartment. The deflection of the body after testing in accordance with the code must not exceed the following measurements:

A. Deflection at center of roof bow, 3.00 inches.

B. Deflection at each side pillar at window sill, 1.00 inches.

C. Deflection at center of floor, .40 inches.

5.3.1. Body manufacturers shall furnish certification in duplicate that the bus body meets Static Load Test Code for School Bus Body Structure of 1965—Obtainable from School Bus Manufacturers Institute, an Industry Division of Truck Body and Equipment Association Inc., 5530 Wisconsin Avenue, Suite 1220, Washington, D.C. 20015–as established by the School Bus Manufacturers Institute.

5.4. The floor shall be of fire resistant material. The floor shall be level except in wheel housing, toeboard, and operator's platform areas.

5.5. At all points of contact between longitudinal members and other structure material, attachment shall be by welding, riveting, or bolting. After load as called for in the Static Load Test Code has been removed none of the following defects shall be evident:

A. Failure or separation at joints where longitudinal members are fastened to the roof bows.

B. Appreciable difference in deflection between adjacent longitudinal members and roof bows.

C. Twisting, buckling or deformation of longitudinal member cross section.

5.6. Strength of Structural Joints of School Bus Bodies. It is the intent of this section to insure that all structural joints within bus bodies which employ discrete fasteners, including those between heavy guage members and those which join panels to panels or panels to heavier structures, achieve a significant proportion of the strength of the parent metal, so that all available panel materials are capable of serving as part of the structure. Accordingly, in all joints of the above named types which employ discrete fasteners such as rivets, screws or bolts, the pitch of fasteners shall not exceed 24 times the thickness of the thickest material used in the joint. Alternatively, for any method of joining such structural members, it shall be demonstrated by calculation that the strength of such joints is at least 60% of the tensile strength of the thinnest joined member.

*6. Bumper, rear*

6.1. The rear bumper shall be of pressed steel channel at least 3.16 inches thick and may have a 10 inch face. It shall wrap around the rear corners of the body to a point 12 inches forward from the rearmost point of the body at floor line. It shall be attached directly to the chassis frame with provision for easy removal, the prevention of hitching to or riding thereon, the development of full strength against side or rear impact, and shall be of sufficient strength to permit the bus being pushed by another vehicle without permanent distortion and shall extend rearward sufficiently to protect all lamps. The rear bumper shall extend beyond rearmost part of body surface at least 1 inch, measured at floor line.

*7. Ceiling*

7.1. Except where climatic conditions make it inadvisable, the ceiling shall be thermally insulated with a fire-resistant material approved by the Underwriters' Laboratories, Inc., which shall also adequately reduce the noise level and vibrations. There shall be no projections which might cause injury. The inside body height measured, metal to metal, from floor to ceiling at any point on the longitudinal center line between the front and rear vertical bows shall be at least 72 inches.

*8. Defrosters*

8.1. Defrosting equipment shall keep the windshield, the window to the left of the operator and the glass in the service door clear of fog, frost or snow, using heat from an approved heater or heaters and circulation from fans. Portable heaters may not be used. Defroster ducts shall be designed to prevent the placing of objects which might obstruct the flow of air. All defrosting equipment shall meet U.S. Department of Transportation MVSS–103.

*9. Emergency Door and Exit*

9.1. An emergency door shall be located in the rear and near the center, or if engine is so located as to prevent a rear emergency door or exit location it shall be in the left side of the rear half and shall be clearly marked "Emergency Door" in letters two inches high at the top of or directly above the door on both the inside and the outside. An arrow at least six inches in length and three quarters of an inch in width indicating the direction of the release mechanism should be turned to open the emergency door shall be painted in a contrasting color on the inside of the emergency door. An arrow of equal dimensions indicating the emergency door shall be painted on the outside of the emergency door in back on the national school bus chrome background. The emergency door shall have a horizontal opening of at least 24 inches and a vertical opening of at least 48 inches measured from the floor level. No steps shall lead to the emergency door. The emergency door or exit shall be devised so as to be opened both from the inside and the outside.

9.2. The passage to the emergency door shall be kept clear of obstructions. For rear doors the horizontal clearance of 24 inches shall be maintained for a distance of at least twelve inches inside the bus. When the emergency door is in the left side, a minimum horizontal clearance of 24 inches and a vertical clearance of 48 inches shall be maintained between it and the center aisle.

9.3. The upper and lower portion of the central rear emergency door shall be equipped with approved safety glass, the exposed area of which shall be not less than four hundred (400) square inches in the upper portion and not less than three hundred fifty (350) square inches in the lower portion. The left side emergency door shall be equipped with safety glass in the upper portion and the lower portion shall be of at least the same gauge metal as the body. The emergency door shall be hinged on the right side if it is in the rear end of the bus and on the front side if it is in the left side and shall open only outward. Control from the operator's seat shall not be permitted.

9.4 The emergency door shall be equipped with a slide-bar, cam-operated latch which shall have a minimum stroke of one inch. The latch shall be equipped with a suitable electric plunger-type switch connected with a distinctive audible signal automatically operated and located in the operator's compartment which shall clearly indicate the unlatching of this door and no cutoff switch shall be installed in the circuit. The switch shall be enclosed in a metal case, and wires leading from the switch shall be concealed in the body. The switch shall be so installed that the plunger contacts the farthest edge of the slide bar in such a manner that any movement of the slide bar will immediately close the circuit and activate the signal. The door latch shall be equipped with an interior handle which shall be capable of quick release but shall be protected against accidental release and shall extend approximately to the center of the emergency door. It shall lift up to release the latch. The outside handle shall be such as to minimize hitching and shall be a non-detachable device.

9.5. The installation of locks on the emergency or service doors shall include a device to prevent the activating of the starter mechanism of the vehicle engine while any door is locked. An audio-visual alarm shall indicate to the operator when any door is in the locked position while the ignition switch is in the "on" position.

*10. Emergency windows*

10.1. A rear emergency window at least 16 inches in height and as wide as practicable shall be provided where the emergency door

is not in the rear. The rear window shall be designed so as to be opened from either the inside or the outside. It shall be hinged at the top and assure against accidental closing in an emergency. A positive latch on the inside shall provide for quick release but offer protection against accidential release. The outside handle shall be non-detachable and designed to minimize hitching.

10.2. Labeling shall indicate in ½ inch letters on the inside how the window operates and in letters at least two inches in height the words "Emergency Exit" above on the inside and directly below on the outside.

10.3 A distinctive audible signal automatically operated shall clearly indicate to the operator the unlatching of the rear emergency window and no cutoff switch shall be installed in the circuit.

10.4. Paneling shall cover the space between the top of the rear divan seat and the inside lower edge of the rear emergency window.

*11. Floor covering*

11.1. The floor in the underseat, driver's compartment, and the toe-board areas including the tops of the wheel housing, shall be covered with a fire-resistant material of a type commonly used in passenger transportation vehicles.

11.2. The floor covering in the aisle and entrance area shall be of a non-skid, wear resistant, fire-resistant, and rib type commonly used in commercial passenger transportation vehicles.

11.3. The floor covering shall not crack when subjected to sudden temperature change and shall be securely bonded to the floor with a waterproof adhesive material as recommended by the manufacturer of the floor-covering material. All seams shall be sealed with a water-proof sealer.

*12. Glass, safety*

12.1. All glass shall be installed so that the identification mark is legible and shall conform to the standard of the American National Standards Institute, the Vehicle Equipment Safety Commission's regulation VESC-4 and the U.S. Department of Transportation MVSS-205. Laminated AS-1 safety glass shall be used in the windshield.

*13. Heaters*

13.1. An inside temperature of not less than 50 degrees of Fahrenheit at average minimum January temperatures as established by the U.S. Department of Commerce, Weather Bureau, for the area in which the vehicle is to be operated shall be maintained throughout the bus.

13.2. All heaters shall bear a name plate which shall indicate the heater rating in accordance with the Standard Code for Testing and Rating Automotive Bus Hot Water Heating and Ventilating Equipment, said plate to be affixed by the heater manufacturer which shall constitute certification that the heater performance is as shown on plate.

13.3. Heater hoses shall be adequately supported to guard against excessive wear due to vibration. The hoses shall not dangle or rub against the chassis or sharp edges and shall not interfere with or restrict the operation of any engine function, such as the spark advance of an automatic distributor. Heater hose shall conform to standard SAE J20b of September, 1968.

*14. Identification*

14.1. Exterior—The body shall be painted a uniform color known as National School Bus Chrome Yellow, according to specifications available from the General Services Administration (Color No. 13432, Chrome Yellow, of Federal Standard No. 595).

14.2. The trim on the exterior of the body, including the bumper, the emergency door arrow, and the lettering on the front, rear and on both sides of the body shall be in color No. 17038, Black, of Federal Standard No. 595.

14.3. Signs or lettering, other than that required or permitted by this regulation, shall not appear on the front, back or sides of the bus, but the rated seating capacity, the owner's name and the School Authority name may be displayed on the body to the left of the service door in letters not less than two inches high. The words "Stop on Signal" in letters at least four (4) inches in height shall be painted directly below the rear window line. The words "School Bus" shall be painted in black on the front and rear of the bus or on signs attached thereto in letters eight inches in height and conforming to "Series B" of the standard alphabets for highway signs on the National School Bus Chrome background. Such words shall be placed as high as practicable and be plainly legible at a distance of at least two hundred and fifty feet (250) in the direction towards which they are displayed. Legend on pusher type buses shall occupy approximately the same area.

*15. Interior*

15.1 Except where climatic conditions make it inadvisable, the body shall be thermally insulated between the inner and outer panels with a fire-resistant material approved by the Underwriters' Laboratories, Inc. This material shall also serve to adequately reduce the noise level and vibrations.

15.2 The interior of the bus, including the ceiling, shall be free of all unnecessary projections, likely to cause injury, and an inner lining shall be provided on ceiling and walls. Lapped joints shall be connected and treated to reduce likelihood of injury from exposed edges. All materials within the bus shall be free of sharp corners or projections or shall be padded to prevent injury.

*16. Mirrors*

16.1. Rear view mirrors shall be located inside and outside of the bus, shall be firmly supported and adjustable and shall afford the operator a clear, stable reflected view of the road surface at each side of the vehicle and for a continual distance beginning at a point not greater than 200 feet to the rear and continuing to the horizon when measured on a straight and level road. The interior mirror shall be clear view safety glass at least six (6) inches by thirty (30) inches overall and shall be metal backed and framed. It shall have rounded corners and edges which shall be padded to reduce danger of injury upon impact. It shall afford the operator a good view of the bus interior and the roadway to the rear.

16.2. Outside mirrors shall be located on each side of the bus forward of the operator's seat, and the reflecting surface shall not be obscured by the unwiped portion of the windshield or by the corner pillar. They shall be rectangular in shape and shall have a minimum horizontal dimension of five (5) inches and a minimum vertical dimension of ten (10) inches. The outside mirror mounts shall include a side angle adjustable convex mirror to provide an additional close-in field of the flat surfaced mirror.

16.3. A convex mirror at least 7½ inches in diameter shall be firmly mounted so that the seated operator may observe a reflection of the road from the front bumper forward to a point where direct observation is possible. A convex mirror 7½ inches in diameter shall be firmly mounted at the right front corner of the vehicle so that the seated operator may observe a reflection of the ground surface along the entire right front side of the bus.

*17. Mounting*

17.1. The chassis frame of the body, for body on chassis type buses, shall extend to the rear edge of the rear body cross member. The body shall be attached to the chassis frame in such a manner as to prevent shifting or separation of the body from the chassis under severe impact. Alteration in the length of the frame may be made only behind the rear hangers of the rear springs and shall not be for the purpose of extending the wheel base. Said alterations may be made only if designed and guaranteed either by the original chassis manufacturer or by the company installing the school bus body.

17.2. The body front shall be attached and sealed to the chassis cowl in such a manner as to prevent the entry of water, dust or fumes through the joint between the chassis cowl and the body.

17.3. Insulating material shall be placed at all contact points between the body and chassis frame. This material shall be approximately 1.4 inches thick, shall have the quality of the sidewall of an automobile tire, and shall be so attached to the chassis frame or body member that it will not move under any operating conditions.

*18. Reflectors*

18.1 Reflectors shall conform to U.S. Department of Transportation MVSS-108 and shall be located as follows:

A. On the rear, two (2) red reflectors, equally spaced as far from center as practicable.

B. On each side, two (2) reflectors, one amber, at or near the front and one red at or near the rear.

C. One each side of buses 30 or more feet in length as near the center as practicable one amber reflector.

18.2 Each reflector shall be mounted at a height not less than fifteen (15) inches and not higher than sixty (60) inches above the surface on which the unloaded bus stands.

*19. Rub rails*

19.1 There shall be one rub rail located approximately at seat level which shall extend from the rear side of the service door completely around the bus body, except at the emergency door or rear compartment, to a point of curvature near the front of the body on the left side.

19.2. There shall be one rub rail located approximately at the floor line which shall extend over the same longitudinal distance as the upper rub rail, except at the wheel housings, and which shall terminate at the radii of the right and left rear corners.

19.3. Rub rails shall be constructed of 16-gauge longitudinally corrugated or ribbed steel of 4 inch minimum width. All rub rails shall be joined (bolted, riveted, or welded) to the bus body so as to attain at least 60% of the tensile strength of the thinnest joined material. Rub rail joints shall not be directly over another panel joint in the bus material.

*20. Seat belt for the operator*

20.1. A lap belt installation shall be provided for the operator and shall conform to the Federal Motor Vehicle Safety Standards No. 208—Seat Belt Installations; No. 209—Seat Belt Assemblies; and No. 210—Seat Belt Assembly Anchorages. The lap belt assembly shall adjust to fit bus operators whose dimensions range from those of a 5th percentile adult female to those of a 95th percentile adult male with the seat in any adjusted position by means of an automatic locking retractor on each side. The retractor shall keep the belt off the floor when not in use.

*21. Seating*

21.1. All seats shall have a minimum fore and aft depth of 14 inches.

21.2. In determining seating capacity of a bus, individual seating width shall be 13 inches where 3-3 seating plan is used and 15 inches where 3-2 seating plan is used.

21.3. All seats shall be forward facing and shall be securely fastened to that part or parts of the body which support them and shall withstand 20 g horizontal loading. Jump seats are not acceptable. Aisles between forward facing seats shall have a minimum clear width of 12 inches.

21.4. The forward most seat on the right side of the bus shall be located so as not to

interfere with the operator's vision and be not farther forward than the rear of the operator's seat when adjusted to its rearmost position.

21.5. The minimum center to center seat spacing shall be 27 inches, measured at cushion height. The distance between the rearmost position of the operator's seat and the front face of the seat back of the forwardmost seat on the left side shall not be less than 24 inches measured at cushion height.

21.6. The minimum distance between the steering wheel and the back rest of the operator's seat shall be 11 inches. The operator's seat shall be rigidly positioned, shall have vertical adjustment and fore and aft adjustment of not less than 4 inches, without the use of tools or other devices.

21.7. A minimum of 36 inches of headroom for the sitting position above the top of the undepressed cushion line of all seats shall be provided. Measurement shall be made vertically not more than 7 inches from the side wall at cushion height and at the fore and aft center of cushion.

21.8 The backs of seats of similar size shall be of the same width at the top and of the same height from the floor and shall slant at the same angle with the floor. The top corners, and at least ten inches of the top of the back surface of the seat backs shall be padded sufficiently to reduce the likelihood of injury upon impact. The rearmost seats may be exempt from these requirements.

21.9. A hand grip on each seat shall be provided and shall be enclosed and non-protruding.

21.10. Seat padding and covering shall be of a fire resistant material which will not flash or explode upon contact with spark or fire. Seat cushions shall be securely fastened to the seat structure.

*22. Service entrance*

22.1. The service entrance shall be located on the right side near the front, convenient to the seated operator's unobstructed vision. The entrance shall have a minimum horizontal opening of 24 inches and a minimum vertical opening of 68 inches. The service door may be manually or power operated by the seated operator and shall be designed to afford easy release and prevent accidental opening. No parts of the hand lever shall come together so as to shear or crush fingers. If one section of the folding door opens inward and the other opens outward, the forward section shall open outward. Vertical closing edges shall be equipped with padding to prevent injury. The bottom of the lower glass panel shall be not more than 35 inches from the ground when the bus is unloaded. The top of the upper glass panel shall be not more than six (6) inches from the top of the door. A grab handle of stainless clad steel not less than 10 inches in length shall be properly secured in an unobstructed location inside the doorway. Power operated doors shall be equipped for manual operation in case of power failure. Service door shall be labeled on the inside in letters at least one half (½) inch high with instructions for emergency opening.

22.2. The step risers shall be approximately equal in height, with the upper riser no more than 15 inches in height. The steps shall be enclosed to prevent accumulation of ice and snow, shall not protrude beyond the width of the body and be surfaced with a non-skid material with a one and one half (1½) inch white nosing as an integral piece. The first step shall be illuminated by at least one lamp providing a white light actuated automatically by the opening of the door.

22.3. The installation of locks on the emergency or service doors shall include a device to prevent the activation of the starter mechanism of the vehicle engine while any door is locked.

*23. Stanchions and guard rails*

23.1. A vertical stanchion shall be installed from floor to roof at the right rear corner of the operator's seat in such position as to neither interfere with the adjustment of the seat nor obstruct the 12 inch aisle. A guard rail, approximately 30 inches above floor, but not higher than the operator's seat back when adjusted to its lowest position and so placed as not to interfere with the fore and aft adjustment of the operator's seat, shall extend from the vertical stanchion to the left wall.

23.2. A vertical stanchion shall be installed at the rear of the entrance step well from floor to roof and located so as not to restrict the passageway at any level to less than 24 inches nor the aisle to less than 12 inches.

23.2. A guard rail and step well guard panel shall be installed from step well stanchion to right wall to prevent passengers in front seat from being thrown into the step well. The guard rail shall be approximately 30 inches above the floor and its guard panel shall not restrict the entrance passageway to less than 24 inches at any level. The panel shall extend from the guard rail to within 2 inches of the floor. The guard panel shall be positioned or flanged to avoid having its lower edge extended over the step well.

23.4. The clearance between the step well guard panel and the first seat shall be at least 24 inches measured from the panel to the front face of the seat back at cushion height.

23.5. All stanchions and guard rails shall be a minimum of one inch outside diameter steel or equivalent strength tubing and be padded to minimize injury producing impact forces.

*24. Steering wheel*

24.1. The steering wheel circumference shall have at least two inches of clearance at all points.

*25. Stirrup steps*

25.1. There shall be at least one folding stirrup step or recessed foothold and suitably located handles on each side of the front of the body for each accessibility for cleaning of the windshield and lamps.

*26. Stop signs*

26.1. A stop semaphore may be provided.

*27. Storage compartment tools*

27.1. A fire resistant container of adequate strength and capacity for the storage of tire chains, tow chains and such tools as may be necessary for minor repairs while the bus is en route shall be provided. The container shall provide reasonable security for its contents and be securely fastened to the body or chassis to prevent the container or its contents becoming accidentally dislodged.

*28. Sun visor*

28.1 An interior adjustable sun visor not less than 6 inches wide and 30 inches long shall be so installed that it can be turned up when not in use. It shall be supported by two brackets and be transparent.

*29. Undercoating*

29.1. The entire underside of the body, including the floor members and side panels below the floor level shall be coated with a fire resistant undercoating material, applied by the spray method, in order to seal, insulate, and to reduce oxidation and the noise level.

*30. Ventilation*

30.1. The body shall be equipped with a suitable, controlled ventilating system of sufficient capacity to maintain a proper quantity of air under operating conditions without the opening of windows except in extremely warm weather. Static type exhaust roof ventilators shall be installed in the low pressure area of the roof.

*31. Weight distribution and gross weight*

31.1. Bodies for body on chassis type vehicles shall be limited to lengths shown in table below. Body lengths are measured from back of cowl to rear of body at floor level. Sizes are based on 27 inch center to center spacing between rows of forward facing seats, overall width of 96 inches, center aisle width of 12 inches, and average rump width of (A) 13 inches for 3–3 seating plan and (B) 15 inches for 3–2 seating plan.

TABLE FOR BODY ON CHASSIS-TYPE VEHICLES
[In inches]

| Number of rows of seats | Pupil capacity: 3–3 plan; rump width of 13 | Pupil capacity: 3–2 plan; rump width of 15 | Maximum body length | Minimum measurement: Cowl to center line or rear axle | Minimum measurement: Cowl to end of frame |
|---|---|---|---|---|---|
| 4 | 24 | 20 | 178 | 102 | 173 |
| 5 | 30 | 25 | 196 | 123 | 187 |
| 6 | 36 | 30 | 222 | 125 | 210 |
| 7 | 42 | 35 | 250 | 142 | 241 |
| 8 | 48 | 40 | 277 | 160 | 268 |
| 9 | 54 | 45 | 304 | 192 | 295 |
| 10 | 60 | 50 | 332 | 211 | 323 |
| 11 | 66 | 55 | 355 | 229 | 349 |

31.2. The gross weight of the loaded vehicle shall at no time exceed the manufacturer's maximum gross vehicle weight rating.

*32. Wheel housings*

32.1. The wheel housing opening shall allow for easy tire removal and service.

32.2. The wheel housings shall be designed to support seat and passenger loads and shall be attached to the floor sheets in such a manner as to prevent any dust, water, or fumes from entering the body.

32.3. The inside height of the wheel housing above the floor line shall not exceed 10 inches.

32.4. The wheel housings shall provide clearance for installation and use of tire chains on dual wheels as established by the National Association of Chain Manufacturers.

*33. Window openings*

33.1. All side windows shall operate freely. Those, except the operator's shall open from 9 to 10 and one-half inches and shall open from the top only, and provide an emergency exit at least 9 x 22 inches. All exposed edges of glass shall be banded. Windows shall be free of window guards or bars either on the inside or outside.

*34. Windshields*

34.1. The glass in the windshield shall be of approved safety glass, so mounted that its identification mark is legible and of a quality of laminated glass to prevent distortion of view in any direction. It shall be heat absorbent. It shall be laminated AS–1 Safety Glass in compliance with U.S. Department of Transportation MVSS–205.

34.2. The windshield shall be large enough to permit the operator to see the highway clearly, shall be slanted to reduce glare, and shall be installed between front corner posts that are so designed and located as to afford a minimum of obstruction to the operator's view of the highway.

34.3. The windshield shall have a horizontal gradient band starting slightly above the line of the operator's vision and gradually decreasing in light transmission to 20 percent or less at the top of the windshield, in compliance with U.S. Department of Transportation MVSS–205.

*35. Windshield wipers*

35.1. Two automatic, individually powered, variable speed windshield wipers with non-glare arms and blades shall clean the maximum possible area of the windshield. Windshield wiper equipment shall meet U.S. Department of Transportation MVSS–104.

*36. Windshield washer*

36.1. A windshield washer which will effectively clean the entire area covered by

both windshield wipers shall be provided. Windshield washer equipment shall meet U.S. Department of Transportation MVSS-104.

CHASSIS REQUIREMENTS

*37. Air cleaners*

37.1. The bus shall be equipped with an adequate oil bath, dry element, or equivalent type air cleaner mounted outside the passenger compartment. The air cleaner installation shall be in accordance with the SAE Air Cleaner Test Code J726a, June 1962.

*38. Axles*

38.1. The front axle or other type of suspension assembly shall be of sufficient capacity at ground to support that portion of the load as would be imposed by the manufacturer's maximum gross vehicle weight rating.

38.2. The rear axle shall be of the full floating type. The rear suspension assembly shall have a gross weight rating at ground equal to that portion of the load as would be imposed by the manufacturer's maximum gross vehicle.

*39. Brakes*

39.1. The bus shall be provided with at least two braking systems. One of these shall be the service brake system which shall act directly on at least four wheels. The other shall be the parking brake system, with a separate means of application which shall operate directly or indirectly on at least two wheels. Each system shall suffice alone to stop said school bus within a proper distance as herein defined. If such systems are connected, combined, or have any part in common, such systems shall be so constructed that a failure of any one element thereof will not leave the bus without brakes acting directly or indirectly on at least two wheels. All braking systems shall be constructed and designed so as to permit modulated control of brake application and release by the operator from the normal operating position. The service and parking brake systems shall provide at least three brake applications and release by normal method after failure of the source of energy.

39.2. The service brake system shall be adequate to stop the bus when loaded to the manufacturer's gross vehicle weight rating, within twenty nine feet from a speed of twenty miles per hour with a pedal effort of 75 pounds. The service brake system shall be so arranged as to provide separate systems for at least two wheels and so designed and constructed that rupture or leakage type failure of any single pressure component of the service brake system, except structural failures of the brake master cylinder body, effectiveness indicator body, or other housing common to the divided system will not result in complete loss of function of the vehicle brakes when force on the brake pedal is continued. "Pressure Component" means any internal component of the brake master cylinder or master control unit, wheel brake cylinder, brake line, brake hose, or equivalent, except vacuum assist components.

39.3. The parking brake system shall be adequate to stop the vehicle within fifty feet when loaded to the manufacturer's gross vehicle weight rating, from a speed of 20 MPH and hold the loaded vehicle on a 30° grade despite the exhaustion of any source of energy or leakage of any kind.

39.4. Vehicles having full compressed air systems or compressed air over hydraulic systems shall be equipped with a safety valve to protect the air system against excessive air pressure, an illuminated air gauge on the instrument panel to register pressure in the air system, and an audible low pressure indicator to warn the operator when the pressure falls below sixty pounds per square inch.

39.5. Vehicles having full compressed air systems or vacuum activated or compressed air over hydraulic systems shall be equipped with a check valve located between the source of supply and reservoir which can be inspected for proper operation without disconnecting or loosening the lines.

39.6. Buses using vacuum in the operation of the brake systems shall be equipped with a warning signal readily audible to the operator which will give a continuous warning when the vacuum in the system available for braking is eight inches of mercury or less and an illuminated guage which will indicate to the operator the inches of mercury available for the operation of the brakes.

39.7. Brake lines shall be protected from excessive heat and vibration and be so installed as to prevent chafing.

39.8. Brake lining material shall meet the minimum standards of the Vehicle Equipment Safety Commission's Regulation VESC-3.

39.9. Brake fluid installed in school bus hydraulic brake systems shall conform to the U.S. Department of Transportation MVSS-116.

39.10. Each brake drum or rotor shall be permanently and plainly marked to clearly indicate in legible cast or stamped legend the maximum safe diameter of the drum or minimum safe thickness of the rotor beyond which it must not be worn or machined, but must be discarded.

*40. Bumper, front*

40.1. The front bumper shall be of heavy duty channel steel with a 10 inch face, painted black, and shall extend to protect the outer edges of the fenders. It shall be of sufficient strength to permit pushing another vehicle of equal gross weight without distortion.

*41. Color*

41.1. School bus body including hood, cowl, and fenders shall be painted uniform color, national school bus chrome, according to specifications available from General Services Administration. (Federal Standard No. 595a, chrome yellow enamel No. 13432)

41.2. Rear bumper and lettering shall be black. (Federal Standard No. 595a, black enamel No. 17038)

41.3. Body trim, if used, shall be black. (Federal Standard No. 595a, black enamel No. 17038)

41.4. The maximum possible glare reduction shall be provided on hood top. Specifications for non-glare should be 10% at 60° or 28% at 85° Munsell Value.

*42. Drive shaft*

42.1. Each segment of the drive shaft shall be equipped with a suitable guard to prevent accident or injury in the event of its fracture or disconnection.

*43. Exhaust system and muffler*

43.1. The exhaust system shall include the exhaust manifold and gaskets, piping leading from the flange of the exhaust manifold to and including the muffler(s). The system shall not extend into the body and shall be attached to the chassis. The tail pipe(s) shall be of non-flexible 16 gauge steel or equivalent and shall extend beyond the rear end of the chassis frame but not beyond the rear limit of the bumper. The complete exhaust system shall be tight and free from leaks and shall be properly insulated from the electrical wiring or any combustible part of the bus and shall not pass within twelve inches of the fuel tank or its connections unless a suitable heat baffle is installed between the exhaust system and fuel tank. No part of the exhaust system shall pass within twelve inches of any flexible brake line or hose. The exhaust system noise level shall not exceed 125 sones as measured by Beranek Armour—ATA Equivalent Tone Method. The size of the pipes in the exhaust system shall not be reduced after they leave the engine manifold.

*44. Frame*

44.1. The chassis frame shall extend at least to the rear edge of the rear body cross member. Alteration in length of the frame may be made only behind the rear hangers of the rear springs and shall not be for the purpose of extending the wheel base. Any alterations to the frame may be made only when designed and guaranteed by the original chassis or body manufacturer.

*45. Fuel system and tank*

45.1. Fuel tank shall have minimum capacity of 30 gallons and be mounted directly on right side of chassis frame, filled and vented entirely outside body.

45.2. Tank shall conform to section 393.65, subsections (f) through (g) and (j) of Motor Carrier Safety Regulations, with reference to material and method of construction; fitting design(s) and locations; fill pipe design, air and safety vents; pressure relief; and drop tests, rupture, spillage restrictions, and safety vent.

45.3. Fuel filter with replaceable element shall be installed between fuel tank and carburetor.

45.4. Fuel tank, fittings or lines, shall not extend above top of chassis frame rail. Fuel lines shall be mounted to obtain maximum possible protection from chassis frame.

45.5. If tank sizes other than 30 gallons are supplied, location of front of tank and filler spout must remain as specified.

*46. Heater connection*

46.1. Each heater installation shall include two shut off valves.

*47. Horn*

47.1. Two suitable horns providing an audible warning at a distance of 300 feet to other highway users shall be conveniently controlled from the operator's seated position.

*48. Ignition lock*

48.1. A lock, key or other device to prevent the vehicle from being set in motion or its engine started by unauthorized persons, or otherwise, contrary to the will of the owner or person in charge thereof, shall be provided.

*49. Instruments*

49.1. The bus shall be equipped with the following non-glare illuminated instruments and gauges mounted for easy maintenance and repair and in such a manner that each is clearly visible to the seated operator.

Speedometer;

fuel gauge;

oil pressure gauge;

water temperature gauge;

ammeter with graduated charge and discharge, capable of 100 ampere current indication;

upper beam headlamp indicator;

air pressure or vacuum gauge, where air or vacuum brakes are used, with low energy supply warning system;

odometer; and

voltmeter with graduated scale.

*50. Shock absorbers*

50.1. Two front and two-rear double-acting shock absorbers of sufficient capacity shall be provided.

*51. Springs*

51.1. Springs shall be capable of supporting their designed share of the vehicle gross weight with provision to permit continued vehicle operation in the event of spring failure.

*52. Steering gear*

52.1. The steering gear shall provide safe and accurate performance at maximum load and speed and shall be easily adjusted. Only changes approved by the chassis manufacturer shall be permitted.

*53. Tires*

53.1. New tires of good quality and proper size and ply rating commensurate with chassis manufacturer's gross vehicle weight rating shall be provided.

*54. Undercoating*

54.1. Entire underside of body, front fenders, floor members and side panels below floor level shall be coated with a fire-resistant undercoating material, applied by the spray method for the purpose of sealing, insulating and reducing oxidation and the noise level.

*55. Windshield wiper and washer connections*

55.1. There shall be adequate provision for windshield wipers and washer.

ELECTRICAL SYSTEM REQUIREMENTS

*56. Battery*

56.1. The storage battery shall be of sufficient capacity to supply all electrical requirements, and shall be of rating not less than 70 ampere hours, at 12 volts, measured at a 20-hour rate.

*57. Generator or alternator*

57.1. The generator or alternator with rectifier shall have a maximum output of at least 62 amperes (in accordance with SAE rating) with a minimum charging of 20 amperes at manufacturer's recommended engine idle speed (12-volt system), and shall be ventilated and voltage controlled and, if necessary, current-controlled, and shall be capable of supplying all electrical requirements. Dual belt drive shall be used with generator or alternator.

*58. Lamps and signals*

58.1. The installation of all exterior lamps and signals shall be in comformance with current requirements of U.S. Department of Transportation MVSS–108.

58.2. At least two headlamps of the sealed-beam type, with at least one (1) headlamp on each side of the front of the bus shall be provided. The bus shall be equipped with a beam indicator, which shall be lighted whenever the uppermost distribution of light from the headlamps is in use and shall not otherwise be lighted. Said indicator shall be so designed and located that when lighted it will be readily visible without glare to the operator. The headlamps shall be located at a height of not more than fifty-four (54) inches nor less than twenty-four (24) inches when measured from the center of the lamp to the level ground upon which the unloaded bus stands.

58.3. Two red tail lamps mounted on the rear with centers not less than forty inches nor more than fifty inches above the surface on which the unloaded bus rests and as far apart laterally as practical shall be provided. The light produced shall be plainly visible at night from a distance of 500 feet and they shall be wired for illumination with the headlamps.

58.4. Two red, seven inch stop lamps mounted on the rear as high as practical but below the window line with centers as far apart laterally as practical but not less than three feet shall be installed. Their light shall be of an intensity at least equal to that of Class A turn signal lamps as established by SAE Standard J586b of June 1966, and shall be plainly visible from a distance of 500 feet. They shall be actuated upon the initial application of the service brake.

58.5. School Bus Alternately Flashing Signal Lamps—Each school bus shall be equipped with one of the following systems:

58.5.1. Four red signal lamps designed to conform to SAE Standard J887, "School Bus Red Signal Lamps", July 1964, and installed in accordance with that standard; or

58.5.2. Four red signal lamps designed to conform to SAE Standard J887, "School Bus Red Signal Lamps", July 1964, and four amber signal lamps designed to conform to that standard, except for their color, and except that their candlepower shall be at least 2 and ½ times that specified for red signal lamps. Both red and amber lamps shall be installed in accordance with SAE Standard J887, except that: Each amber signal lamp shall be located near each red signal lamp, at the same level, but closer to the vertical centerline of the bus; and that the system shall be wired so that the amber signal lamps are activated only by manual or door operation, and, if activated, are automatically deactivated and the red signal lamps automatically activated when the bus entrance door is opened.

58.5.3. The color in all lighting equipment covered by this standard shall be in accordance with SAE Standard J578a, April 1965, "Color Specifications for Electric Signal Lighting Devices".

58.5.4. These lamps shall be sealed beam of at least 5 and ½ inches in diameter and in each case equidistant from the center and on the same horizontal level. Lamp faces shall be true in the vertical and horizontal axes when the bus is on level. This shall be in compliance with U.S. Department of Transportation MVSS–108.

58.5.5 Other devices for controlling the signal lamps shall, (A) turn off the lamps at the discretion of the operator, (B) turn on the lamps when the service door is closed, (C) alternately flash the lamps at 60 to 120 cycles per minute and (D) warn the operator when any of the signal lamps are inoperative. Maximum brightness shall be attained in each cycle of flashing. Audible or visual indication that the signals are flashing shall be provided.

58.5.6. Hoods with a minimum thickness of 20-gauge steel shall be securely fastened to the lamp housing. They shall extend at least five inches in front of the lens and from the vertical centerline of the lamps shall measure 80 degrees along the perimeter from each side of the center, with the centerline of the hood coinciding with the top of the vertical centerline of the lamp housing.

58.5.7. The area around the lens of alternately flashing signal lamps and extending outward approximately 3 inches and the hoods shall be painted black. In installation where there is no flat vertical portion of the body immediately surrounding the entire lens of the lamps, a circular or square band of black approximately 3 inches wide, immediately below and to both sides of the lens, shall be painted on the body or the roof area against which the signal lamps are seen.

58.6. Two red clearance lamps on the rear and two amber clearance lamps on the front shall be mounted as high as practical on the permanent structure of the bus to indicate its extreme width. Two side marker lamps, amber at the front and red at the rear shall be mounted on each side of the bus. Three red identification lamps shall be mounted on the same level not more than eight inches apart in the center rear of the body as high as practical, and three amber identification lamps shall be likewise mounted in the center front of the body.

58.7. The rear register number shall be illuminated by a white light so as to be plainly legible at 60 feet during periods of darkness. The registration plate lamps shall be so wired as to be lighted whenever the headlamps are lighted.

58.8. Interior lamps shall adequately illuminate the entire aisle, emergency passageway and step well.

58.9. Class A turn signal lamps shall be provided, and shall meet SAE Standard J575d, August 1967. These signals shall be independent units and be equipped with a four-way flashing of the turn signal lamps when needed as a vehicular traffic hazard warning. Flush mounted "armored" type amber clearance lamps with a minimum of 4 candlepower each shall be mounted on the sides of the body at approximately seat level rub rail height just to the rear of the service door on the right side, and approximately opposite the operator's seat on the left side. They are to be connected to function with the regular turn signal lamps.

58.10. Back up lamps shall be provided and shall conform to SAE Standard J593b, May 1966 or SAE Standard J593c, February 1968 in accordance with U.S. Department of Transportation MVSS–108.

*59. Wiring*

59.1. All wiring shall conform to the current standards of the SAE.

59.2. Wiring shall be arranged in at least nine regular circuits as follows:

A. Head, tail, stop (brake) and instrument panel lamp.
B. Clearance lamps and step well lamps.
C. Dome lamps.
D. Starter motor.
E. Ignition and emergency door signal.
F. Turn signal lamps.
G. Alternately flashing signal lamps.
H. Horn.
I. Heater and Defroster.

Any of the above combination circuits may be subdivided into independent circuits. Whenever possible, all other electrical functions (sanders, electric-type windshield wipers, heaters and defrosters) shall be provided with independent and properly protected circuits. Each body circuit shall be coded by number or letters at 4 inch intervals or by color. The code shall appear on a diagram of the circuits in a readily accessible location.

59.3. A separate fuse or circuit breaker shall be provided for each circuit required under Section 58.2 except starter motor and ignition circuits.

59.4. All wires within the body shall be insulated and protected by covering of fibrous loom (or equivalent) which will protect them from external damage and minimize dangers from short circuits. Whenever wires pass through body or chassis members, additional protection in the form of a grommet or other appropriate type of insert shall be provided.

59.5. Wires not enclosed within the body shall be fastened securely at intervals of not more than 18 inches. All joints shall be soldered or joined by equally effective connectors.

59.6. Two extra fuses for each size of fuse used on the bus shall be conveniently mounted in the bus body.

59.7. The chassis manufacturer shall install a readily accessible electrical terminal so that the body and chassis electrical load can be indicated through a chassis ammeter without dismantling or disassembling the chassis component. The chassis wiring system to terminal shall have a minimum 100-ampere capacity. The chassis ammeter and wiring shall be compatible with generating capacity, and the ammeter shall be capable of indicating a continuous draw of 100 amperes.

EQUIPMENT REQUIREMENTS

*60. Fire extinguishers*

60.1. The bus shall be equipped with at least one pressurized, dry chemical-type fire extinguisher, mounted in the extinguisher manufacturer's bracket of automotive type, and located in the operator's compartment in full view of and readily accessible to the operator. A pressure gauge shall be so mounted on the extinguisher as to be easily read without removing the extinguisher from its mounted position.

60.2. The fire extinguisher shall be of 5 lb. (5 pound) capacity and of a type approved by the Underwriters' Laboratories, Inc., with a rating of not less than 10-B.C. The operating mechanism shall be sealed with a type of seal that will not interfere with use of the fire extinguisher.

*61. First Aid Kit*

61.1. The bus shall carry a first-aid kit, removable and readily identifiable, mounted in full view and in an accessible place in the operator's compartment, the contents of which shall include but not limited to the following:

4 inch bandage compress, 1 package.
2 inch bandage compress, 1 package.
1 inch adhesive compress, 2 packages.
40 inch triangular bandage with 2 safety pins, 1 package.
Wire splint, 1 package.
Tourniquet, 1 package.

*62. Warning Devices for Disabled Vehicle*

62.1. At least two red cloth flags not less than twelve inches square with a means for mounting for use in warning traffic in event of prolonged stops on the highway shall be provided. At least three red electric lanterns or red emergency reflectors which meet the Federal Bureau of Motor Carrier Safety Standards shall be provided.

*63. Wheel Chocks*

63.1. One pair of wheel chocks meeting current SAE Standards shall be located in the forward portion of the vehicle readily accessible to the operator.

*64. Locked Compartment*

64.1. Fire extinguisher, first aid kit, warning devices, and wheel chocks may be stored under lock and key provided that the locking device is connected with an automatic audible warning signal to notify the operator of the locked compartment when the ignition is turned on.

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## INTRODUCTION OF "VOLUNTARY UNIVERSAL HEALTH BENEFITS ACT OF 1971"

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. DANIELSON) is recognized for 30 minutes.

Mr. DANIELSON. Mr. Speaker, today I am introducing a bill laying out a comprehensive new approach to national health insurance. It provides for utilization of current private insurance mechanisms and a sliding scale of Federal subsidy to purchase or help purchase coverage on the basis of an individual's ability to pay.

There are some decidedly new wrinkles in this proposal not found in other plans that have been put forth, and it is designed to attract a broad range of support from both the public and the medical profession. This bill has been worked out in conjunction with the California Medical Association, second largest State medical society in the Nation with more than 25,000 members, and it has full CMA endorsement.

In a sense, the plan is patterned after the Federal employees health benefits program in that uniform national levels of benefits would be established, supervised by Federal and State offices to insure that prescribed benefits were being provided. Those persons at low income levels would pay nothing, and the Bureau of Labor Statistics would determine annually the level of income necessary to qualify a family for the full subsidy.

Participation in this health plan would remain voluntary, with full coverage of medical costs for persons with low income, and an inverse sliding scale of coverage of costs related to the percentage of insurance premiums paid by the government. The minimum coverage allowable under any plan would take care of 75 percent of medical costs, but a ratio would be established whereby the percentage of costs covered would increase in direct proportion to the larger subsidies allowed for those persons at lower income levels.

This plan would not eliminate medicare, already established for persons over 65, but it would replace the current medicaid program which provides health care for persons on welfare. It does, however, provide for a joint study by the Secretary of Health, Education, and Welfare and the U.S. Civil Service Commission regarding the potential relationship between this benefit program and the medicare program, the results and recommendations from which would be submitted to Congress.

The bill also makes provision that catastrophic coverage be included in the health plans, recommends certification of all facilities, includes provision for peer review, provides for a study of malpractice liability, and would establish National and State advisory councils for setting standards and regulations.

There is a great deal of flexibility in this bill insofar as income levels, benefits provided, and the amount of premium paid by the Government are concerned. The flexibility extends to the patient in choosing his own physician, and to doctors in delivering services.

PURPOSE AND PROVISIONS OF BILL

It is the purpose of this bill to make it possible for every individual in the United States to obtain comprehensive medical and hospitalization insurance of his choice, designed to provide a comprehensive level of care regardless of prior medical history and on a guaranteed renewable basis.

The bill provides that the Social Security Act be amended by the addition of a new title—title XX, voluntary health care insurance—including the following provisions:

ADMINISTRATION

The title would be administered by the U.S. Civil Service Commission. An 11-member National Advisory Medical Council would be created to prescribe general regulations, to establish minimum Federal standards regarding qualified insurance policies, to provide programs for maintaining quality care, and to review the effectiveness of the program annually. A State advisory medical council would be created in each State to assure compliance with the requirements and objectives of the program.

ELIGIBILITY

Participation in the health plan would be voluntary, and available to individuals. Existing health insurance plans that meet certain requirements would be offered by qualified carriers, and individuals—and their families—would choose the plan and the level of benefits best suited to their needs.

PAYMENT

Full payment of premiums on a qualified health-care insurance policy for persons of low income would be by voucher—health insurance certificates—assuring adequate health protection for those unable to pay for it. Other persons could elect to use vouchers in partial payment of premiums—in relation to their income level—or to apply the amount of their fully paid premium as a credit against their Federal income tax liability.

BENEFITS

The services covered by this plan include: Professional medical services, surgical services, hospital services, extended care services, home health and outpatient rehabilitation services, ambulance services, prosthetic aids, drugs prescribed on an outpatient basis, dental care. Provision is made that benefits claimed under this title shall not be duplicated under other federally financed programs.

PEER REVIEW

Responsibility for review of health services is placed on the medical profession, utilizing current structures of organized medicine to assure delivery of quality care that conforms to physician-established professional standards.

EXPERIMENTATION

In administering this title, the Civil Service Commission shall encourage experimentation and the development of innovative methods in regard to both the organization and the delivery of health care.

MALPRACTICE

Provisions are included for a comprehensive study of malpractice liability, and the findings reported to Congress.

MEDICARE AND MEDICAID

The bill repeals title XIX of the Social Security Act—medicaid—and calls for a study and report of the potential interrelationship between title XVIII and this title with recommendations submitted to Congress.

DIFFERENCE FROM OTHER PROPOSALS

The comprehensive scope of medical benefits distinguishes my proposal from many of the bills designed to provide national health insurance. Outpatient drugs, dentistry, and acute psychiatric care are included in a broad range of in- and out-patient services.

Administration of the program by the Civil Service Commission is unique to my bill. The proven record of the Commission in administering the Federal employees health benefits program provide a good example for the administration of a national health insurance program.

Another feature of my proposal is the medical component of cost-of-living budgets. This allows for Federal financing based on regional cost-of-living factors which would be updated periodically. In this way varying costs of medical services in different areas and at different times are taken into consideration.

Review of the medicare program and its potential interrelationship with the comprehensive benefits of my bill, as called for in this proposal, will hopefully result in the upgrading of benefits received by medicare beneficiaries or the development of an integrated and more adequate program. There is no specified age factor, and persons over 65 could opt for the benefits of my proposal if they prove greater than those they currently receive under medicare.

The plan, in regard to the organization and manpower needed for health-care delivery has a number of advantages and does not favor one form of delivery over another. It encourages experimentation and innovation, as well.

The comprehensive coverage I propose does not create a gap between basic benefit insurance and catastrophic coverage which would require an individual to either subscribe to supplemental private insurance or to risk bankruptcy.

A chart comparing this bill with the three other major plans introduced follows:

## MAJOR PROVISIONS OF NATIONAL HEALTH INSURANCE PROPOSALS

### NATIONAL HEALTH INSURANCE PARTNERSHIP ACT (S. 1623; H.R. 7741), NIXON ADMINISTRATION

*Concept*

Two programs: one for workers, families; another for poor. Medicare, Medicaid retained for aged and disabled. Under a National Health Insurance Standards Act (NHISA), employers must provide coverage by approved health insurance plan. Low-income families provided medical benefits under federal Family Health Insurance Program (FHIP). Eligibility determined on five-level scale based on family income, number of children. Costs range from zero to $100 a year. Both plans encourage enrollment in HMOs.

*Benefits*

NHISA: after deductibles, unlimited inpatient hospital care, physicians' services (except psychiatry), immunizations, other preventive care. Deductibles include first two days of hospitalization and $100 deductible for all other services. Co-insurance of 25 percent for all services. Both waived after individual has received $5,000 of covered services in benefit year. Catastrophic illness protection of at least $50,000 per person.

FHIP: 30 days of inpatient hospital care annually, with one ECF day counted as one-third hospital day; home health services visit as one-seventh day; eight physician house visits per person; in- and outpatient physician services; well-child care. Deductibles, co-insurance vary with family income.

*Financing*

NHISA: payments by employer and employee; employees to pay no more than 35 percent of annual premium cost initially, 25 percent later. If employer's costs exceed 4 percent of covered employees' wages, federal government will pay the excess costs for up to 10 employees. FHIP: general federal revenues, supplemented by participants; payments as noted.

*Payment to providers*

Fee-for-service payments subject to Medicare "reasonable" limits on institutions' costs and providers' charges. Capitation arrangements with HMOs.

### AMA MEDICREDIT (S. 987; H.R. 4960), SENATOR CLIFFORD P. HANSEN; REPRESENTATIVE JOEL BROYHILL

*Concept*

Voluntary health insurance program for population under age 65. Total federal government financing for low-income persons; sliding scale of tax credits toward purchase of private health insurance for others. Beneficiary eligible for full government payment receives certificate acceptable by health insurance carriers, who are reimbursed by federal government. Federal government pays premiums for catastrophic illness insurance. Retains Medicare, eliminates Medicaid.

*Benefits*

Comprehensive ordinary and catastrophic benefits. Basic benefits include: 60 days annually in hospital or ECF (with two days in ECF counting as one in hospital; emergency and outpatient services; all services by M.D. or D.O. Beneficiary to pay $50 deductible for hospitalization, 20 percent co-insurance for first $500 of medical expense, emergency, outpatient care. Benefits under catastrophic coverage subject to corridor based on taxable income. Deductibles, co-insurance of basic coverage are credited toward corridor amount.

*Financing*

General revenues pay entire premium for low-income beneficiaries with no income tax liability and for catastrophic insurance. Variable income tax credits for others.

*Payment to providers*

Usual, customary charges for all providers.

### HEALTH SECURITY ACT (S. 3; H.R. 22), SENATOR EDWARD M. KENNEDY; REPRESENTATIVE MARTHA GRIFFITHS

*Concept*

Compulsory comprehensive health insurance for all U.S. citizens and aliens admitted for permanent residence. Would replace Medicare and Medicaid and eliminate private insurance industry participation. Benefits effective two years after passage of legislation, during which time tax revenues would establish funding.

*Benefits*

Physician services, in- and outpatient hospital care, home health services, optometry, podiatry, appliances. Dental care initially limited to children under 15. Drug benefits limited to inpatient drugs, specified drugs necessary for chronic conditions. Skilled nursing home care initially limited to 120 days. Psychiatric care annually limited to 45 days hospitalization and 20 outpatient consultations. No deductibles, co-insurance.

*Financing*

Levy of 3.5 percent on employer payrolls (36 percent of program's total cost); 1 percent tax on employees (12 percent of cost); 2.5 percent tax on self-employed (2 percent). Balance (50 percent) from general revenues. Annual wage base $15,000 initially, rising later. No maximum on employer base.

*Payment to providers*

Professional providers: regional funds first to those in group practice or selecting capitation, salary or per-case basis. Residual funds for those selecting fee-for-service or per-case basis. Money pro-rated if funding inadequate. HMOs, professional foundations paid by capitation or budget. Institutions, home health agencies negotiated budget to pay reasonable cost under uniform cost accounting system.

### VOLUNTARY UNIVERSALLY AVAILABLE HEALTH BENEFITS PROGRAM, REPRESENTATIVE GEORGE E. DANIELSON, CALIFORNIA MEDICAL ASSOCIATION

*Concept*

Voluntary. Sliding scale of federal financing for comprehensive range of benefits for all individuals and families, regionally based on medical components of cost-of-living budgets. Based on ability to pay; vouchers issued or income tax credits provided. Replaces Medicaid, phases in other health programs.

*Benefits*

Broad range of in- and outpatient benefits, including outpatient drugs, dentistry, acute psychiatric care. Coverage from birth, including well-baby care, home health, outpatient rehabilitation services. National minimum comprehensive levels of benefits available on choice of individual, employer, union, state or federal governments. Utilizes voluntary health insurance mechanisms.

*Financing*

General tax revenues would pay entire premium for low-income beneficiaries. Variable income tax credits for others.

*Payment to providers*

Present methods under pluralistic systems of voluntary health insurance.

| | | | |
|---|---|---|---|
| *Administration* | *Administration* | *Administration* | *Administration* |
| NHISA plans underwritten and administered by private insurance carriers under federal regulations. FHIP, Medicare subject to federal administration, using insurance carriers as fiscal intermediaries. Residual Medicaid would be federal-state administered. | Health insurance advisory board including HEW secretary, Internal Revenue commissioner, nine presidentially-appointed members, most of them practicing physicians. | Five-member health security board under HEW; assisted by a national health security advisory council; HEW regional offices; professional, technical advisory committees. | U.S. Civil Service Commission and individual state counterparts. National, state medical advisory committees, patterned after the Federal Employees Health Benefits Program. |
| *Cost* | *Cost* | *Cost* | *Cost* |
| Estimated that employer-employee premium costs rise from present $13-billion to $20-billion by 1974. Estimated cost of FHIP $3–$6-billion. | Estimated public tax cost: $12.1-billion. | Estimated $68–77 billion (partially a reallocation of public, private funds already being spent). | Unestimated. |

NEED FOR HEALTH CARE

Much has already been said about the need for adequate health care in our country. I would underscore three key factors that seem to me essential in determining the shape of a national health insurance program: quality, accessibility, and cost. If we can enact legislation that will provide the American people with quality health care services, accessible to everyone and with assurance of reasonable costs we will have served the public well.

The text of the bill follows:

H.R. 11351

A bill to amend the Social Security Act to provide for medical and hospital care through a voluntary system of comprehensive health care coverage including all of the essential elements of such care, with the protection offered being financed in full for low-income persons through the issuance of certificates and in part for other persons through the issuance of certificates or the allowance of tax credits, and to provide for effective utilization and peer review with respect to services rendered under such system.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

SHORT TITLE

SECTION 1. This Act may be cited as the "Voluntary Universal Health Benefits Act of 1971".

FINDINGS AND DECLARATION OF PURPOSE

SEC. 2. (a) The Congress finds—

(1) that the resources of many individuals and families are inadequate to meet the expenses of illness, and there is a considerable variation in the adequacy of the health protection plans which are currently available to assist them;

(2) that coverage under voluntary health insurance is an appropriate means of insuring against such expenses in that, through competition, incentives are provided for the lowering of health care costs, the introduction of innovations in the delivery of health care, and the maintenance of quality health care;

(3) that health insurance protection for all persons, including universal accessibility and availability, is a desirable national objective;

(4) that voluntary health insurance protection, including catastrophic coverage, should be made available to all residents of the United States regardless of their previous medical history; and

(5) that it is in the public interest to provide Federal assistance and encouragement to individuals who seek the protection of insurance against the expenses of illness.

(b) It is the purpose of this Act to make it possible for every individual in the United States to obtain comprehensive medical and hospitalization insurance of his choice which is designed to provide a comprehensive level of care regardless of prior medical history and on a guaranteed renewable basis.

VOLUNTARY HEALTH CARE INSURANCE FINANCED BY INSURANCE CERTIFICATES OR TAX CREDITS

SEC. 3. (a) The Social Security Act is amended by adding at the end thereof the following new title:

"TITLE XX—VOLUNTARY HEALTH CARE INSURANCE

"ESTABLISHMENT OF BENEFIT PROGRAMS

"SEC. 2001. In order to make it possible for every individual in the United States to obtain comprehensive medical and hospitalization insurance of his choice, there is hereby established—

"(1) a program (set forth in section 2003) of comprehensive hospital and medical benefits under which any eligible beneficiary who is a person of low income may be issued a health insurance certificate to be used in full payment of the premium on a qualified health care insurance policy covering himself and his dependent beneficiaries; and

"(2) a program (set forth in section 2004) under which any other eligible beneficiary may reduce the cost of health protection for himself and his dependent beneficiaries by means of a health insurance certificate to be used in partial payment of the premium on a qualified health care insurance policy covering himself and such beneficiaries or, at his election, by means of a Federal income tax credit for a part of such premium.

"ADMINISTRATION OF BENEFIT PROGRAMS

"SEC. 2002. (a) This title, and the benefit programs established by this title, shall be administered by the United States Civil Service Commission (hereinafter referred to as the 'Commission'), in accordance with the regulations prescribed by it under section 2012 and with the advice and assistance of the National Medical Advisory Council established under section 2015.

"(b) The Commission shall designate in each State an individual or agency (hereinafter referred to as the 'State designee' for such State) who shall have responsibility for the administration of this title, and the benefit programs established by this title, in such State, in accordance with the regulations prescribed by the Commission under section 2012 and with the advice and assistance of the State Advisory Medical Council established for such State under section 2016.

"BENEFIT PROGRAM FOR LOW-INCOME PERSONS

"SEC. 2003. (a) Every eligible beneficiary who is a person of low income (as determined under section 2006) with respect to any benefit year shall, upon application made as provided in subsection (b), be issued by the Commission a health insurance certificate of entitlement which may be applied in full payment of the premium on a qualified health care insurance policy covering himself and his dependent beneficiaries (if any) for such year.

"(b) An eligible beneficiary's application for a health insurance certificate of entitlement shall be made, in accordance with the regulations prescribed by the Commission under section 2012, through the State designee for the State of his residence. Such application shall be filed at such place and in such manner and form, and contain such information, as may be provided for in such regulations, and shall include—

"(1) his name, address, date of birth, social security account number, and marital status, and the name, address, date of birth, and social security account number of his spouse if any;

"(2) the identification number of the carrier under whose qualified health protection plan he has chosen to be covered;

"(3) the name, address, date of birth, social security account number, marital status, and relationship of each of his dependents for whom coverage under such plan is claimed; and

"(4) his gross income and Federal income tax liability, together with that of his spouse and dependent beneficiaries (if any), for the most recent taxable year with respect to which the regular due date for filing a Federal income tax return has passed, and the place where his most recent such return was filed.

"BENEFIT PROGRAM FOR OTHER PERSONS

"SEC. 2004. (a) Every eligible beneficiary who is not a person of low income (as determined under section 2006) with respect to any benefit year, or who is such a person but chooses (in such manner and form as may be provided in the regulations prescribed under section 2012) to receive the benefits of this section rather than the benefits of section 2003, shall at his election—

"(1) be allowed a credit against his Federal income tax liability (for the taxable year in which such benefit year begins) as provided by section 40 of the Internal Revenue Code of 1954; or

"(2) be issued by the Commission, upon application made as provided in section 2003(b), a health insurance certificate of entitlement which may be applied against the premium on a qualified health care insurance policy covering himself and his dependent beneficiaries (if any) for such benefit year and shall in all respects be the same as the certificates issued under section 2003(a) except that it may be applied only in partial payment (determined according to the schedule prescribed under section 2006(c)) of such premium.

"(b) In order to qualify for a credit under subsection (a)(1) for any taxable year, an individual must have purchased, and had in effect throughout his benefit year beginning in such taxable year, a qualified health care insurance policy, and must have fully paid the premium or premiums on such policy for periods falling within such benefit year.

"ELIGIBLE BENEFICIARIES

"SEC. 2005. (a) For purposes of this title, the term 'eligible beneficiary' means—

"(1) a husband and wife living together, considered as a unit, and

"(2) any individual, other than a married person living with his or her spouse, who is not a dependent beneficiary.

"(b) For purposes of this title, the term 'dependent beneficiary' means any child or stepchild of an eligible beneficiary who, during the benefit year of such eligible beneficiary, receives more than half of his support from such eligible beneficiary and, at the close of such base year, will not have attained the age of 21 (or, in the case of a full-time student as defined in the regulations prescribed under section 2012, will not have attained the age of 23).

"INCOME DETERMINATIONS; ALLOWABLE PREMIUM

"SEC. 2006. (a) The Bureau of Labor Statistics in the Department of Labor, acting through the Division of Living Conditions Studies, shall from time to time (not less often than annually) determine for individuals and families of different sizes in the various States and regions of the United States the level of income and resources which would be sufficient to enable them to meet necessary medical and hospital expenses, based on budgets of adequate but moderate living costs, and shall certify the levels so determined to the Commission.

"(b) Individuals and family members with income and resources below the applicable levels determined and certified under subsection (a) shall be considered persons of low income for purposes of this title; and the portion of the total premium on any qualified health care insurance policy purchased by any such individual or family member which may be paid with a health insurance certificate of entitlement issued under this title (the 'allowable premium') shall be 100 percent.

"(c)(1) With respect to individuals and family members with income and resources at or above the applicable levels determined and certified under subsection (a), the portion of the total premium on any qualified health care insurance policy purchased by any such individual or family member which may be paid with a health insurance certificate of entitlement issued under this title (the 'allowable premium') shall be a percentage, not less than 10 percent, determined according to a schedule which shall be prepared and kept current by the Division of Living Conditions Studies and published by the Commission and shall be designed to

reflect the income and resources of such individuals and family members in a manner calculated to maintain a reasonable relationship between the need of such individuals and family members for assistance in meeting necessary medical and hospital expenses and the portion of such total premium which (in the case of any such individual or family member) may constitute allowable premium for purposes of this title.

"(2) If an individual purchases two or more qualified health care insurance policies applicable to the same benefit year, the amount payable as premiums on any of such policies in excess of one may be taken into account in determining the 'allowable premium' with respect to such individual only to the extent that (as determined in accordance with the regulations prescribed under section 2012) such policies in combination do not provide duplicate coverage.

"QUALIFIED CARRIERS

"SEC. 2007. (a) For purposes of this title, a 'qualified carrier' is a corporation, partnership, voluntary association, or other nongovernmental organization which—

"(1) is lawfully engaged in providing, paying for, or reimbursing the cost of health care under individual or group insurance policies, plans, or contracts, medical or hospital service agreements, membership or subscription contracts, or similar arrangements, in consideration of the payment to it of premiums or other periodic charges, including a health benefit plan duly sponsored or underwritten by an employee organization;

"(2) offers or undertakes to offer one or more qualified health care insurance policies to residents of the State or States in which it operates or conducts its business;

"(3) agrees to accept health insurance certificates of entitlement in payment of premium on such policies in accordance with this title;

"(4) agrees to participate, to the extent required by the regulations prescribed under section 2012, in any assigned risk pool which may be established in any such State by the State insurance agency or such other agency as may be authorized by State law to do so, and to accept from such pool such risks under the program established by this title as may be assigned to it; and

"(5) satisfies such other conditions and requirements as may be imposed by the Commission or the appropriate State agency or otherwise imposed in accordance with the regulations prescribed under section 2012 in order to assure that it will offer and keep available such health care insurance policies, and process and otherwise deal with claims made and matters arising under such policies, in a manner which will effectively contribute to the carrying out of the purposes of this title.

"(b) The determination of whether an organization or other entity in any State is a qualified carrier for purposes of this title shall be made by the State designee for such State in consultation with the State insurance agency (or other appropriate State agency) of such State and in accordance with the regulations prescribed under section 2012.

"(c) No organization or entity shall be determined to be a qualified carrier for purposes of this title unless the State designee finds that it has the financial, administrative, and other resources and capabilities necessary to perform its functions under this title in a manner which will effectively contribute to the carrying out of the purposes of this title.

"(d) Every qualified carrier shall be issued a registration number to identify it for purposes of this title.

"QUALIFIED HEALTH CARE INSURANCE POLICY

"SEC. 2008. (a) For purposes of this title, a 'qualified health care insurance policy' is a contractual agreement between a qualified carrier and an eligible beneficiary which—

"(1) embodies a qualified health protection plan covering such beneficiary and his dependent beneficiaries (if any) during a specified benefit year,

"(2) is registered with or approved by the appropriate State agency in accordance with the regulations prescribed under section 2012,

"(3) provides protection under such plan during such benefit year (A) without regard to any preexisting conditions, and (B) upon payment of a premium which represents the reasonable actuarial value of the items and services covered, determined on the basis of the usual, customary, and prevailing charges for such items and services, and

"(4) is noncancellable and guaranteed renewable so long as the carrier continues to offer health care insurance of any kind to the public.

"QUALIFIED HEALTH PROTECTION PLANS

"SEC. 2009. (a) For purposes of this title, a 'qualified health protection plan' is a plan or arrangement made available by a qualified carrier which provides, in accordance with this title, for the payment to or on behalf of the covered individual or individuals of the reasonable costs or charges incurred by such individual or individuals during a specified one-year period for at least the following services:

"(1) Professional medical services (as defined in subsection (b)), including anesthesiologists' services.

"(2) Surgical services (as defined in subsection (c)).

"(3) Hospital services (as defined in subsection (d)).

"(4) Extended care services (as defined in subsection (e)).

"(5) Home health and outpatient rehabilitation services (as defined in subsection (f)).

"(6) Ambulance services, when ordered by a physician.

"(7) Prosthetic aids in cases of medical need.

"(8) Drugs furnished on an outpatient basis pursuant to a physician's prescription.

"(9) Dental care.

Each such health protection plan shall provide, except as specified in subsection (h), for payment of the full cost of or charge made for any covered items or services, including those that are catastrophic in nature, received by the insured individual and his dependent beneficiaries during the specified one-year period.

"(b) The term 'professional medical services' means—

"(1) outpatient services, including—

"(A) physicians' services furnished for or in connection with the diagnosis or treatment of illness or injury,

"(B) psychiatric care,

"(C) all infant care (including 'well baby care') through the first year of life,

"(D) inoculation and immunization against communicable diseases on a periodic basis,

"(E) periodic physical examinations and health surveys,

"(F) diagnostic X-ray and laboratory services (including cervical Pap smear),

"(G) radiation therapy, and

"(H) physical therapy when performed by or under the direct supervision of a physician; and

"(2) inpatient services, including—

"(A) X-ray and laboratory services,

"(B) radiation therapy,

"(C) professional or specialist consultations,

"(D) physicians' services during hospitalization, and

"(E) acute psychiatric care.

"(c) The term 'surgical services' includes all surgical procedures intended to bring about the cure of illness or the repair of injury, whether performed in or out of a hospital, and includes physicians' services for pregnancy (prenatal, obstetrical, and postpartum) and for complications of pregnancy (such as ectopic pregnancy, caesarean section, or spontaneous abortion), as well as medically indicated sterilization procedures.

"(d)(1) The term 'hospital services' means—

"(A) items and services furnished by a hospital to an inpatient of such hospital, including—

"(i) bed and board,

"(ii) nursing and related services, use of hospital facilities (including operating and delivery rooms, recovery rooms, intensive care units, and coronary care units), and drugs, biologicals, supplies, appliances, and equipment (including oxygen) for use in the hospital,

"(iii) other diagnostic and therapeutic items and services, and

"(iv) medical and surgical services provided by a resident or intern; and

"(B) items and services furnished by a hospital to an outpatient, including—

"(i) use of operating, cystoscopic, and cast rooms, and supplies furnished therein, and

"(ii) use of emergency rooms, and supplies furnished therein, in cases of medical or surgical emergency.

"(2) Such term also includes inpatient or outpatient hospital care for pregnancy or any of its complications, and psychiatric care (including psychiatric day care).

"(3) Notwithstanding the preceding provisions of this subsection, such term does not include any items or services which are of a personal nature or are expressly provided for the pleasure of the patient, or (except as provided in paragraph (1)(A)(iv)) any professional medical services or surgical services.

"(e) The term 'extended care services' means items and services furnished by a skilled nursing home or extended care facility to an inpatient of such home or facility, after such inpatient's hospitalization or in other circumstances where medically indicated, including—

"(1) nursing care,

"(2) bed and board,

"(3) physical, occupational, or speech therapy,

"(4) drugs, biologicals, supplies, appliances, and equipment for use in the home or facility,

"(5) medical services provided by a physician, resident, or intern of a hospital under an agreement between the home or facility and such hospital, and

"(6) such other services necessary to the health of the patients as are generally provided by skilled nursing homes and extended care facilities;

excluding, however, any item or service if it would not be included under subsection (d) if furnished to an inpatient of a hospital.

"(f) The term 'home health and outpatient rehabilitation services' means home visits by ancillary personnel of a recognized home health agency designed and intended to provide, under the direction of the attending physician, necessary nursing care and treatment of illness or injury.

"(g) For purposes of this section, an institution shall be considered a hospital, skilled nursing home, extended care facility, or home health agency if it is licensed or otherwise considered or treated as such under the laws of the State or political subdivision in which it is located, subject to such additional conditions or requirements as the Commission may impose to assure that its participation in the provision of items or services under a qualified health protection plan will effectively contribute to the achievement of the purposes of this title.

"(h) An individual covered by a qualified

health protection plan may be required under such plan to pay—

"(1) in the case of an individual who is an inpatient of a hospital and is not a person of low income (as determined under section 2006), a percentage of the cost of the hospital services furnished him which shall not exceed 25 per centum of the hospital's established charges for bed and board in a semiprivate room and shall bear a ratio to 25 per centum of such cost equal to the inverse ratio of his allowable premium (as so determined) to the total premium on the qualified health care insurance policy in which such plan is embodied; and

"(2) such other nominal deductibles and coinsurance amounts as may be permitted by the regulations prescribed under section 2012.

"BENEFIT YEAR

"SEC. 2010. An individual's 'benefit year' for purposes of coverage under a qualified health care insurance policy under this title shall be such individual's taxable year for Federal income tax purposes or (in particular cases) such other twelve-month period as may be specified by the Commission in accordance with the regulations prescribed under section 2012; except that no benefit year shall begin before January 1, 1972.

"REDEMPTION OF HEALTH INSURANCE CERTIFICATES

"SEC. 2011. (a) Any qualified carrier which accepts a health insurance certificate of entitlement in full or part payment of the allowable premium on a qualified health care insurance policy may redeem such certificate for cash, in the amount of the payment which such certificate represents, by submitting it to the Commission or to the appropriate State designee in accordance with the regulations prescribed under section 2002.

"(b) If the acceptance by a qualified carrier of a health insurance certificate (or certificates) of entitlement in full or part payment of the allowable premium on a qualified health care insurance policy should result in an overpayment of the total premium on such policy, such overpayment shall be recoverable from such carrier by the Commission (through an offset against redemptions under subsection (a) or otherwise).

"REGULATIONS

"SEC. 2012. The Commission shall prescribe and publish such rules, regulations, and procedures (consistent with the general regulations prescribed by the National Advisory Medical Council under section 2015(b) as may be necessary to carry out this title.

"NON-DUPLICATION OF FEDERAL BENEFITS

"SEC. 2013. Benefits claimed under this title (whether in the form of a health insurance certificate of entitlement issued under section 2003 or 2004 or a tax credit under section 40 of the Internal Revenue Code of 1954) shall not be duplicated under any other program financed in whole or in part by the Federal Government.

"PROFESSIONAL STANDARDS REVIEW

"SEC. 2014. In order to promote the effective, efficient, and economical delivery of health care under qualified health care insurance policies under the program established by this title, the Commission shall take such actions as may be necessary or appropriate to assure that there are in effect with respect to the delivery of such care, on the part of qualified carriers as well as on the part of the institutions and entities actually providing such care, suitable procedures for peer and utilization review which guarantee that such care will conform to physician-established professional standards and that payment for such care will be made only (1) when and to the extent medically necessary, (2) on an outpatient or other more economical basis instead of on an inpatient or more expensive basis whenever feasible, and (3) within the range of reasonable costs or charges. Peer and utilization review activities in conformity with the preceding sentence shall be carried on in cooperation with the appropriate State medical associations and State health agencies.

"NATIONAL ADVISORY MEDICAL COUNCIL

"SEC. 2015. (a) There is hereby created a National Advisory Medical Council (hereinafter in this section referred to as the 'Council'), which shall consist of eleven persons including the Chairman of the Commission, the Commissioner of Internal Revenue, and the Director of the Bureau of Labor Statistics. The remaining members, who shall be known as 'public members' and shall not otherwise be in the employ of the United States, shall be appointed by the President, by and with the advice and consent of the Senate, without regard to the provisions of title 5, United States Code, governing appointment in the competitive service. The Chairman of the Commission shall serve as Chairman of the Council. The public members, a majority of whom shall be practicing physicians, shall be selected from among persons who are specifically qualified to serve on the Council by virtue of their education, training, or experience. Each of the public members shall be appointed for a term of four years except that, when appointments are first made, three shall be appointed for terms of two years, three for terms of three years, and two for terms of four years, and except that any such member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term. The Council shall meet as frequently as the Chairman deems necessary, but not less than annually. Upon request of three or more members, it shall be the duty of the Chairman to call a meeting of the Council.

"(b) The Council shall—

"(1) prescribe such general regulations, and such guidelines and standards, as may be necessary to carry out the purposes and provisions of this title;

"(2) establish minimum Federal standards for the use of State insurance departments in determining whether a carrier policy, or plan is qualified under this title;

"(3) in consultation with carriers, providers of services, and consumers, plan and develop programs whose purposes are to provide for maintaining the quality of medical care, and the effective utilization of available financial resources, health manpower, and facilities, through utilization review and peer review (within the meaning of section 2014) and other means which provide for the participation of such carriers and providers, with particular emphasis upon creating incentives for institutional patient care to be provided through the most appropriate and economical method and location of treatment; and

"(4) encourage the transfer of health maintenance costs for those who are chronically ill to the appropriate federal and/or state welfare agency; and

"(5) review the effectiveness of the program under this title with emphasis upon the tax credit provisions of section 40 of the Internal Revenue Code of 1954, and file with the President and the Congress by December 31 of each year an annual report—

"(A) on the operation and status of such program during the past fiscal year and on its expected operation during the current and next two fiscal years, and

"(B) with recommendations for such changes in the law as it considers necessary or appropriate to improve the effectiveness of the program.

The Council is authorized to request from any department, agency, or independent instrumentality of the Federal Government any information it determines is necessary to carry out its functions under this title, and each such department, agency, or instrumentality is authorized and directed to cooperate with the Council and, to the extent permitted by law, to furnish such information to the Council upon such request.

"(c) The Commission may appoint such special advisory professional or technical personnel or committees to assist the Council as may be needed to carry out the purpose of this title.

"(d) Public members of the Council and other personnel or members of any advisory or technical committee, while attending meetings or conferences thereof or otherwise serving on business of the Council or of a committee, shall be entitled to receive compensation at rates fixed by the Commission, but not exceeding $100 per day, including travel time, and all members of the Council while so serving away from home may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code.

"STATE ADVISORY MEDICAL COUNCILS

"SEC. 2016. (a) There is also created in each State a State Advisory Medical Council (hereinafter in this section referred to as a 'State Council') composed of fifteen persons appointed for terms of six years each, as follows:

"(1) Four members shall be appointed by and from the State legislature.

"(2) The remaining members shall be appointed by the Governor of the State by and with the advice and consent of the State legislature. Of such members (A) two shall be appointed from among individuals who are currently consumers, (B) three shall be appointed from among individuals who are neither providers of service nor associated facilities providing services, (C) at least two shall be licensed physicians and surgeons, and (D) at least two shall be full-time chief executives of facilities operating hospitals, skilled nursing homes, or extended care facilities. The members appointed under clauses (C) and (D) of the preceding sentence shall be selected from lists (of not more than ten nor less than seven nominees) submitted to the Governor by the State Medical Association, the State Hospital Association, and other associations representing providers of service or facilities to health care beneficiaries.

"(b) In the event a vacancy occurs on the Council, the appointment of a successor to fill the unexpired term shall be made by the same appointing authority that appointed the member being replaced and subject to the same provisions.

"(c) Each State Council shall assure that the requirements and conditions imposed and objectives established by the National Advisory Medical Council on matters within its jurisdiction are complied with and met by the State and by all political subdivisions of the State, and shall assure that all beneficiaries within the State who are eligible to participate in the program established by this title are given an effective opportunity to purchase a qualified health care insurance policy.

"EXPERIMENTATION

"SEC. 2017. The Commission, in the administration of this title, shall encourage experimentation and the development of innovative methods for the provision of health care, including both the organization and delivery of such care and the utilization of new types of manpower. For this purpose, the Commission may utilize resources and facilities under its jurisdiction or otherwise available to it and may, upon the recommendation of the National Medical Advisory Council, make grants to public and private agencies and organizations on the basis of applications submitted by them and ap-

proved by such Council and the appropriate State comprehensive health planning agencies.

"STUDY OF MALPRACTICE LIABILITY

"SEC. 2018. (a) The Congress finds that—

"(1) with the increasing complexity and sophistication of diagnostic and therapeutic health care procedures, determination whether a patient has been injured by malpractice or other fault has become increasingly difficult and the existing method of making this determination through the judicial process has become increasingly costly, inefficient, and unsatisfacotry;

"(2) the cost of insurance against malpractice liability has become a substantial element in the cost of health services, and there is growing evidence that the risk of such liability, together with the limited availability of insurance, may be inhibiting the proper and desirable use of certain diagnostic or therapeutic procedures as well as the effective use of health manpower and health care facilities; and

"(3) the risk of harm arising out of medical treatment can be reduced but cannot be eliminated from the delivery of health services, and it is essential to develop more precise, efficient, and equitable methods of determining whether harm to patients has been caused by negligence or other factors and of determining and paying fair compensation to persons entitled thereto.

"(b) The Commission shall conduct a comprehensive study of all relevant aspects of the malpractice problem with particular emphasis on the methods used for compensating patients for harm suffered as a result of malpractice or other causes arising out of or in the course of the provision of health services to them. The study shall include (but shall not be limited to)—

"(1) the collection of information concerning (A) the existing methods of determining liability and paying compensation for harm caused by malpractice or other fault, including information bearing on the costs and effectiveness of those methods, the reasonableness and timeliness of such payments, and the significance of the cost of liability insurance and the cost of processing malpractice claims to conclusion as an element in the cost of health care, and (B) the cost, availability, and adequacy of liability insurance as a means of providing funds for such compensation and protecting providers of health services against undue financial risks;

"(2) an examination of the feasibility, cost, and desirability (A) of substitute or alternative methods of determining entitlement to, and the amount of, compensation for harm suffered, in lieu of determination of these issues through the judicial process, (B) of substituting other tests of entitlement to such compensation for the presently-used tests based on negligence or fault on the part of providers of services, and (C) of establishing statutory criteria to govern the determination of the amount of such compensation;

"(3) an examination of the relationship of malpractice claims and litigation to the delivery of health services, including an analysis of the professional and economic impact of actual or threatened claims on health care diagnostic and therapeutic practices, the use of health manpower, and the use of health care facilities; and

"(4) an examination of existing methods and potential alternative methods of meeting the cost of such compensation, while affording reasonable protection to the providers of health services.

"(c) The Commission shall make to the Congress (1) an interim report of its studies under this section not later than one year after the date of enactment of this title, and (2) a final report, with such recommendations for legislation as it deems appropriate, not later than two years after such date."

INCOME TAX CREDIT FOR HEALTH INSURANCE PREMIUMS

SEC. 4. (a) Subpart A of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1954 (relating to credits allowable) is amended by redesignating section 40 as section 41 and by inserting after section 39 the following new section:

"SEC. 40. Health insurance premiums.

"(a) GENERAL RULE.—There shall be allowed as a credit against the tax imposed by this chapter for the taxable year, to an individual who has purchased a qualified health care insurance policy as defined in section 2008 of the Social Security Act and has elected to receive a credit under this section as provided in section 2004(a)(1) of such Act, an amount equal to a portion (determined under subsection (b)) of the premium paid during such taxable year for coverage under such policy.

"(b) AMOUNT OF CREDIT.—The credit under subsection (a) for amounts paid by an individual as premium on a qualified health care insurance policy during any taxable year shall be equal to the portion of such premium which would constitute 'allowable premium' under section 2006(b) of the Social Security Act, and could have been paid by such individual with a health insurance certificate of entitlement issued under section 2004 of such Act, if (instead of electing to receive a credit under this section) such individual had elected to have such a certificate issued to him as provided in section 2004(a)(2) of such Act.

"(c) REGISTRATION NUMBER.—Any individual claiming a credit under this section shall indicate on his return the registration number issued under section 2007(d) of the Social Security Act to the carrier from which he purchased the qualified health care insurance policy referred to in subsection (a).

"(d) APPLICATION WHERE CREDITS EXCEED TAX LIABILITY.—If a credit allowed an individual by subsection (a), when added to any credit to which such individual is entitled under section 31, exceeds the total amount of such individual's liability for tax under this chapter for the taxable year, the amount of such excess shall be treated as an overpayment of such tax for all of the purposes of this title.

"(e) DISALLOWANCE OF PREMIUM PAYMENT AS DEDUCTION.—No deduction shall be allowed an individual under section 213 (relating to medical, dental, etc., expenses) for any amount for which such individual is allowed a credit under this section.

"(f) REGULATIONS.—The Secretary or his delegate, in consultation with the United States Civil Service Commission, shall prescribe such regulations as may be necessary to carry out the provisions of this section."

(b) The table of sections for such subpart A is amended by striking out the last item and inserting in lieu thereof the following:

"SEC. 40. Health insurance premiums.
"SEC. 41. Overpayments of tax."

(c) The amendments made by this section shall apply only with respect to taxable years ending after June 30, 1972.

REPEAL OF MEDICAID PROGRAM

SEC. 5. Effective July 1, 1972, title XIX of the Social Security Act is repealed.

REPORT TO CONGRESS ON NECESSARY CHANGES IN MEDICARE PROGRAM AND OTHER LAWS

SEC. 6. (a) The Secretary of Health, Education, and Welfare and the United States Civil Service Commission shall jointly study the actual and potential interrelationship between the benefit program established by title XX of the Social Security Act (as added by section 3 of this Act) and the health insurance program established by title XVIII of such Act, giving particular attention to the question of whether or to what extent the functions performed by the latter program should be transferred to and merged in the program established by title XX of such Act (as so added), and shall submit to the Congress on or before July 1, 1972, a full and complete report of their findings together with their recommendations with respect thereto.

(b) Or on before January 1, 1973, the Secretary of Health, Education, and Welfare shall determine the technical, clerical, conforming, and other changes in the Social Security Act and other Federal laws which are required by reason of the repeal of title XIX of such Act by section 5 of this Act or by reason of the enactment of title XX of the Social Security Act (as added by section 3 of this Act), or which would be required by action taken with respect to title XVIII of the Social Security Act pursuant to subsection (a), and shall submit to the Congress a full description of the changes so required together with a draft of the legislative language necessary to accomplish such changes.

EFFECTIVE DATE

SEC. 7. Except as otherwise specifically provided, this Act, and the amendments made by this Act, shall take effect July 1, 1972.

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## UNPRECEDENTED ACTION BY HEW IN CLOSING DRUG TREATMENT FACILITY

(Mr. WRIGHT asked and was given permission to extend his remarks at this point, in the RECORD.)

Mr. WRIGHT. Mr. Speaker, I rise to call the attention of the House to an incredibly callous action by which the Department of Health, Education, and Welfare earlier this month summarily closed a major drug treatment facility and sent 92 narcotics patients out onto the streets before their treatment could be completed.

These were patients voluntarily committed under the Narcotics Addict Rehabilitation Act. Some were committed for treatment in lieu of prosecution for drug-induced crimes. None had been under treatment for more than 4 months. None, according to the doctors treating them, was ready for release.

Yet they were released by an edict of HEW, abruptly and cynically—and perhaps irrevocably.

On Friday, October 8, while the future role of the facility in which they were being treated was under active consideration by a House-Senate conference committee—and after the House had voted overwhelmingly to keep the facility open—HEW suddenly ordered the facility closed and all the patients shipped out within 24 hours.

Aside from its humane aspects, this administrative action was a flagrant breach of good faith with the Congress.

Immediately upon learning of the order, I along with other Members of Congress sent an urgent plea to Secretary Richardson to reconsider and withhold action at least until Congress could work its will on the fate of the clinical research center where these patients were being treated. Our pleas fell on deaf ears.

In the intervening days since October 8, with the help of professional committee investigators from the Congress, I have been at some pains to discover ex-

actly what has happened to these 92 patients. We have found enough to make us sick.

Somewhere in HEW sits an administrator who may have more than a passing interest in the report I am about to give.

He may be interested in hearing, for example, about the former dope pusher he put back on the streets of New Orleans, where he has resumed his nefarious traffic.

He might like to know how the narcotics addict he sent back to Las Cruces, N. Mex., smashed up a car, was jailed for speeding, beat up a probation officer, and then showed up at his counselor's home, high on drugs.

He might be fascinated by the anguished plea of one that someone lock him up before he got into trouble again.

Perhaps he would be interested in what happened at Love Field in Dallas to three other addicts he turned loose—especially the panic over the phony story of the submachine gun in the suitcase.

He might find it of some concern that half those sent back to San Antonio and all those sent back to Phoenix were using drugs again before the weekend was over.

Even if this HEW official is not intrigued by any of these particular episodes of human bondage, there are plenty of other examples of what happens when 92 drug addicts—many of them with criminal records—are suddenly thrown out of a Federal narcotics treatment center and told to go home.

HEW, in its zeal to close up the only major Federal narcotics treatment center west of the Mississippi River before Congress could intervene, took the grossly irresponsible step of ordering every last patient discharged from the clinical research center in Fort Worth within 24 hours.

Frankly, I was stunned that a Federal agency would stoop to using drug victims as pawns in a power play to thwart the will of Congress by presenting us with a fait accompli on a matter which was currently under active consideration in a House-Senate conference committee.

From a humane point of view the action was doubly irresponsible. It jeopardized the welfare not only of these tortured patients themselves, but also of everyday citizens who may be robbed or endangered by addicts roaming the streets in search of money to satisfy their craving for drugs.

In an effort to discover and document exactly what happened to the patients ousted under the HEW's precipitate closing order, two teams of congressional investigators took to the field last week. They visited a number of communities to which these patients had been so abruptly returned and conducted numerous field interviews. Their preliminary reports are in. Mr. Speaker, the results are appalling.

Permit me to recount briefly how this incredible situation evolved.

The growing dimensions of the drug abuse problem in this country need no special elaboration. And yet, at the very time when narcotics treatment facilities and experience are more crucially needed than ever before, HEW has been trying to end its treatment program in Fort Worth and turn the clinical research center there—one of only two such facilities in the United States—over to the Department of Justice for use as a prison.

An overwhelming majority of us here in the House of Representatives have challenged the HEW's plan as unwise and untimely. Certainly, we reasoned, it is no time to close up one of the only two major Federal drug treatment centers in the Nation at a time when its skills, experience and facilities are more desperately needed than before.

Our colleagues may recall that on August 2, the House voted 370 to 4 in favor of a resolution expressing the sense of Congress that certain U.S. Public Health Service facilities remain open. This resolution specifically included the Clinical Research Centers in Fort Worth and Lexington, Ky.

Because a similar resolution passed by the Senate did not contain the specific reference to the centers in Fort Worth and Lexington, the matter was taken to conference. On the night of Thursday, October 7, the conferees were not able to reach agreement, even though several members of the other body had made clear that they shared this Chamber's grave misgivings about closing a treatment center so vitally needed at this time.

Regrettably, though, a temporary stalemate of this kind apparently provided an excuse, however flimsy, for the HEW to act. Hardly had the door on the conference room closed for the night when the word went from HEW to Fort Worth—send all 92 patients home within the next 24 hours and close the clinical research center as a drug treatment facility.

Obstensibly the patients who were being thrown out would receive further treatment near their homes at localized community treatment centers called for under the Narcotics Addict Rehabilitation Act.

The only trouble is that most of these so-called community treatment centers exist only on paper. The few which do actually exist at present have severely limited facilities and personnel.

In New Orleans, for example, the Tulane University NARA unit, or community drug treatment center, has access to only 15 beds for in-patient care. Yet there are an estimated 6,000 heroin addicts in New Orleans.

Twelve of these 15 beds were occupied when authorities in New Orleans learned that the Fort Worth center was to be abruptly closed and that 13 displaced patients were on their way back to New Orleans. At an emergency meeting, Tulane University NARA officials decided to treat all the homecoming refugees as outpatients. The net effect of this, of course, was to return most of them to the street where they acquired the drug habit in the first place and where they will be exposed once again to old associates and old temptations.

The HEW order to get all patients out of Fort Worth immediately meant that administrators at the clinical research center simply had to do the best they could in making travel arrangements.

All 13 destined for New Orleans came on one plane. They landed at 8:30 at night, and did not even have cab fare to leave the airport. Presumably they made their way as best they could to their homes and did not report to the NARA unit until Monday. This meant that the NARA officials could exercise no control at all over the incoming patients during the weekend. When the 13 reported in Monday, at least four of them already had taken fixes of illicit drugs.

One, a 23-year-old ex-convict who was relying on burglaries and thefts to support a $300-a-day heroin habit before his commitment to Fort Worth, admitted having a bag and a half of heroin shortly after hitting the ground in New Orleans. He rationalized that he was only "testing myself" to see if he could do without drugs after his stay in Fort Worth, where he was admitted on June 14.

Another addict blithely told the congressional investigating team that one of the 13 tossed out of Fort Worth had not only resumed using heroin but was selling it once more on the streets of New Orleans. For this, of course, we are all indebted to the summary edict by HEW.

Three of the patients unceremoniously ejected from Fort Worth were destined for Anchorage, Alaska. Perhaps we should note in passing that the nearest in-patient community treatment center to Anchorage is in Portland, Oreg. Perhaps HEW will come up with dog sleds so these patients can continue treatment.

The three Anchorage patients got no further than Love Field, only about 30 miles from the clinical research center, before getting into trouble. A Continental Airlines employee asked if they had any firearms in their possession.

"Yes," one replied, motioning to one of his fellow patients, "I have a submachinegun and he has a pistol."

To the hijacking-conscious airline employee, this was not a very funny joke. He called a U.S. deputy marshal, but the matter was ultimately untangled in time for the three to make their flight.

It had been one of these Alaskan patients, incidentally, who appeared overjoyed when clinical research center employees had told him earlier in the day that he was to be discharged.

Plunging an imaginary needle into his arm, he laughed, "I'll be having a shot within 2 days." Considering the airport incident, he may have gotten himself a fix even faster than he had hoped.

None of this came as a particular surprise to authorities at the clinical research center. The tragedy is that the results were predictable—and avoidable. One expert who has had long experience rehabilitating drug addicts said that the 92 who were abruptly discharged in the middle of their treatment have virtually no chance of a cure.

He said:

> They will all be back on narcotics in the near future, most of them immediately.

This prophecy has proved almost chillingly accurate. Among a group of six patients destined to report to San An-

tonio, one did not even get as far as the bus station in Fort Worth to pick up his ticket.

Another reported in as ordered at an aftercare treatment center in San Antonio, but his urine test showed that he had received a shot of heroin even before checking in. A third did not even bother to make a secret of it. Sure, he admitted. He had taken one shot of heroin before the bus even left Fort Worth Friday night and another before reporting to the aftercare facility Monday morning. In other words, exactly half of this particular group was either missing or back on junk within 72 hours after walking out the gate of the clinical research center.

Five patients were sent as a group to Phoenix, Ariz. They arrived at the airport there by plane on the evening of October 8.

"Most of them were very drunk," said a NARA after-care representative who went to the airport to meet them. When they reported to the treatment center Monday, urine tests showed that all five had shot themselves with heroin over the weekend.

The criminal record of one of the Phoenix group presents a disquieting case study of a long-time addict who has relied on crime to support his habit. He is 37 years old, and his criminal activities span 20 years. He spent 5 years in Sing Sing prison for robbery and several terms in the Westchester, N.Y., jail for shoplifting.

After leaving prison in July 1970, he traveled to Phoenix with his common law wife, went back on the needle and was given a 5-year sentence in State court for strong-arm robbery. The judge suspended the sentence on condition that he enter Fort Worth as a patient. His October 8 discharge came less than 4 months after his treatment began, thus denying him even a remote chance to free himself from slavery to drugs, not to mention the danger his freedom poses to society.

Or consider the case of a 25-year-old ex-convict who has been using heroin since he was 15. Ejected from Fort Worth, he dutifully reported to his counselor in Las Cruces, N. Mex., that he had grave doubts about his ability to stay off drugs. He said:

I don't think I can make it on the street.

He asked his counselor to try to arrange further in-patient care.

In 3 days while awaiting for this treatment to be arranged, the one-time patient wrecked a friend's car, was jailed for speeding, shouting abuse at a probation officer he spotted across the street, and finally came to blows with him. Afterward, he went to his counselor's home to plead once more for recommitment.

He was high on something, I don't know what.

Mr. Speaker, these are sordid, disheartening stories. I fear, however, that they barely scratch the surface of the tragic mistake that has been made in closing the clinical research center as a narcotics treatment facility.

Whether it is too late to correct this mistake I do not know. Whether it is possible to reopen the center and retrieve these tortured victims of illicit narcotics I cannot say.

But obviously it was a bad decision. It was crass and heartless, and it was made with the clear knowledge that Congress had not yet resolved the legislative intent on the clinical research center. Let the results of the HEW's action speak for themselves.

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## SECRETARY STANS OUTLINES ELEMENTS OF PHASE II

(Mr. HALL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HALL. Mr. Speaker, Secretary of Commerce Maurice H. Stans recently spoke before the Business Council at the Homestead in Hot Springs, Va., on October 15, 1971, at which time he discussed President Nixon's economic program which pertains to phase II. In that speech, he emphasized the fact that the President's policy is not a bailout for business at the public's expense. I think this fact needs to be emphasized, and the Secretary's speech follows:

ADDRESS BY THE HONORABLE MAURICE H. STANS

Gentlemen, we are here today as a panel to outline briefly some of the fundamental elements of Phase Two of the President's Economic Program, and then to answer the questions that you will have concerning it.

The general outline we have planned is that first I will review the freeze period and make some introductory comments about Phase Two in particular.

Then Peter Flanigan, who is an Assistant to the President, will discuss some of the individual elements of the control program of Phase Two.

The Executive Director of the Cost of Living Council, Arnold Weber, then will take up the organization and structure of the Phase Two machinery.

Finally, Herb Stein, a member of the President's Council of Economic Advisors, will review the economic implications of the Phase Two program.

You hardly need to be reminded that as of now we are sixty days into the period of the freeze, and just 30 days from the start of Phase Two of the New Economic Program.

The appropriate way to begin is to thank you for your cooperation and support you have given the President and his program up to this point. No particular element of our society has done more than the Business Community to assure the success of the efforts that are being made to restore economic stability, to reduce unemployment, to blunt the forces of inflation, and to restore a condition of equity to our position in international trade and finance.

So we are truly grateful for your confidence in the President's leadership and direction, and for putting the national interest ahead of all others.

CONDITIONS

It is critically important for the American business community which you gentlemen represent to establish two facts:

First, make it clear that the business system of America was not foundering on the rocks on August 15 or at any time earlier; and second, make it clear that the New Economic Policy is not a bailout for business at public expense.

The fact is that many of the leading economic indicators were in an upward trend at the time the President launched the program, but it was made necessary by four problems:

The rate of inflation was not coming down as rapidly as necessary;

The rate of unemployment was high, in large part due to reductions in military forces and defense contracting;

International problems in trade and fiscal policy were developing serious pressures on the strength of the dollar;

And large segments of the public had been talked into a lack of confidence in the future.

The crisis in confidence was really more severe than any crisis in the economy.

PROGRESS

The success we have had in the first 60 days is repairing the damage to public confidence, as we see by several indicators.

In the fight against inflation, for example, statistics for the first full month of the freeze showed that wholesale prices had their sharpest decline in more than 5 years.

In the fight against unemployment, there was a slight decline in the jobless rate, and a fairly sharp increase in the number of people employed.

Interest rates are down, and in some cases significantly, and even mortgage rates are dropping.

On the labor front, even though some major new strikes have started—notably on the docks and in the mines—more than 72 percent of the pre-freeze strikes have now been settled. Also, out of 194 new strikes in the freeze period, 83 have been settled.

The number of strikes pending on August 15 has been reduced by more than half.

Weekly retail sales are up considerably, led by a rise in automobile sales that is very good no matter how you look at it.

We expect these to be followed by new indicators which undoubtedly will show an increase in personal income, and a continuation of the very high level of housing starts.

And one of the strongest indicators of the success of the President's program has come from the overwhelming support of the business community:

In our appeal for a freeze on dividends, it is remarkable that 100 percent of 1,250 firms we contacted have voluntarily agreed to restrain dividends. I know that many of you here are among those who responded on this matter, and this is the kind of cooperation for which I express thanks.

So all of this is not a bad box score for 60 days.

PHASE II

But obviously the job is not done, and that is why we now look ahead to Phase Two.

But first let me put to you the objectives that we have for Phase II, and some of the basic guidelines that are being followed in developing it.

To begin with, in developing both our objectives and our machinery, we have worked from the premise that the program must be basically fair for all segments of the economy. This means we not only want to avoid economic discrimination against any Americans, but we want a program in which there will be broad and willing participation across the board.

Second, we have set out to develop a flexible program. We want to avoid the pressures that could have a restrictive effect on production, or efficiency, or growth.

Particularly when adjustments are required to ensure fairness, we must not be locked into restraints that are just as rigid as those during the freeze; we must have the administrative flexibility to make adjustments.

Third, our guideline is developing the administrative machinery has been basically simple. We do not want to be too burdensome, too costly, too intrusive or too bureaucratic.

Certainly no effective program could be launched with less than the fundamental units created by the President to deal with such a huge national issue as this. But the Cost of Living Council, the Pay Board and the Price Commission are not going to grow recklessly into the kind of giant machines that have enforced wage and price controls in the past.

GENERAL GOALS

With those guidelines, there are several general observations that should be made about Phase Two. Let me give you these points of fundamental importance:

First, the Cost of Living Council wants the rate of inflation brought down to a level somewhere between two and three percent by the end of 1972. This will be about half the rate that prevailed before the freeze. It should be a great step toward price stability, but at the same time leave enough room for adjustments in the interest of fairness and efficiency.

Second, this is to be a comprehensive program, covering the full economy. But as the President indicated, the closest surveillance is going to be confined to limited number of key, critical sectors of the economy that have the greatest inflationary force.

Third, we are counting on compliance with the program being voluntary, and certainly the attitude of most business had indicated that this will be the case. But at the same time, we must have legal enforcement standards and penalties if we are to have an effective program with teeth in it, as the President has called for.

Fourth, in the interest of fairness we must have effective restraints on windfall profits, plus the standby controls the President has requested on interest rates and dividends. But I can assure you these will be exercised carefully, and there will be enough flexibility to make certain that the economy has the fuel it needs for economic growth and stability.

The very strong statements made by the President recently on the significance of profits in our system indicate the degree of reality that is being brought into this program—but at the same time business and industry must exercise responsibility in regard to profits, dividends and interest.

Now one final note.

Phase Two, like Phase One, will succeed only if all the elements of the economy combine to make it work.

RESPONSIBILITY

Responsibility for it is shared between business, labor, government and the public. We have had to work extremely hard to achieve the cooperation of labor, as you know, and this is not the proper forum to exhort them any further.

But it is a proper forum to urge American business to continue to take the leadership in cooperating and participating in the New Economic Program.

To look at it one way, if you fail to cooperate you can only encourage others to do the same. In the reverse, with your help stable, growing, prosperous conditions will be restored.

In this kind of situation, nobody is exempt from the national interest.

## TAKE PRIDE IN AMERICA

(Mr. MILLER of Ohio asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. MILLER of Ohio. Mr. Speaker, today we should take note of America's great accomplishments and in so doing renew our faith and confidence in ourselves as individuals and as a nation.

Following Robert Fulton's opening of waterways in 1807 with the first mechanical-powered transportation, steamboats expanded travel and trade enormously. Beasts of burden were required for all hauling over land until the introduction of steam railways in 1823, for economic progress. In the next 40 years about $200 million of European capital "migrated" to the United States. With its character, industry, natural resources, and ever-growing stock of tools, America started up the road to greatness.

## REQUIRING FOREIGN WINE IMPORTERS TO CONFORM TO BOTTLE SIZES REQUIRED OF AMERICAN VINTNERS

(Mr. SISK asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SISK. Mr. Speaker, I would like to call to the attention of the House membership some regulations that are currently pending before the Alcohol, Tobacco, and Firearms Division of the Internal Revenue Service requiring foreign wine importers to conform to the same bottle size regulations required of American vintners. These regulations, in my opinion, would not exclude foreign wines nor prohibit their importation. They would, I feel, protect the consumer and put American wines on a competitively equal basis with foreign wines.

Federal regulations in the United States require that American vintners bottle their wine in certain specific sizes. By far the most popular size is the four-fifth quart, or fifth, which contains 25.6 ounces.

Foreign-bottled wines, on the other hand, are not required to meet any specific bottle size. Foreign wines are being offered in America, in competition with our wines, in containers ranging from 21 to 25.33 ounces. Predominant examples are labeled 23, 23.5, and 24 ounces.

Even though the fine print on the label states the liquid content, it is clear that most consumers regard all these bottles that appear to be of comparable size, to be of exactly comparable size.

Wine lists across the country refer to fifths and full bottles; they do not state the number of ounces. Most displays and much advertising use the same terms for the short foreign sizes and treat them the same as the full American bottle. In fact, some of these short sizes are falsely advertised as fifths by very legitimate retailers who have come to think of and sell these as being the same size as our fifth.

Apologists for the smaller European bottles claim that their "standard bottle" is only a few ounces less than ours and the difference "is not worth talking about." The fact is that the bottle size most frequently seen is the 70-centiliter bottle—often marked "1 pint, 7 fluid ounces." Most consumers do not read this and compute the number of ounces. Also, 70 centiliters is not precisely 1 pint, 7 fluid ounces, which totals 24 ounces. Seventy centiliters is closer to 23.6 ounces, which is 2 ounces less fill than our 25.6-ounce fifth. Thus the foreign vintner using this popular size would have to add more than 8 percent to his short fill bottle to come up to our fifth.

Viewed another way, it would require almost 13 of these short sizes to equal the standard of 12 American fifths.

We doubt any American consumer would accept a case of American wine that had one bottle missing without complaint. We doubt further that he would accept the wine merchant's statement that he only held back "a few ounces per bottle."

Apologists for the foreign wine shippers who want to retain the bottles claim that it would work great hardships, and that we want to exclude them from the market. This is not true.

Every foreign vintner has separate labels in English and has different markings for each case that is sent to this market. He could very easily acquire full fifth bottles if he cared to do so. For over 35 years, foreign distillers—who have been required by law to conform to U.S. standards of fill—have had no trouble in getting standard size fifths. This includes French cognacs, Spanish brandies, English gin, Scotch whisky, and so forth.

It appears to be patently unfair for our laws to create a situation whereby a foreign competitor can offer a package containing 5, 8, or 11 percent less wine and on which he pays 5, 8, or 11 percent less Federal excise tax, in competition with our own product in our own home market. Much of the so-called bargain wines from abroad achieve their lower selling price by virtue of this unfair advantage.

Other spokesmen for the foreign vintners have stated that the rare wines of Europe would be excluded. Not true. It is understood that there would be a period of time to provide for the orderly transition from the short fill bottle to the full fifth.

Justice and equity require that foreign vintners be required to abide by the same bottle size regulations required of American vintners.

## SOVIET JEWS MUST BE ALLOWED TO EMIGRATE

(Mr. YATES asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. YATES. Mr. Speaker, earlier today on the steps of the Capitol, I received a delegation from Chicago which had come to Washington to bring to the attention of the Congress the strong sentiment of protest against the injustice committed by the Soviet Government against its citizens of Jewish faith.

The delegation, was headed by Mr. and Mrs. Enoch Silverstein and by Mr. Judah Graubarb of the American Jewish Committee. They brought a truck containing petitions signed by over 100,000 residents of Chicago. That number could have been tripled or quadrupled had a major effort been made. The 100,000 signatures were obtained quickly and without a widespread campaign.

The petition reads:

"To—The Soviet Government. . . .

. . . We demand that you stop your inhuman persecution of the Jews in the Soviet Union.

. . . We demand that you allow the Jews to leave the U.S.S.R.—this is their legal right, guaranteed by your government. This right of emigration is in "The Universal Declaration of Human Rights," article 13–2. The language is clear and unequivocal—everyone has the right to leave any country, his own. Your government is a party to this essential human right. You must honor your word!!"

Mr. Speaker, the facts are incontrovertible that Soviet Jews are victims of deliberate discrimination and injustice. Those who despair of Soviet official treatment and make known their desire to leave the country are immediately subjected to economic injury, are deprived of their employment, are punished in other ways. Some have been slapped into mental institutions and into jail on trumped-up charges. Nevertheless, knowing that vindictiveness and harm will be visited upon them for their action, brave Jews are speaking up and demanding that they be allowed to emigrate to Israel or to other countries.

It is their right under Soviet law. The Soviet Government boasts of having signed and ratified the International Covenant against Racial Discrimination. Mr. Speaker, in that covenant it is specifically stated in article 5 as follows:

In compliance with the fundamental obligations laid down in article 2, States Parties undertake to prohibit and to eliminate racial discrimination in all its forms and to guarantee the right of everyone, without distinction as to race, color, or national or ethnic origin, to equality before the law, notably in the enjoyment of the following rights:

(a) The right to equal treatment before the tribunals and all other organs administering justice;

(b) The right to security of person and protection by the State against violence or bodily harm, whether inflicted by Government officials or by any individual, group or institution;

(c) Political rights, in particular the rights to participate in elections, to vote and to stand for election—on the basis of universal and equal suffrage, to take part in the Government as well as in the conduct of public affairs at any level and to have equal access to public service;

(d) Other civil rights, in particular:

(i) the right to freedom of movement and residence within the border of the State

(ii) the right to leave any country, including his own, and to return to his country;

The U.S.S.R.'s actions are directly opposite to its words.

The Soviet Union cannot deny its wrongful actions. The press recently published a letter written by the noted physicist Andrei D. Sakharov to the Supreme Soviet in which he urged his Government to grant all citizens the right to leave the country. He deplored the events in which Soviet citizens were jailed for expressing their wish to leave the Soviet Union. The article follows:

NOTED SOVIET PHYSICIST PROPOSES FREE EMIGRATION

Moscow.—Andrei D. Sakharov, the eminent Russian physicist, has proposed that the Soviet Union grant all citizens the right to leave the country. He said such a right is "an essential condition for spiritual freedom for everyone."

Sakharov, the developer of the Soviet hydrogen bomb and a champion of human rights, proposed the free emigration policy in an open letter to the Supreme Soviet.

He recommended that the legislative body revoke the law that permits persons fleeing the country to be tried for high treason. The scientist also asked for a general amnesty for persons detained in labor camps or mental hospitals because they had tried to leave the Soviet Union.

A copy of Sakharov's appeal, dated Sept. 20, was made available to some Western correspondents Sunday. It is believed to be the first time that an officially respected member of the Soviet intelligentsia has called for an overhaul of the Kremlin's emigration policy.

"The trials of recent months," the letter said, "have again reminded us of the tragic conflicts arising in connection with the difficulties experienced by citizens who want to settle in another country and of the legal, social, psychological and political aspects of this problem."

Sakharov said many Soviet citizens who have tried to leave, "for personal, national or other reasons, have for years received unfounded refusals which turned the lives of many into an interminable torment of waiting."

The physicist, in an obvious reference to attempted airliner hijackings by Soviet Jews, declared that many Soviet citizens, "having lost hope of satisfying their aspirations to emigrate within the framework of the law, decided to break the law in one way or another."

He deplored the government's rationale that considers such attempts to flee as "betrayal of the motherland."

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## SUBSTITUTE CANCER BILL

(Mr. GUDE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. GUDE. Mr. Speaker, I would like to commend my colleague, PAUL ROGERS, and his Subcommittee on Public Health and the Environment for their unanimous approval of a cancer research bill. I doubt that any one of us here would deny the fact that the conquest of cancer has become one of the Nation's leading health priorities.

We have a number of important legislative proposals before us dealing with the conquest of cancer, and after careful study of the issue, I feel very strongly that Congressman ROGERS' bill would serve as the best means to the end we all desire and agree on—the elimination of cancer as one of America's leading killers.

Unlike the bill passed in the Senate, the House subcommittee's bill does not call for the Director of the cancer research effort to report directly to the President but rather puts the program within an expanded National Cancer Institute, whose Director reports to the Director of the National Institutes of Health.

This is a most important difference in that we must see to it that our new cancer effort continues to take advantage of the broad spectrum of support offered by research conducted within our existing biomedical institutions. Scientific experts all seem to agree that cancer is an extremely complex disease or series of diseases. The complexity of the problem therefore demands, as it always has, a broadly based approach with reliance upon all fields of research. With respect to this point let me quote Dr. Irving Langmuir, Nobel Prize winner in chemistry:

Only a small part of scientific progress has resulted from a planned search for specific objectives.

At this point in time I feel that no one is wise enough to pick and choose just those components of the vast biomedical spectrum that will be vital to our goal.

Though the Senate-passed bill would keep the National Cancer Institute physically within NIH. I fear it is an attempt to reach an acceptable compromise between the forces who see the need for a separately identified, special cancer program as well as the arguments of those who feel that any new cancer program should be carried out within the confines of NIH. Therefore, the compromise bill, as I see it, adds the phrase "within NIH," but these words I question as being anything other than purely geographic terminology to appease the extremes.

Mr. Speaker, I regard with great concern any legislative effort, however well-intentioned, that would undermine an approach which utilizes the total spectrum of medical research working as a team. It is for this very reason that I strongly endorse Congressman ROGERS' bill. Rather than fragmenting our work to date, it will strengthen our efforts.

The following letter to the editor of the Washington Post further illustrates my feeling:

[From the Washington Post, Oct. 19, 1971]

LETTERS TO THE EDITOR—HEAD OF MEDICAL COLLEGES ASSOCIATION ON THE CANCER AGENCY PROPOSAL

In The Washington Post of October 6, there appeared a letter from H. Marvin Pollard, president of the American Cancer Society, Inc., entitled "A New Opportunity to Fight Cancer." Dr. Pollard states that the recent House hearings in Washington on legislation aimed at expanding the national attack on cancer makes it pertinent for the public to have a clear understanding of both the facts and the issues surrounding the proposal contained in the bill S 1828 to establish an independent Conquest of Cancer Agency within the National Institutes of Health, which has been passed by the Senate but now rejected by Congressman Paul Rogers and his Subcommittee on Public Health and Environment.

Unfortunately, Dr. Pollard's letter will add only to public confusion and misunderstanding concerning the legislation now being considered by the Congress and the most effective way to confront this dread disease.

Dr. Pollard states that S 1828 is supported by the majority of doctors who are cancer specialists and opposition comes only from scientists who are not experts in cancer and thus do not fully understand the situation.

Many distinguished investigators in the field of cancer, most of whom are also concerned with the care of patients, have appeared before the House committee in opposition to this bill. Among them are Dr. Howard H. Hiatt, Head of the Cancer Division, Department of Medicine, Beth Israel Hospital, Boston; Dr. Robert Handschumacher, American Cancer Society Professor of Pharmacology, Yale University; Dr. George Nichols, Jr., Director, Cancer Research Institute, New England Deaconness Hospital, Boston; and Dr. Henry Kaplan, Chairman of the Department of Radiology, Stanford University, and a member of the Panel of Consultants. The major advances in cancer have come from

scientific fields which have not been the center of the applied cancer research effort. The views of "scientists" can carry at least as much weight in this matter as those of "doctors."

It is stated that S 1828 is based upon exhaustive study by a panel of experts who would have liked to support the "status quo" but reluctantly came to the conclusion that an independent cancer authority is necessary because the facts so dictate.

In the report of the Scientific Committee of the panel referred to by Dr. Pollard (a report that comprises 140 pages of the 149 page report of the overall panel), which exhaustively examines and assesses the problems, obstacles, and opportunities relating to further progress in cancer research, there is no mention of the need for an independent cancer authority or of any organizational problems. It is quite clear from the assessment of this scientific group that the major barriers to progress in cancer are scientific and not organizational. The report of the panel provides no evidence or findings to support the sweeping organizational changes recommended.

Dr. Pollard states that ". . . all that S. 1828 boils down to is an advance in mechanics of administration. The essential intellectual and scientific relationships would remain the same . . ."

S. 1828 would give to the Director of the Conquest of Cancer Agency extraordinary power and authorities which would be unavailable to the Director of the NIH for all other disease and biomedical research programs in the NIH. Thus, the cancer effort would be separated *out* of the other research activities in the NIH and the contributions they can make to advancing our knowledge about neoplasia.

Creation of an independent cancer program would force into the over-burdened Office of Management and Budget and the Executive Office of the President decisions which neither is capable of carrying out.

Dr. Pollard notes that the creation of a national cancer agency will not fragment NIH but rather strengthen it and that the American Cancer Society was one of the original supporters of the National Cancer Institute and obviously would not "embrace any proposal that would harm what we helped to create."

Dr. Pollard testified before the Senate committee in *support* of a bill that would abolish the National Cancer Institute.

No one who has appeared before the committees in the House and Senate has urged any delay or diminishment in the attack upon cancer. As stated by Congressman Rogers, there is a need for a most careful and deliberate examination of a proposal which holds within it the potentiality of destroying the one institution, the NIH, that has made so much of the scientific progress underlying a greater medical capability in cancer possible.

Dr. Pollard holds that S. 1828 will not financially harm the budgets of the other NIH Institutes, citing the fact that the Congress appropriated $142 million more than the President requested for FY 1972 for NIH research institutes, other than the National Cancer Institute, as evidence.

The President's request for 1972, while supporting a $100 million special appropriation for new cancer initiatives, drastically cut the support for other institute programs. Thus, the much-publicized increase of $100 million for cancer research in the President's budget was obtained by diminishing programs upon which further progress in cancer is dependent.

True, the Congress appropriated, as Dr. Pollard has noted, some $142 million more for the NIH programs other than the National Cancer Institute. Unfortunately, the American Cancer Society had little to do with this reversal of the President's budget. Dr. Pollard, in testifying before the HEW appropriations subcommittee in the House, urged only a further increase of $66 million in the cancer budget, ignoring the serious cutbacks in the other NIH research programs. The American Cancer Society, although invited, did not join the Coalition for Health Funding, whose activities were principally responsible for the increase in research funding.

Dr. Pollard suggests that if S. 1828 is not passed, the "status quo" in respect to cancer research will be retained, and implies that such action will contribute in some way or another to the death of 300,000 persons in this nation from cancer.

Such an implication is untrue. There is before the Congress an alternative, approved last week by the subcommittee. This bill will provide the means for mounting a broadly coordinated assault upon cancer using the full scientific resources of the NIH as well as the National Cancer Institute. It provides for the high level of leadership and the administrative authorities to undertake this urgent cancer effort. Rather than sowing the seeds of division and destruction, this approach will strengthen the entire structure of the NIH so that this nation can continue to be the beneficiary, not only in cancer but also in the other major disease areas, of the vigorous biomedical research programs which this institution has brought into being and so well advances.

The nation's academic medical centers find it unfortunate that essentially subordinate administrative problems have been utilized to obscure the fundamental scientific and policy issues. These centers, which carry out a major part of the basic and applied research in cancer and a substantial part of the treatment of cancer patients have carefully examined the bills in Congress. They enthusiastically support the Rogers bill as the most effective instrument to mount the attack against this dread disease.

JOHN A. D. COOPER, M.D.,
*President, Association of American Medical Colleges.*

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## EXPANDING FEDERAL NARCOTIC-ADDICT REHABILITATION EFFORT

(Mr. McCULLOCH asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. McCULLOCH. Mr. Speaker, today I have introduced modest—but necessary—legislation to expand the Federal narcotic-addict rehabilitation effort. Heretofore, the Congress has looked upon rehabilitation programs for narcotic addicts as some kind of a reward which highly dangerous addicts are unworthy to receive. At present, there is considerable discussion concerning the wisdom of such a policy.

In fairness to those who might defend the present policy, let me say that I can well understand the desire to punish, not rehabilitate, the violent criminal and the multiple offender, even one who is a narcotic addict. Rather than resolve the conflict between these conflicting policies, in introducing this bill today I ask that both sides agree only on the merits of rehabilitative treatment. The general purpose of the bill is to provide treatment for addicts in addition to—not in lieu of—punishment.

It is my hope that both sides of this controversy can unite in support of this legislation so that a modest gain can be made in meeting a serious problem.

Mr. Speaker, I include the letter of transmission from the Department of Justice and the text of the bill in the RECORD at this point:

H.R. 11352

A bill to amend title 18 of the United States Code to authorize the Attorney General to provide care for narcotic addicts who are placed on probation, released on parole, or mandatorily released

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 3651 of title 18 of the United States Code is amended by inserting the following paragraph before the last one:

"The court may require a person who is an addict within the meaning of section 4251(a) of this title, as a condition of probation, to participate in the community supervision programs authorized by section 4255 of this title for all or part of the period of probation; *Provided,* That the Attorney General certifies a suitable program is available. If the Attorney General determines that the person's participation in the program should be terminated, because the person can derive no further significant benefits from participation or because his participation adversely affects the rehabilitation of other participants, he shall so notify the court, which shall thereupon, by order, make such other provision with respect to the person on probation as it deems appropriate."

SEC. 2. Section (a) of section 4203 of such title is amended by inserting the following paragraph between the third and fourth:

"The Board may require a parolee or a prisoner released pursuant to section 4164 of this title, who is an addict within the meaning of section 4251(a) of this title, as a condition of parole or release to participate in the community supervision programs authorized by section 4255 of this title for all or part of the period of parole; *Provided,* That the Attorney General certifies a suitable program is available. If the Attorney General determines that the person's participation in the program should be terminated, because the person can derive no further significant benefits from participation or because his participation adversely affects the rehabilitation of other participants, he shall so notify the Board of Parole, which shall thereupon make such other provision with respect to the person as it deems appropriate."

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OFFICE OF THE ATTORNEY GENERAL,
*Washington, D.C., October 19, 1971.*

The SPEAKER,
*U.S. House of Representatives,*
*Washington, D.C.*

DEAR MR. SPEAKER: I enclose for your consideration and appropriate reference a legislative proposal "To amend title 18 of the United States Code to authorize the Attorney General to provide care for narcotic addicts who are placed on probation, released on parole, or mandatorily released."

Titles I and II of the Narcotic Addict Rehabilitation Act of 1966 (NARA) provide that selected narcotic addicts charged with nonviolent crimes against the United States may be either civilly committed to the custody of the Surgeon General in lieu of criminal prosecution (28 U.S.C. 2901, *et seq.*) or sentenced to a NARA program in lieu of confinement (18 U.S.C. 4251 *et seq.*). Both of these titles are available only for certain selected addicts. For example, persons charged with "violent" crimes are ineligible (18 U.S.C. 4251(f)(1); 28 U.S.C. 2901(g)), as are addicts who have been convicted of two or more felonies (18 U.S.C. 4252(f)(4); 28 U.S.C. 2901(g)(4)). These and the other exclusions under NARA are designed to reserve the relatively lenient prosecutive and sentencing provisions of that act for less dangerous offenders. The exclusions also result, however, in the ineligibility for NARA aftercare programs of addicts who were sentenced to regular terms of confinement or to probation in lieu of confinement.

The purpose of this legislation is to author-

ize the placement under supervised aftercare of narcotic addicts and former addicts who have been placed on probation, released on parole, or released by operation of law after having served their confinement terms less good-time deductions. The latter are "mandatorily released" but are deemed by law as if released on parole.

There is little question that narcotic addiction and criminal activity are interrelated. Yet many Federal addict-offenders, not eligible for NARA, are released to society without any type of follow-up treatment for their addiction. To the extent that Section 4255 programs and facilities are available, they clearly ought to be provided to such addicts.

There is present legal authority to involve addict-prisoners in special treatment programs while they are physically in the Attorney General's custody as the result of regular sentences to confinement (18 U.S.C. 4082). In view of this authority and the obvious need for treatment, the Bureau of Prisons has, for its fiscal years 1971 and 1972, allocated positions and funds to initiate and carry on such programs. In the absence of legal authority, however, no post-confinement care is provided for these addicts. Without this kind of follow-up, the treatment accorded within the places of confinement can readily prove futile. This proposed legislation would authorize such care. The Board of Parole may then utilize its existing authority, if the Attorney General so recommends, to require a released addict to participate in supervisory aftercare programs established under 18 U.S.C. 4255. The requirement of a recommendation from the Attorney General will insure that such treatment is both available and appropriate.

NARA treatment programs should also be made available to persons placed on probation who are in need of such services. This legislative proposal would give the Attorney General authority to provide such care. The courts may require addicts, as a condition of probation, to participate in a NARA program upon certification by the Attorney General that a suitable program is available in the community.

The rationale of this proposal is similar to that which led to the enactment of Public Law 91-492, which authorized the use of Bureau of Prisons half-way houses for probationers and parolees in selected cases. The proposal will permit the Department to extend its existing programs for the rehabilitation of addicts convicted of criminal activity to a group whose need is acute. Accordingly, I recommend its prompt enactment.

The Office of Management and Budget has advised that enactment of this legislation is in accord with the program of the President.

Sincerely,

JOHN N. MITCHELL,
*Attorney General.*

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows to:

Mr. HUTCHINSON (at the request of Mr. GERALD R. FORD), for today and tomorrow, October 20 and 21, on account of official business.

Mr. CORMAN, for Wednesday, October 20, 1971, on account of official business.

Mr. KEE (at the request of Mrs. MINK) from 4 p.m. today, through the 21st, on account of official business.

Mr. LENT (at the request of Mr. GERALD R. FORD), on Thursday, October 21, on account of official business.

## SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. HILLIS) to address the House and to revise and extend their remarks and include extraneous matter:)

Mr. KEITH, for 5 minutes, today.
Mr. HORTON, for 10 minutes, today.
Mr. HARVEY, for 5 minutes, today.
Mr. KEMP, for 5 minutes, today.
Mr. DON H. CLAUSEN, for 15 minutes, today.
Mr. GONZALEZ, for 10 minutes, today.

(The following Members (at the request of Mr. MCKAY) and to revise and extend their remarks and include extraneous matter:)

Mr. FLOOD, for 10 minutes, today.
Mr. FULTON of Tennessee, for 15 minutes, today.
Mr. ASPIN, for 60 minutes, today.
Mr. DANIELSON, for 30 minutes, today.

## EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. RUPPE, following the remarks of Mr. CONTE on the Dingell amendment during the Committee of the Whole today.

(The following Members (at the request of Mr. HILLIS) and to include extraneous matter:)

Mr. MILLS of Maryland.
Mr. CARTER in three instances.
Mr. EDWARDS of Alabama.
Mr. DERWINSKI.
Mr. WYMAN in two instances.
Mr. QUIE in two instances.
Mr. SCHMITZ in three instances.
Mr. MCCLOSKEY.
Mr. FISH.
Mr. CHAMBERLAIN in two instances.
Mr. BURKE of Florida in two instances.
Mr. PRICE of Texas in two instances.
Mr. WYATT.
Mr. BOB WILSON in three instances.
Mr. SCHWENGEL.
Mr. CONTE.
Mr. COLLINS of Texas.
Mr. COUGHLIN in two instances.
Mr. HASTINGS.
Mr. SPENCE.
Mr. BROYHILL of Virginia.
Mr. DUNCAN.
Mr. SEBELIUS.
Mr. MCDADE.
Mr. DEVINE.
Mr. MCCLORY.

(The following Members (at the request of Mr. MCKAY) and to include extraneous matter:)

Mr. DANIELS of New Jersey in four instances.
Mr. CARNEY in two instances.
Mr. ECKHARDT in two instances.
Mr. MURPHY of New York in four instances.
Mr. PICKLE in three instances.
Mr. GALLAGHER.
Mr. EDWARDS of California in two instances.
Mr. BEGICH in eight instances.
Mr. GONZALEZ in three instances.
Mr. HAGAN in three instances.
Mr. RARICK in three instances.
Mr. PRYOR of Arkansas in two instances.
Mr. WALDIE in three instances.
Mr. LONG of Maryland in two instances.
Mr. O'HARA in two instances.
Mr. ASPIN.
Mr. HAMILTON.
Mr. JACOBS in two instances.
Mr. RYAN in two instances.
Mr. PUCINSKI in six instances.
Mr. CELLER.
Mr. ROSTENKOWSKI.
Mr. FRASER in four instances.
Mr. COLMER.
Mr. STOKES in six instances.
Mr. DORN in three instances.
Mr. VANIK in two instances.
Mr. SCHEUER in two instances.
Mr. FLOOD.
Mr. JONES of Alabama in two instances..
Mr. CHAPPELL in two instances.
Mr. KYROS in two instances.

## SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 74. An act to provide for the conveyance of certain real property of the United States to the University of North Dakota, State of North Dakota;

S. 414. An act to authorize and direct the Secretary of the Interior to convey certain property in the State of North Dakota to the Central Dakota Nursing Home; and

S. 654. An act for the relief of Frederick E. Keehn.

## SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 215. An act to provide procedures for calling constitutional conventions for proposing amendments to the Constitution of the United States, on application of the legislatures of two-thirds of the States, pursuant to article V of the Constitution; to the Committee on the Judiciary.

S. 748. An act to authorize payment and appropriation of the second and third installments of the United States contributions to the Fund for Special Operations of the Inter-American Development Bank; to the Committee on Banking and Currency.

## ADJOURNMENT

Mr. MCKAY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 45 minutes p.m.), the House adjourned until tomorrow, Thursday, October 21, 1971, at 12 o'clock noon.

## EXECUTIVE COMMUNICATIONS, ETC.

1226. Under clause 2 of rule XXIV, a letter from the Comptroller General of the United States, transmitting a report on the examination of the financial statements of the Federal Home Loan Bank Board, the Federal home loan banks, and the Federal Savings and Loan Insurance Corporation for the year ended December 31, 1970 (H. Doc. No. 92-171), was taken from the Speaker's table, referred to the Committee on Gov-

ernment Operations, and ordered to be printed.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. O'NEILL: Committee on Rules. House Resolution 649. Resolution to authorize additional investigative authority to the Committee on Public Works (Rept. No. 92-580). Referred to the House Calendar.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ADAMS (for himself and Mr. STUCKEY):

H.R. 11347. A bill to restore and maintain a healthy transportation system, to provide financial assistance, to improve competitive equity among surface transportation modes, to improve the process of Government regulation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BROYHILL of Virginia:

H.R. 11348. A bill to amend the National Housing Act to forbid discrimination against blind persons, because of their guide dogs, in the selection of tenants in federally assisted housing; to the Committee on Banking and Currency.

H.R. 11349. A bill to amend the Railroad Unemployment Insurance Act to provide that an individual otherwise qualified therefor may be paid sickness benefits without regard to the amount of railroad compensation earned in the specified base period; to the Committee on Interstate and Foreign Commerce.

By Mr. CELLER (for himself and Mr. POFF):

H.R. 11350. A bill to increase the limit on dues for U.S. membership in the International Criminal Police Organization; to the Committee on the Judiciary.

By Mr. DANIELSON (for himself and Mr. CHARLES H. WILSON):

H.R. 11351. A bill to amend the Social Security Act to provide for medical and hospital care through a voluntary system of comprehensive health care coverage including all of the essential elements of such care, with the protection offered being financed in full for low-income persons through the issuance of certificates and in part for other persons through the issuance of certificates or the allowance of tax credits, and to provide for effective utilization and peer review with respect to services rendered under such system; to the Committee on Ways and Means.

By Mr. McCULLOCH:

H.R. 11352. A bill to amend title 18 of the United States Code to authorize the Attorney General to provide care for narcotic addicts who are placed on probation, released on parole, or mandatorily released; to the Committee on the Judiciary.

By Mr. MELCHER:

H.R. 11353. A bill to amend the Internal Revenue Code of 1954 to provide income tax simplification, reform, and relief for small business; to the Committee on Ways and Means.

By Mr. ROE:

H.R. 11354. A bill to further provide for the farmer-owned cooperative system of making credit available to farmers and ranchers and their cooperatives, for rural residences, and to associations and other entities upon which farming operations are dependent, to provide for an adequate and flexible flow of money into rural areas, and to modernize and consolidate existing farm credit law to meet current and future rural credit needs, and for other purposes; to the Committee on Agriculture.

By Mr. STEELE:

H.R. 11355. A bill to amend the Tariff Schedules of the United States to provide for the duty-free entry of mica films; to the Committee on Ways and Means.

By Mr. TALCOTT:

H.R. 11356. A bill to amend title II of the Social Security Act to provide that an individual who in any month is eligible for a disability determination or for disability insurance benefits but does not file application therefor within the specified time may nevertheless (upon subsequently filing application) obtain such a determination or become entitled to such a benefit, regardless of the length of time which has elapsed, if he was theretofore incapable of executing the application by reason of a physical or mental condition; to the Committee on Ways and Means.

By Mr. THOMPSON of New Jersey:

H.R. 11357. A bill to amend the National Labor Relations Act to extend its coverage and protection to employees of nonprofit hospitals, and for other purposes; to the Committee on Education and Labor.

By Mr. ZWACH:

H.R. 11358. A bill to establish more orderly bargaining procedures, to enable dairy cooperatives to negotiate more effectively for terms and conditions of the sale of milk, to provide compensation for performance of services essential to the marketing of milk, to eliminate inequities in existing marketing practices, to insure an adequate regular supply of good, healthful milk to consumers, and for other purposes; to the Committee on Agriculture.

By Mr. BENNETT:

H.R. 11359. A bill to provide for a National Institute of Drug Addiction and Alcoholism, and to require community mental health facilities to provide treatment and rehabilitation programs for drug addicts and other persons with drug-related problems; to the Committee on Interstate and Foreign Commerce.

By Mr. CARTER:

H.R. 11360. A bill to require the National Railroad Passenger Corp. to provide free or reduced-rate railroad transportation to retired railroad employees and their dependents on the same basis that such transportation was available to such employees and dependents on the date of enactment of the Rail Passenger Service Act of 1970; to the Committee on Interstate and Foreign Commerce.

By Mr. CHAPPELL:

H.R. 11361. A bill to amend the Soil Conservation and Dometsic Allotment Act, as amended, to permit sharing the cost of agriculture-related pollution prevention and abatement measures; to the Committee on Agriculture.

H.R. 11362. A bill to amend the Soil Conservation and Domestic Allotment Act to establish an improved rural environmental protection program, and for other purposes; to the Committee on Agriculture.

H.R. 11363. A bill to amend the Clean Air Act to require that motor vehicles in actual use be equipped with emission control systems at such time as the Administrator of the Environmental Protection Administration determines that effective systems are available; to the Committee on Interstate and Foreign Commerce.

H.R. 11364. A bill to authorize the Secretary of the Interior to classify and inventory wetland resources, to measure wetlands degradation, to evaluate the environmental contribution of natural wetlands, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 11365. A bill to amend the Water Bank Act (Public Law 91-559) to provide for the conservation of additional wetland areas; to the Committee on Merchant Marine and Fisheries.

H.R. 11366. A bill to amend the Internal Revenue Code of 1954 to authorize an incentive tax credit allowable with respect to facilities to control water and air pollution, to encourage the construction of such facilities, and to permit the amortization of the cost of constructing such facilities within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. COUGHLIN:

H.R. 11367. A bill to provide a program of tax adjustment for small business and for persons engaged in small business; to the Committee on Ways and Means.

By Mr. DICKINSON:

H.R. 11368. A bill to direct the Secretary of Defense to rename the office known as the Office of Civil Defense as the Office of Civil Disaster; to the Committee on Armed Services.

By Mr. DOWNING (for himself, Mr. WHITEHURST, Mr. SATTERFIELD, Mr. ABBITT, Mr. DANIEL of Virginia, Mr. POFF, Mr. ROBINSON of Virginia, Mr. SCOTT, Mr. WAMPLER, and Mr. BROYHILL of Virginia):

H.R. 11369. A bill to authorize the Secretary of the Interior to conduct a study to determine the best and most feasible means of protecting and preserving the Great Dismal Swamp and the Dismal Swamp Canal; to the Committee on Interior and Insular Affairs.

By Mr. EDWARDS of California:

H.R. 11370. A bill to assist in the provisions of housing for the elderly, and for other purposes; to the Committee on Banking and Currency.

H.R. 11371. A bill to provide for the establishment and coordination of programs to make needed housing available for the elderly; to the Committee on Banking and Currency.

H.R. 11372. A bill to amend the Older Americans Act of 1965 to authorize a special emphasis transportation research and demonstration project program; to the Committee on Education and Labor.

H.R. 11373. A bill to exempt citizens of the United States who are 65 years of age or older from paying entrance or admission fees for certain recreational areas; to the Committee on Interior and Insular Affairs.

H.R. 11374. A bill to amend the Internal Revenue Code of 1954 to provide relief to certain individuals 65 years of age and over who own or rent their homes, through a system of income tax credits and refunds; to the Committee on Ways and Means.

H.R. 11375. A bill to amend the Internal Revenue Code of 1954 to increase to $2,500 the aggregate amount of the two regular personal exemptions allowed a taxpayer or a spouse who has attained age 65; to the Committee on Ways and Means.

By Mr. HECHLER of West Virginia:

H.R. 11376. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968, as amended, to provide benefits to survivors of police officers killed in the line of duty; to the Committee on the Judiciary.

H.R. 11377. A bill to amend the Internal Revenue Code of 1954 to provide income tax simplification, reform, and relief for small business; to the Committee on Ways and Means.

H.R. 11378. A bill to provide for orderly trade in iron and steel products; to the Committee on Ways and Means.

By Mr. McFALL (for himself and Mr. DON H. CLAUSEN):

H.R. 11379. A bill to amend the Federal Alcohol Administration Act with respect to definition of wine; to the Committee on Ways and Means.

By Mr. PEPPER (for himself, Mr. GALIFIANAKIS, Mr. BROYHILL of North Carolina, Mr. JONES of North Carolina, Mr. BURTON, Mr. HOSMER, Mr. CHARLES H. WILSON, Mr. GIAIMO, Mrs. GRASSO, Mr. SIKES, Mr. HAGAN, Mrs. MINK, Mr. BRADEMAS, Mr. MADDEN, Mr. SCHWENGEL, Mr. LONG of Maryland, Mr. HARRINGTON, Mrs. HICKS of Massachusetts, Mr. WILLIAM D. FORD, Mr. RUPPE, Mr. HELSTOSKI, Mrs. ABZUG, Mr. BRASCO, Mr. HALPERN, Mr. KEMP):

H.R. 11380. A bill to amend the act of August 13, 1946, to increase the Federal contribution to 90 percent of the cost of shore restoration and protection projects; to the Committee on Public Works.

By Mr. PEPPER (for himself, Mr. RANGEL, Mr. ROSENTHAL, Mr. KEITH, Mr. SCHEUER, Mr. STRATTON, Mr. BYRNE of Pennsylvania, Mr. J. WILLIAM STANTON, Mr. VIGORITO, Mr. ST GERMAIN, Mr. DUNCAN, Mr. DOWNING):

H.R. 11381. A bill to amend the act of August 13, 1946, to increase the Federal contribution to 90 percent of the cost of shore restoration and protection projects; to the Committee on Public Works.

By Mr. PICKLE:

H.R. 11382. A bill to permit the donation of surplus agricultural commodities to certain nonprofit organizations serving American servicemen; to the Committee on Agriculture.

H.R. 11383. A bill to provide that the imposition of taxes the proceeds of which are appropriated to the highway trust fund shall be suspended during any period when amounts in the fund are impounded or otherwise withheld from expenditure; to the Committee on Ways and Means.

By Mr. PODELL:

H.R. 11384. A bill to extend the act of September 30, 1965, relating to high-speed ground transportation, by enlarging the authority of the Secretary to undertake research and development, removing the termination date thereof, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ROSTENKOWSKI:

H.R. 11385. A bill to amend title II of the Social Security Act to eliminate the reduction in disability insurance benefits which is presently required in the case of an individual receiving workmen's compensation benefits; to the Committee on Ways and Means.

By Mr. SIKES:

H.R. 11386. A bill to limit U.S. contributions to the United Nations; to the Committee on Foreign Affairs.

By Mr. ANDERSON of Illinois:

H.R. 11387. A bill to promote economic stability in the construction industry; to provide legislative authorization for the Construction Industry Stabilization Committee and its wage stabilization activities; and to mandate the Construction Industry Stabilization Committee to prepare a plan for construction industry bargaining reform within 12 months of the date of enactment of this act; to the Committee on Education and Labor.

By Mr. BROYHILL of Virginia:

H.J. Res. 931. Joint resolution to provide for the acknowledgment of the generous gift of President George Washington; to the Committee on Education and Labor.

By Mr. BURKE of Florida:

H.J. Res. 932. Joint resolution authorizing the President to proclaim the week beginning on the last Monday in October of each year as "National Magic Week"; to the Committee on the Judiciary.

By Mr. HOGAN:

H.J. Res. 933. Joint resolution designation of first week in February of each year as "National Salesmen's Week"; to the Committee on the Judiciary.

By Mr. MIZELL:

H.J. Res. 934. Joint resolution designating the square dance as the national folk dance of the United States of America; to the Committee on the Judiciary.

By Mr. VANIK:

H.J. Res. 935. Joint resolution: Frequency of White House Conference on Aging; to the Committee on Education and Labor.

By Mr. CLANCY:

H. Con. Res. 432. Concurrent resolution to relieve the suppression of Soviet Jewry; to the Committee on Foreign Affairs.

By Mr. RANGEL (for himself, Mr. ADDABBO, Mr. BLACKBURN, Mr. BRASCO, Mr. BRINKLEY, Mrs. CHISHOLM, Mr. CLAY, Mr. COLLIER, Mr. COLLINS of Illinois, Mr. DIGGS, Mr. EILBERG, Mr. FORSYTHE, Mr. GUDE, Mr. HALPERN, Mrs. HICKS of Massachusetts, Mr. HORTON, Mr. METCALFE, Mr. PUCINSKI, Mr. ROSENTHAL, Mr. ROY, Mr. SCHWENGEL, Mr. STOKES, Mr. WAGGONNER, and Mr. YATRON):

H. Con. Res. 433. Concurrent resolution expressing the sense of Congress that there should be a boycott in the United States of French-made products until the President determines France has taken successful steps to halt the processing of heroin and its exportation to the United States; to the Committee on Ways and Means.

By Mr. RYAN (for himself, Mr. ADDABBO, Mr. HALPERN, Mr. SCHEUER, and Mr. SEIBERLING):

H. Con. Res. 434. Concurrent resolution expressing the sense of Congress that any individual whose earnings are substandard or who is amongst the working poor or near poor should be exempt from any wage freeze under the Economic Stabilization Act of 1970, as amended, and amendments thereto and regulations issued thereunder pursuant to Executive Order 11615; to the Committee on Banking and Currency.

By Mr. CAREY of New York (for himself, Mrs. ABZUG, Mr. ADDABBO, Mr. BADILLO, Mr. BIAGGI, Mr. BINGHAM, Mr. BRASCO, Mr. BOLAND, Mr. BURKE of Massachusetts, Mrs. CHISHOLM, Mr. DELANEY, Mr. DULSKI, Mr. DOW, Mr. HANLEY, Mr. HALPERN, Mr. KOCH, Mr. MURPHY of New York, Mr. PODELL, Mr. RANGEL, Mr. ROSENTHAL, Mr. PEYSER, Mr. RYAN, Mr. SCHEUER, Mr. TIERNAN, and Mr. WOLFF):

H. Res. 653. Resolution calling for peace in northern Ireland and establishment of a united Ireland; to the Committee on Foreign Affairs.

By Mr. CAREY of New York (for himself, Mr. RODINO, Mr. HARRINGTON, Mr. PIKE, Mr. MINISH, Mr. COTTER, and Mr. YATRON):

H. Res. 654. Resolution calling for peace in northern Ireland and the establishment of a united Ireland; to the Committee on Foreign Affairs.

By Mr. CHAPPELL:

H. Res. 655. Resolution to authorize a study of national fuels and energy policy; to the Committee on Rules.

By Mr. STRATTON:

H. Res. 656. Resolution: Peace in Ireland; to the Committee on Foreign Affairs.

## MEMORIALS

Under clause 4 of rule XXII,

277. The SPEAKER presented a memorial of the Legislature of the State of California, relative to ocean vessels, which was referred to the Committee on Merchant Marine and Fisheries.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BROYHILL of Virginia (by request):

H.R. 11388. A bill for the relief of George E. Chiplock; to the Committee on the Judiciary.

By Mr. CARNEY:

H. Res. 657. Resolution congratulating the members, coach, and managers of the Campbell Athletic Club baseball team on their winning the 1971 National Amateur Baseball Federation Junior Tournament; to the Committee on the Judiciary.

## PETITIONS, ETC.

Under clause 1 of rule XXII,

147. The SPEAKER presented a petition of Larry C. Hayes, Joliet, Ill., relative to brotherhood, which was referred to the Committee on the Judiciary.

# EXTENSIONS OF REMARKS

## DISTRICT GOVERNMENT UTILIZES THE PARAPROFESSIONAL

### HON. GILBERT GUDE

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 19, 1971*

Mr. GUDE. Mr. Speaker, America is in the midst of a health crisis, and one of the primary problems is the shortage of medical manpower. However, the picture need not be so dreary as there is an answer which might relieve the situation—we need to increase our use of paraprofessionals in the medical field.

I would like to bring to the attention of all my colleagues a letter which I have received from Mr. Comer S. Coppie, special assistant to the mayor, regarding this very matter. I might add that it is good to see the District government getting down to the nitty-gritty of using paraprofessionals in the important work of upgrading health care in the city. I hope that the other areas of the country will follow Washington's lead.

The letter follows:

GOVERNMENT OF THE DISTRICT OF COLUMBIA,
*Washington, D.C., October 8, 1971.*

Hon. GILBERT GUDE,
*U.S. House of Representatives,*
*Washington, D.C.*

DEAR MR. GUDE: I am pleased to take this opportunity to inform you of the District of Columbia's effort to increase the utilization of health paraprofessionals in city programs funded by Federal grant monies allocated under the Emergency Employment Act of 1971. The District's allocation under Section 9(a)(1) of the Act totals $2.68 million. Through this program, the Department of Human Resources is provided a fine oppor-