



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 92<sup>d</sup> CONGRESS, SECOND SESSION

## SENATE—Monday, July 17, 1972

The Senate met at 12 noon and was called to order by Hon. JAMES B. ALLEN, a Senator from the State of Alabama.

### PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

O God our Father, who of old even until now has watched over Thy people in their going out and their coming in and has brought us to this new day with fresh opportunities and new challenges, be to us now the strength of our days and the light of all our endeavors. Bless this Nation with a stronger and steadier faith in Thee that the vision of a world of justice and peace may become a reality in our time for all men. Direct by Thy spirit the labors of Thy servants here that the legislation proposed and the laws enacted may set forward Thy kingdom on earth. Grant Thy higher wisdom to the President and all who bear the burdens of leadership in the Government of this land.

And to Thee shall be all glory and praise. Amen.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. ELLENDER).

The assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, D.C., July 17, 1972.

To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. JAMES B. ALLEN, a Senator from the State of Alabama, to perform the duties of the Chair during my absence.

ALLEN J. ELLENDER,  
President pro tempore.

Mr. ALLEN thereupon took the chair as Acting President pro tempore.

### MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT—ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

Under authority of the order of the Senate of June 30, 1972, the Secretary of the Senate, on July 1, 1972, received the following message from the House of Representatives:

CVXVIII—1507—Part 19

That the Speaker had affixed his signature to the following enrolled bills and joint resolutions:

H.R. 4494. An act for the relief of Mrs. Latife Hassan Mahmoud;

H.R. 4679. An act for the relief of Amparo Coronado Vleuda de Pena and her three minor children: Yolanda Pena, Marisela Pena, and Lorenzo Pena;

H.R. 9410. An act to amend title V of the Social Security Act to extend for 1 year (until June 30, 1973) the period within which certain special project grants may be made thereunder;

H.R. 11774. An act to authorize a study of the feasibility and desirability of establishing a unit of the national park system in order to preserve and interpret the site of Honokohau National Historical Landmark in the State of Hawaii, and for other purposes;

H.R. 15390. An act to provide for a 4-month extension of the present temporary level in the public debt limitation, and for other purposes;

S.J. Res. 245. Joint resolution authorizing the President to designate the calendar month of September 1972 as "National Voter Registration Month"; and

S.J. Res. 250. Joint resolution to extend the authority of the Secretary of Housing and Urban Development with respect to interest rates on insured mortgages and to extend laws relating to housing and urban development.

Under authority of the order of the Senate of June 30, 1972, the Acting President pro tempore (Mr. METCALF) signed the enrolled bills and joint resolutions.

### REPORTS OF COMMITTEES SUBMITTED DURING ADJOURNMENT

Under authority of the order of the Senate of June 29, 1972, the following reports of committees were submitted on July 14, 1972:

By Mr. STENNIS, from the Committee on Armed Services, with an amendment:

H.R. 15495. An act to authorize appropriations during the fiscal year 1973 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test, and evaluation for the Armed Forces, and to authorize construction at certain installations in connection with the Safeguard antiballistic missile system, and to prescribe the authorized personnel strength for each active duty component and of the Selected Reserve of each Reserve component of the Armed Forces; and for other purposes (Rept. No. 92-962).

By Mr. INOUE, from the Committee on Commerce, with amendments:

S. 1798. A bill to foster fuller U.S. participation in international trade by the promotion and support of representation of U.S.

interests in international voluntary standards activities, and for other purposes (Rept. No. 92-963).

### MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS AND JOINT RESOLUTIONS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries, and he announced that the President had approved and signed the following acts and joint resolutions:

S. 513. An act for the relief of Maria Badalamenti;

S. 3104. An act to amend existing statutes to authorize the Secretary of Agriculture to issue cotton crop reports simultaneously with the general crop reports;

S. 3338. An act to amend title 38, United States Code, to increase the rates of compensation for disabled veterans, and for other purposes;

S. 3715. An act to amend and extend the Defense Production Act of 1950;

On June 30, 1972:

S.J. Res. 72. Joint resolution consenting to an extension and renewal of the interstate compact to conserve oil and gas; and

S.J. Res. 211. Joint resolution to amend title IV of the Consumer Credit Protection Act establishing the National Commission on Consumer Finance.

On July 1, 1972:

S.J. Res. 250. Joint resolution to extend the authority of the Secretary of Housing and Urban Development with respect to interest rates on insured mortgages and to extend laws relating to housing and urban development.

On July 10, 1972:

S. 3343. An act to amend title 38, United States Code, to increase the maximum amount of the grant payable for specially adapted housing for disabled veterans.

On July 11, 1972:

S. 1893. An act to amend the Land and Water Conservation Fund Act to restore the golden eagle passport program, and for other purposes.

On July 13, 1972:

S.J. Res. 245. Joint resolution authorizing the President to designate the calendar month of September 1972 as "National Voter Registration Month."

S. 979. An act to amend the Act of September 30, 1965, relating to high-speed ground transportation, to enlarge the authority of the Secretary to undertake research and development, to remove the termination date thereof, and for other purposes; and

### EXECUTIVE MESSAGES REFERRED

As in executive session, the Acting President pro tempore (Mr. ALLEN) laid

before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(The nominations received today are printed at the end of Senate proceedings.)

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Berry, one of its reading clerks, announced that the House had passed the joint resolution (S.J. Res. 208) authorizing the President to proclaim the first Sunday in June of each year as "National Shut-In Day," with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had passed without amendment the following bills:

S. 764. An act to authorize the disposal of lead from the national stockpile and the supplemental stockpile;

S. 1139. An act to amend the Federal Crop Insurance Act, as amended, so as to permit certain persons under 21 years of age to obtain insurance coverage under such act;

S. 1545. An act to amend section 378(a) of the Agricultural Adjustment Act of 1938, as amended, to remove certain limitations on the establishment of acreage allotments for other farms owned by persons whose farms have been acquired by any Federal, State, or other agency having the right of eminent domain; and

S. 3086. An act to authorize the disposal of nickel from the national stockpile.

The message further announced that the House had disagreed to the amendment of the Senate to the bill (H.R. 12350) to provide for the continuation of programs authorized under the Economic Opportunity Act of 1964, and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. PERKINS, Mr. PUCINSKI, Mr. HAWKINS, Mr. WILLIAM D. FORD, Mrs. MINK, Mr. MEEDS, Mr. QUIE, Mr. ERLÉNBOERN, Mr. STEIGER of Wisconsin, and Mr. RUTH were appointed managers on the part of the House at the conference.

The message also announced that the House had passed a joint resolution (H.J. Res. 1232) designating, and authorizing the President to proclaim, February 11, 1973, as "National Inventors' Day," in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to the following concurrent resolutions, in which it requested the concurrence of the Senate:

H. Con. Res. 553. Concurrent resolution authorizing certain printing for the Committee on Veterans' Affairs;

H. Con. Res. 559. Concurrent resolution providing for the printing of the report entitled "Papers Submitted to Subcommittee on Housing Panels on Housing Production, Housing Demand, and Developing a Suitable Living Environment.";

H. Con. Res. 560. Concurrent resolution providing for the printing of the report entitled "Housing and the Urban Environment, Report and Recommendations of Three Study Panels of the Subcommittee on Housing."; and

H. Con. Res. 605. Concurrent resolution to

authorize the printing as a House document the pamphlet entitled "Our Flag," and to provide for additional copies.

#### HOUSE JOINT RESOLUTION REFERRED

The joint resolution (H.J. Res. 1232) designating, and authorizing the President to proclaim, February 11, 1973, as "National Inventors' Day," was read twice by its title and referred to the Committee on the Judiciary.

#### HOUSE CONCURRENT RESOLUTIONS REFERRED

The following concurrent resolutions were severally referred to the Committee on Rules and Administration:

H. Con. Res. 553. Concurrent resolution authorizing certain printing for the Committee on Veterans' Affairs;

H. Con. Res. 559. Concurrent resolution providing for the printing of the report entitled "Papers Submitted to Subcommittee on Housing Panels on Housing Production, Housing Demand, and Developing a Suitable Living Environment.";

H. Con. Res. 560. Concurrent resolution providing for the printing of the report entitled "Housing and the Urban Environment, Report and Recommendations of Three Study Panels of the Subcommittee on Housing."; and

H. Con. Res. 605. Concurrent resolution to authorize the printing as a House document the pamphlet entitled "Our Flag," and to provide for additional copies.

#### THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Friday, June 30, 1972, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### WAIVER OF THE CALL OF THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the call of the legislative calendar, under rule VIII, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees may be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Pennsylvania is recognized.

(The remarks that Mr. SCOTT made at this point when he introduced S. 3795 are printed in the RECORD under Statements on Introduced Bills and Joint Resolutions.)

#### TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a

morning hour for not to exceed 30 minutes, with statements therein limited to 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### ORDER FOR SENATE TO PROCEED TO THE CONSIDERATION OF S. 1861, THE MINIMUM WAGE BILL, TODAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that it be in order, at a period not later than 3 p.m. today, to call up, on the second track, the minimum wage bill, S. 1861.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### QUORUM CALL

The ACTING PRESIDENT pro tempore. Is there morning business to be transacted at this time?

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### ORDER FOR SENATE TO CONVENE ON TUESDAY, WEDNESDAY, THURSDAY, AND FRIDAY OF THIS WEEK AT 10 A.M.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate convenes on Tuesday, Wednesday, Thursday, and Friday of this week, it convene at 10 a.m.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, in view of the fact that we have such a short period of time between the two conventions, I think we should raise the very strong possibility that there may be Saturday sessions between now and the time we adjourn in late August for the Republican National Convention.

Mr. SCOTT. I agree with the distinguished majority leader. I think that the Senate should be aware of the situation. We know that some Senators will have engagements made from time to time. We hope that they will trim their schedules as much as possible so that we may be able to transact our business.

If we can dispose of the appropriations bills and certain other legislation of major importance which we will discuss, it would be desirable not to come back at all at the end of the Republican Convention. Whether that can be accomplished remains to be seen, but I believe it is an objective to which we should point with pride.

Mr. President, I suggest the absence of a quorum.



The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. HARRY F. BYRD, JR. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### THE 50TH ANNIVERSARY OF THE ORDER OF AHEPA

Mr. HARRY F. BYRD, JR. Mr. President, the Order of AHEPA is celebrating its 50th anniversary this year.

This fraternal organization has made a significant contribution to community and national life in the United States. Its generous contributions to causes running from disaster relief to scholarships, libraries, and research institutions are well known.

In addition, the Order of AHEPA conducts active programs in citizenship and encourages full participation in the political process.

In my own State of Virginia, as throughout the Nation, all citizens owe a debt of gratitude to this fine organization for its broad and generous programs.

#### THE DEFICIT

Mr. HARRY F. BYRD, JR. Mr. President, the July issue of Nation's Business contains an editorial captioned "Who Will Pay?"

The editorial reads as follows:

##### WHO WILL PAY?

First the "good" news: The federal deficit for the year ended June 30 was about \$13 billion less than expected—only \$26 billion. (That amounts to about \$125 for every man, woman and child in the United States.)

Now the bad news: The new fiscal year deficit could well be another \$10 billion higher than that.

Some day, the whole thing will have to be paid off.

#### INFLATION

Mr. HARRY F. BYRD, JR. Mr. President, in an interview published in Nation's Business, Gilbert W. Fitzhugh, chairman and chief executive officer of the Metropolitan Life Insurance Co., answered some questions with regard to inflation. Mr. Fitzhugh is one of the outstanding businessmen of our Nation. He is in an industry which, as he himself says, presumably should benefit from inflation.

In his remarks he said:

From a purely selfish point of view, a life insurance company, I guess, should say "hurrah" to inflation.

He then goes on to point out why he does not say "hurrah" for inflation. I ask unanimous consent that excerpts from the comments of Mr. Fitzhugh be printed in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

##### LESSONS OF LEADERSHIP

(By Gilbert W. Fitzhugh)

You have long been among leading businessmen sounding public warnings on the

consequences of inflation. What is the answer to the inflation problem?

The obvious cause of inflation is fiscal irresponsibility—terrific federal deficits, over a long period of years, and undue monetary expansion. You can't have inflation without too much money.

But too many people talk about a trade-off between inflation and unemployment—they say you have to have a little inflation or you have to have unemployment. That is for the birds.

Those multibillion-dollar deficits, in themselves, don't produce one more loaf of bread, one more automobile, one more square mile of clean air, one more unpolluted river. And the Federal Reserve issuing another billion dollars doesn't, by itself, produce one more of any one of those things, either. All it does is raise the price of the available goods.

The only way you can produce those things is to produce them. The real answer is productivity. People's wants will never be satisfied. They always want more—and that is good, that is what makes the country grow. But you have to provide for those wants by work and investment.

You always come back to hard work and thrift. I am an old-fashioned duck and I don't think there is anything wrong with that.

How does inflation affect a company that deals with its customers in fixed dollars?

From a purely selfish point of view, a life insurance company, I guess, could say hurrah for inflation. Our interest rates go up, our assets earn more money and it's easier to pay off our policies. We sell more insurance because people realize that it will take more insurance to buy a loaf of bread than it did.

Our business has been going up every year through inflation. So why should we worry?

I don't want to sound noble, but I think we worry because we know inflation is nothing more than stealing from the pockets of those who have saved their money. It is damned bad for our policyholders and the country. We have some responsibility in this area. If an insurance company isn't looking to the future, who is?

#### QUORUM CALL

Mr. HARRY F. BYRD, JR. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### ORDER FOR UNFINISHED BUSINESS (S. 3390) TO BE LAID BEFORE THE SENATE

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that at the conclusion of the routine morning business today the Chair lay before the Senate the unfinished business, S. 3390.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### QUORUM CALL

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### ENERGY STATISTICS NEEDED

Mr. PROXMIRE. Mr. President, at a time when the air is filled with claims by mineral producers regarding the existence of an "energy crisis," it becomes more important than ever to analyze energy policy questions in an objective, dispassionate way. Good statistics relating to the minerals industries are essential in any analysis of this sort.

For this reason, the Treasury Department altered its regulations in 1967 to require the filing of revised forms O—relating to oil and gas—and revised forms M—relating to other minerals—with respect to years in which a census of minerals industries is conducted. The data furnished by these forms complements that collected by the Bureau of the Census and permits a more thorough analysis of questions relating to tax policies that affect the minerals industries.

The last census of minerals industries was conducted in 1967 the next is scheduled for this year. Some time ago, I wrote the Treasury Department to inquire whether form O and form M data would be required when tax returns are filed for 1972. In his response, the Deputy Assistant Secretary for Tax Policy stated:

The Treasury Department believes it is important to develop data series relating to tax provisions having special application in the minerals industries. These data series are necessary to evaluate the many controversial tax questions which continue to arise. The Treasury Department intends to require form O and form M for the next year when the census of mineral industries is planned by the Bureau of the Census. It is our understanding that the census of mineral industries is scheduled for 1972. A timely announcement of the requirement to file form O and form M will be made.

Mr. President, I am glad that the Treasury intends to push forward with the work of developing data series relating to the taxation of the minerals industries. Rational analysis of the energy policy questions confronting us is much more difficult when adequate data is lacking. The Treasury's 1972 form O and form M filing requirement will help to ease these difficulties.

However, I think that the Treasury should give more attention to the publication of form O and form M data so that it can be studied and analyzed by tax scholars, Members of Congress, and the affected industries themselves. The Treasury has made available a limited amount of 1967 form O data, but it should give serious consideration to a more extensive data publication program.

Mr. President, I suggest the absence of a quorum—

Mr. MANSFIELD. Mr. President, will the Senator withhold that request?

Mr. PROXMIRE. I am delighted to withhold it.

Mr. MANSFIELD. Mr. President, I seek recognition.

The ACTING PRESIDENT pro tempore. The Senator from Montana.

#### THE PRESIDENT'S LEGISLATIVE PROPOSALS AND THE LEGISLATIVE RECORD OF THE SENATE

Mr. MANSFIELD. Mr. President, for the purpose of giving expeditious consideration to the President's legislative program in the Senate, a letter, dated April 14, 1972, signed by me was sent to George P. Shultz, Director, Office of Management and Budget, requesting a list of bills which the President recommended as part of his legislative program. This letter never received a reply. After I brought the matter up with the White House liaison for congressional relations—may I say this has been an excellent conduit—on May 19, 1972, a list of approximately 60 items plus 14 appropriations bills was supplied on June 5, 1972.

On July 6, 1972, as reported in the Washington Post of July 7, 1972, in an article by Carroll Kilpatrick, the President "served notice on the Democratic Congress that he regards its record to date as 'miserable' and that its continued failure to approve his program could become a major campaign issue." The article further relates that when asked for a list of measures the President regarded as essential, the President's adviser, Mr. Timmons, declined to give a full list.

The only proposals specifically mentioned were: moratorium on school busing, arms limitation, revenue sharing, welfare reform, and governmental reorganization.

First. Moratorium on school busing: This issue has already been given an up-or-down vote by Congress in the education bill which is now Public Law 92-236. Even the President's adviser, Mr. Timmons, is reported as saying in the Post article that—

We feel Congress owes the American people an up or down vote on the President's proposals.

But that—

The President doesn't insist on Congress crossing every T and dotting every I...

Second. Arms limitation: The SALT Treaty was sent to Congress on June 13, 1972, a month ago, and already the Foreign Relations Committee has held hearings on it.

Third. Revenue sharing: The Finance Committee has completed testimony from administration witnesses on revenue sharing and will resume hearings with testimony from public witnesses on July 20 through July 27.

Fourth. Welfare reform: The Finance Committee has completed executive sessions on the bill and hopes to have it to the floor by August 1.

Fifth. Governmental reorganization: No real effort has been made by the administration to push any of the several measures relating to governmental reorganization, except perhaps the Department of Community Development Act, which the House has reported and on which the Senate has held hearings. The measures in this group listed in the

White House report are measures for the creation of a Department of Human Resources, Department of Natural Resources, and Department of Economic Affairs. None of these have been reported out of committee.

The list of the President's major legislative proposals supplied by the White House contains approximately 60 measures plus 14 appropriation bills.

Appropriations: The Senate has passed 10 of the 14 bills, leaving only foreign aid, defense, agriculture, and military construction. In other words, as of June 30, the Senate has passed 71 percent of the appropriations measures.

Other 60 items: Of the remaining 60 bills proposed by the administration and as yet unenacted by the Congress as of May 10, 1972, over 20 percent have now been passed by the Senate. Others will be acted on soon by the Senate and, undoubtedly, still others will not be acted upon this session.

However, in looking over the list, it is evident that many of these bills—such as an additional Deputy Secretary of Defense, and the creation of several new executive agencies—are of no greater importance than the over 250 measures which the Senate has seen to be of major importance and has already passed this session. Of these 250 items, 117 have been cleared for the President.

As I mentioned on the floor when last the Senate met and at which time I inserted a summary of Senate accomplishments this session, the Senate has achieved a very commendable record this session—having met 102 days, passed a total of 347 measures, and taken 251 rollcall votes. But most commendable of all is our achievement with regard to appropriations measures. All but four of the appropriations bills have passed the Senate as of June 30—a feat unequaled since the late 1950's.

In my opinion, we have many days of hard work ahead of us, but we have much to be proud of in the work of the Senate to date.

Mr. President, I ask unanimous consent to have the newspaper article, a chronology regarding obtaining a list of the President's major proposals, and the list supplied by the executive branch inserted at this point in the RECORD. I also ask that the list of over 250 measures which have already passed the Senate as of June 30 be inserted at this point in the RECORD.

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

[From the Washington Post, July 7, 1972]  
DEMOCRATS ATTACKED ON U.S. SPENDING:  
NIXON TO VETO EXCESS FUNDS  
(By Carroll Kilpatrick)

SAN CLEMENTE, CALIF., July 16.—President Nixon served notice on the Democratic Congress today that he regards its record to date as "miserable" and that its continued failure to approve his program could become a major campaign issue.

Following a meeting with the President, William E. Timmons, new head of the White House congressional staff, said the President will veto bills that "substantially break" the spending levels he has recommended.

Already Congress has voted \$6 billion more than the President requested for the fiscal year that started July 1, Timmons told a press conference. Remaining to be acted on are the \$76 billion Defense Department request and the \$5.2 billion sought for foreign aid, among others.

Timmons also accused "some Democratic leaders" of following a "cynical strategy" of sending the President bills "with good objectives that exceed his budget request."

"The President made it clear this morning that that won't work," Timmons reported.

Emphasizing the veto threat, Timmons said that while Mr. Nixon "is leading a fight against higher taxes," Congress "has acted irresponsibly in a number of cases."

"We anticipate a tendency after the Democratic Convention for Congress to continue to act irresponsibly, particularly on budget-related issues," he said.

Timmons met with the President for more than an hour, in a conference also attended by Clark MacGregor, former head of the White House congressional staff and new director of the Committee to Reelect the President, and John D. Ehrlichman, Assistant for Domestic Affairs.

Timmons maintained that election plans were not discussed, but he seemed to be laying the basis for a campaign against the Democratic Congress. He said Mr. Nixon sent major reform proposals to Capitol Hill last year and hoped for action this year.

"Unfortunately at midpoint we must confess that the record of Congress is miserable," Timmons declared.

"We feel Congress owes the American people an up or down vote on the President's proposals," Timmons said. "The President doesn't insist on Congress crossing every T and dotting every I, but we urge Congress on July 17 to quickly bring the President's proposals up for a vote."

Congress reconvenes on July 17, following the Democratic Convention, and recesses again in mid-August for the Republican convention.

The first proposal Timmons mentioned was the moratorium on school busing, saying Congress should act on busing between the conventions.

In the same period, Congress also should complete work on arms limitations, revenue-sharing, welfare reform, governmental reorganization, and some other pending business, Timmons said.

He declined to give a full list or to say which measures the President regarded as essential. He said it would be possible to work out compromises on some administration bills.

Timmons seemed to hint at a veto of the pending labor-health, education, and welfare appropriation, which he said is "over \$2 billion over the President's budget request."

Asked if the record of Congress would be a major campaign theme of the President's, Timmons replied: "I hope it won't be. But it could be if Congress continues to ignore" the President's recommendations.

When a reporter suggested that it sounded like the start of a Truman-type attack on a do-nothing Congress, the presidential aide said he thought there was "an opportunity for a record of accomplishment. Certainly the President would praise Congress if it acted responsibly. We are now asking for an up or down vote."

#### CHRONOLOGY OF REQUEST FOR PRESIDENT'S LEGISLATIVE PROGRAM

April 14, 1972—Letter sent to George P. Shultz, Director, Office of Management and Budget, requesting a list of bills which the President recommends to date as his legislative program.

May 19, 1972—Spoke directly with White House Liaison for Congressional Affairs and



asked that the matter raised in the letter to Mr. Shultz be inquired into since a reply had not been received.

May 30, 1972—White House Liaison called by Senate Majority Policy Committee since reply still not received from Mr. Shultz.

June 1, 1972—White House Liaison called Policy Committee and said effort would be made to get list.

June 5, 1972—White House Liaison came up with a list of "73 items plus 14 appropriation bills," which comprise the President's program.\*

June 7, 1972—Representative of Senate Majority Policy Committee called White House to report that the list had been received and that the Majority Leader appreciated it and would like to have the list kept current. Since June 7, no addenda have been provided by the Executive Branch.

#### LEGISLATIVE STATUS REPORT—MAY 10, 1972 (Second Session, 92d Congress)

There are 73 major bills proposed by the Administration plus 14 appropriations un-enacted by the 92nd Congress. They are listed by subject below.

##### AGRICULTURE

Rural Community Development Revenue Sharing (S. 1612, H.R. 7993) now in conference.

##### COMMERCE

Consumer Product Test Methods (S. 1692, H.R. 6891) Referred to Commerce Committees

Assistant Secretary of Commerce for Minority Enterprise (S. 2893) referred to Senate Commerce Committee

##### CONSUMER AFFAIRS

Federal Trade Commission Act Amendments (S. 1219, H.R. 6313) Passed Senate, hearings completed in the House, no Executive Session scheduled

Fair Warranty Disclosure Act (S. 1221, H.R. 6313) Passed Senate, hearings concluded in the House, no Executive Session scheduled

Consumer Protection Act (H.R. 10835) Passed House. Not Administration bill but supported by us. Likelihood of enactment in late summer.

Consumer Fraud Prevention Act (S. 1222, H.R. 6313) Further hearings scheduled in the Senate, no hearings scheduled in the House.

Consumer Product Safety Act (S. 1797, H.R. 8110) To be reported in the Senate on May 25, hearings to continue in the House.

Consumer Product Test Methods Act (S. 1692, H.R. 6891) Referred to Committees in both Chambers.

##### DEFENSE

Military Procurement Authorization (S. 3108, H.R. 12604)

Markup in progress in both Chambers.

Military Construction Authorization (S. 3448, H.R. 14530)

Hearings continuing in both Chambers. Additional Deputy Secretary of Defense (S. 3237)

Referred to Senate Armed Services Committee

Armed Forces Health Professions Scholarship Program (S. 1317, H.R. 2)

Passed the House to be reported by the Senate Armed Services Committee in late May.

Armed Forces Drug Dependency Treatment and Rehabilitation Act (S. 2139, H.R. 9503) Clean bill reported in the House, hearings continuing in Senate Armed Services Committee.

##### HEW

Higher Education Act (S. 659, H.R. 7248)

In conference together with the Emergency School Aid bill, the Equal Opportunities Act, and the Student Transportation Moratorium Act.

\*The list, however, actually contained only 58 items.

Education Revenue Sharing (S. 1669, H.R. 7796)

Hearings have been held in both chambers.

Welfare Reform (H.R. 1)

House passed 6/2/71. Executive Session continues in the Senate Finance Committee Older Americans Act (S. 3391, H.R. 13925)

Hearings continuing in the Senate, recessed subject to call in the House

Health Maintenance Organization (S. 1182, H.R. 5615)

Hearings to continue in both Chambers. National Health Insurance Partnership Act (S. 1623, H.R. 7741)

Senate Finance Committee has recessed hearings subject to call;

House Ways and Means Committee will consider upon completion of action on general revenue sharing.

##### ENVIRONMENT

Ocean Dumping (S. 1238, H.R. 4247) Conferees last met December 8, 1971.

Pesticides (S. 745, H.R. 4152) House passed, Senate hearings recessed subject to call.

Toxic Substances (S. 1478, H.R. 5276) Ordered reported in the Senate.

Noise Pollution (S. 1016, H.R. 5275) House passed. Senate hearings recessed and subject to call.

Water Quality Standards Act (S. 1014, H.R. 5966) Conference on a Senate passed unacceptable bill and a House passed bill (H.R. 11896) is now in progress.

##### INTERIOR

National Resource Land Management Act (S. 2401, H.R. 10049) Hearings concluded in the House. Hearings recessed subject to call in the Senate.

Mined Area Protection Act (S. 993, H.R. 5689) Markup in progress in the House and Senate.

National Land Use Policy (S. 992, H.R. 4332, H.R. 5504) Senate hearings completed. House approved H.R. 7211 (Aspinall, et al).

Several Indian Bills as listed below remain unreported from Committees:

Indian Financing Act (S. 2036, H.R. 8063).

Indian Trust Council Authority (S. 2035, H.R. 8797).

Johnson/O'Malley Act Amendments (S. 2238, H.R. 2376).

Wilderness Bills (32) Hearings continuing.

##### FOREIGN AFFAIRS

Foreign Assistance Act Amendments (S. 3390, H.R. 13759). Markup scheduled in the House. Senate hearings recess subject to call.

State/USIA Authorization Bill (S. 3526).

Under debate on the Senate Floor. Reported in the House.

##### GENERAL GOVERNMENT

Department of Community Development (S. 1340, H.R. 6962). House committee has reported bill. Senate hearings recessed in mid-April. All other Executive reorganization bills (Department of Human Resources, Department of Natural Resources, Department of Economic Affairs) remain unreported and stalled in Committee.

President's Authority to Designate the Chairman of the Federal Power Commission (S. 982, H.R. 6312). Referred to Committees.

Power Plant Siting (S. 1684, H.R. 5389). Clean bill introduced in the House, hearings to continue in the Senate.

##### HOUSING AND URBAN DEVELOPMENT

Urban Community Special Revenue Sharing (S. 1618, H.R. 8853). Passed Senate amended. Executive Sessions continue in the House.

The Housing Consolidation and Simplification Bill (S. 2049, H.R. 9331). Senate passed amended omnibus housing bill (S. 3248). House continues in Executive Session.

##### LABOR

Manpower Revenue Sharing (S. 1243, H.R. 6181). Hearings have been held in both committees.

Crippling Strikes Prevention Act (S. 560, H.R. 3596). Senate hearings have recessed subject to call. A motion to report the bill in the House to the full committee was defeated on March 1, 1972.

Fair Labor Standards Act (Minimum Wage) (S. 2259, H.R. 9584). On the House Floor Wednesday, May 10, Senate Committee will continue consideration.

##### LAW ENFORCEMENT

Law Enforcement to Revenue Sharing (S. 1087, H.R. 5408). Referred to Judiciary Committees.

Ball Reform (S. 1868, H.R. 8419). Referred to Judiciary Committees.

Narcotic Addict Rehabilitation Bill (S. 2140, H.R. 9323). House passed. Senate bill remains pending in Judiciary Committee.

Wagering Tax Bill (S. 431, H.R. 1010). Reported in the House and Senate.

Obscene Mail to Minors (H.R. 8805). Passed House.

##### MONETARY, BANKING AND FISCAL

General Revenue Sharing (S. 680, H.R. 4187). Reported in the House, Floor Action should take place the week of May 15. Senate Action should follow H.R. 1 in the Finance Committee.

DC Development Bank (S. 2196, H.R. 11313). Amended version passed House. Senate recessed hearings subject to call.

Environmental Financing Authority (S. 1015, H.R. 5970). Included in the House passed version of the Water Quality Bill. Senate Banking Committee hearings must still take place.

Environmental Protection Act (H.R. 14669). Referred to House Ways and Means Committee.

##### TRANSPORTATION

Transportation Revenue Sharing (S. 1693, H.R. 13021). Referred to Senate Commerce and House Ways and Means Committees.

Highway User Tax (H.R. 12429). Referred to House Ways and Means Committee.

Ports and Waterways Safety Act (S. 698, H.R. 3635) Senate and House Conferees will meet during mid May.

Highway Safety Act (H.R. 14760) Referred to House Public Works Committee.

Transportation Assistance Act (S. 2841, H.R. 11824) Senate hearings recessed subject to call. House hearings will continue.

Transportation Regulatory Modernization Act (S. 2842, H.R. 11826) Hearings to continue in both Chambers.

##### MISCELLANEOUS

OEO Extension—Legal Services Corporation House passed amended version (H.R. 12350); Senate Labor and Public Works Committee ordered reported amended version (S. 3010) on April 13.

Minority Enterprise Small Business Bill (S. 3337, H.R. 13805) Referred to Banking Committees.

Pension Reform—Hearings have begun in House Ways and Means.

None of the necessary appropriation bills have been passed by either chamber. As well, the major authorization bills (Military Procurement, Military Construction) have not passed either Chamber.

#### STATUS OF APPROPRIATIONS BILLS AS OF MAY 10, 1972

##### FOREIGN OPERATIONS

Subcommittee hearings May 15, 17, 19, 22, June 2, 10 a.m., Room 1224.

##### INTERIOR

Hearings on FY '73 bill completed. No date set for markup.

##### DEFENSE

Hearings continue May 8 through May 12, 10 a.m., S. 126.

##### LEGISLATIVE

Conferees met again on May 1 but did not reach final agreement. No date set for further conference.

## STATE-JUSTICE-COMMERCE

Hearings on FY '73 bill completed. No date set for markup.

## AGRICULTURE-ENVIRONMENTAL &amp; CONSUMER PROTECTION

Hearings on FY '73 bill completed. No date set for markup.

## LABOR-HEW

Subcommittee hearings continue on May 8 through May 12, 2:00 p.m., Room 1223. Hearings expect to run to end of May.

## HUD-SPACE-SCIENCE

Hearings on FY '73 bill completed. No date set for markup.

## TRANSPORTATION

Subcommittee hearings recessed subject to call.

## DISTRICT OF COLUMBIA

On May 3 subcommittee approved for full committee consideration FY '73 appropriations for D.C.

## MILITARY CONSTRUCTION

No hearings scheduled in Senate.

## TREASURY-POST OFFICE

Subcommittee hearings continue on May 8, through May 11, 10 a.m., Room 1224, on Thursday, May 11, 2 p.m., Room 1224.

## PUBLIC WORKS

Subcommittee hearings continue on May 9 through May 11, 10 a.m. and 2 p.m., Room 1114.

## SECOND SUPPLEMENTAL

Conference scheduled for May 11, 10 a.m., Room S. 228.

## SENATE LEGISLATIVE ACTIVITY—92D CONGRESS, SECOND SESSION

(By Senate Democratic Policy Committee)

Days in Session, 102.

Hours in Session, 602:04.

Total Measures Passed, 347.

Public Laws, 96.

Treaties, 58.

Confirmations, 35,014.

Record Votes, 251.

Symbols: P/H—Passed House; P/S—Passed Senate.

Following is a brief summary of major Senate activity.

## AGRICULTURE

## Agricultural Adjustment Act amendment

Amended the Agricultural Adjustment Act of 1938, as amended, so as to exempt flue-cured tobacco acreage-poundage quotas from the requirement that leases be filed with the county committee by a fixed date no later than planting time established by the Secretary of Agriculture. H.R. 13361. Public Law 92-311.

## Cooperative forest programs

Amended the Cooperative Forest Management Act to (1) extend it to cover assistance (1) in the protection, improvement and establishment of trees and shrubs in urban areas, communities and open spaces, and (2) to all wood processors, and (2) increase the appropriation authorization to \$20 million (from \$5 million); and increase the appropriation authorization to \$40 million (from \$20 million) for sections 1, 2, and 3 of the Clarke-McNary Act of June 7, 1924, which provides for cooperation with States in forest fire prevention and suppression. H.R. 8817. Public Law 92-288.

## Cotton statistical reports

Changed the times at which the Secretary of Agriculture is to issue cotton crop, acreage, and ginning reports so that they can be issued simultaneously with general crop reports after the markets have closed. S. 3104. Public Law 92-331.

## Farmfest—U.S.A.

Authorizes the President to invite the States of the Union and foreign nations to

participate in Farmfest—U.S.A. in September, 1972, in Blue Earth County, Minnesota. S.J. Res. 182. P/S 4/28/72.

## Forestry incentives

Provides a forestry incentives program for small non-industrial private lands and non-Federal public forest lands by providing for Federal payment of up to 50 percent of the cost of development and management practices on non-Federal public lands, up to 80 percent of the cost of such practices on small non-industrial private lands and up to 80 percent of the cost of equipment to be provided to carry out such practices. S. 3105. P/S 6/15/72.

## Grapefruit marketing orders

Permits marketing orders for Florida Indian River grapefruit to provide for crediting a handler's direct market promotion expenditures against his assessment under the order for that purpose. S. 1058. P/S 3/7/72.

## Pest control research

Directs the Secretary of Agriculture to carry out pilot field research programs in integrated methods of controlling agricultural and forest pests; authorizes him to reimburse farmers for losses sustained as a result of such research being conducted on their lands, crops, or livestock; and authorizes expanded research on integrated control by the National Science Foundation. S. 1794. P/S 1/31/72.

## Rabbit meat inspection

Makes rabbit meat inspection mandatory, at Federal cost, by extending the provisions of the Poultry Products Inspection Act to rabbits and rabbit products. S. 1934. P/S 4/11/72.

## Reforestation

Establishes a supplemental national reforestation fund and authorizes an annual appropriation of \$65 million to be transferred to that fund for the purpose of planting more trees on those areas of the national forests that are in most need of reforestation, such moneys to be available until expended, and calls for the Secretary of Agriculture to submit to Congress within 1 year of the date of enactment and annually thereafter a report setting forth the scope of the total national forest reforestation needs and a planned program for reforesting such lands, including a description of the extent to which funds authorized by this act are to be applied to the program. H.R. 13089. P/H 5/3/72. P/S amended 6/15/72.

## Rural Development Act of 1972

Expands and establishes programs dealing with financial investment, credit, education, technology, and research in rural areas; enlarges the loan and grant authority of the Consolidated Farmers' Home Administration; authorizes an appropriation of \$500 million annually for revenue sharing to be apportioned among the States on the following basis: 50 percent on the State's rural population, 25 percent on the rural per capita income, and 25 percent on the outmigration from rural areas; amends the Watershed and Flood Prevention Act to authorize the Secretary of Agriculture to cost-share and enter into long-term contracts with landowners and operators for watershed projects dealing with problems relating to rural development and the total environment; amends the Bankhead-Jones Farm Tenant Act to authorize the Secretary of Agriculture to pay up to 50 percent of the cost of storage of water in any reservoir constructed or modified under the act for present needs for rural community water supply and to share in the cost of installing measures for water quality management, the control and abatement of agriculture-related pollution, the disposal of solid wastes, and the storage and withdrawal of water for rural fire protection; authorizes \$7 million in Federal-

state matching grants per year for the next 3 years to help local forces in rural areas and communities, of 5,500 population or less, to prevent and control wildfires; authorizes appropriations of \$75, \$110, and \$160 million, for fiscal years 1974, 1975, and 1976 and subsequent years, respectively, through State Land-grant universities and private educational institutions, for small farm and rural development extension programs, research, and training; and contains other provisions. H.R. 12931 (S. 3462). P/H 2/23/72. P/S amended 4/20/72. Conference report filed in House 6/14/72.

## Rural Telephone Bank

Permitted the Rural Telephone Bank to issue its obligations to the Secretary of the Treasury and authorized the Secretary of the Treasury to purchase these obligations. H.R. 14423. Public Law 92-324.

## Vegetable gardens

Urges each American family, where practicable, to plant a vegetable garden for the purpose of fighting inflation, saving money, getting exercise, and having the fun and pleasure of family vegetable growing. S. Con. Res. 75. Senate adopted 4/19/72. House adopted 5/1/72.

## APPROPRIATIONS, 1972

## Foreign assistance and related programs

Appropriated \$3,189,437,000 for foreign assistance and related programs. H.R. 12067. Public Law 92-242.

## Second supplemental appropriations

Appropriated \$4,347,698,270 in supplemental funds. H.R. 14582. Public Law 92-306.

## Supplemental-dollar devaluation

Appropriated necessary amounts not to exceed \$1,600,000,000 for payments by the Secretary of the Treasury to maintain the value in terms of gold of the holdings of the United States in international financial institutions for fiscal year 1972. H.J. Res. 1174. Public Law 92-301.

## Urgent supplemental appropriations

Appropriated \$957,476,059 for certain urgent supplemental appropriations. H.J. Res. 1097. Public Law 92-256.

## APPROPRIATIONS, 1973

## Continuing appropriations

Made continuing appropriations for fiscal year 1973, and for other purposes. H.J. Res. 1234. Public Law 92-334.

## District of Columbia

Appropriated \$834,756,800 in District of Columbia funds and \$316,393,000 in Federal funds. H.R. 15259. Public Law 92-344.

## Housing and Urban Development—

## Independent offices

Appropriates \$20,583,370,000 for the Department of Housing and Urban Development, for space, science, veterans, and certain other independent executive agencies, boards, commissions, corporations, and offices. H.R. 15093. P/H 5/23/72. P/S amended 6/14/72. In conference

## Interior and related agencies

Appropriates \$2,773,482,800 for the Department of the Interior and related agencies. H.R. 15418. P/H 6/13/72. P/S amended 6/28/72.

## Labor, and Health, Education, and Welfare, and related agencies

Appropriates \$31,354,930,500 for the Department of Labor, the Department of Health, Education, and Welfare, and related agencies. H.R. 15417. P/H 6/15/72. P/S amended 6/27/72.

## Legislative branch

Appropriated \$513,787,980 for the legislative branch. H.R. 13955. Public Law 92-342.

## Public Works appropriations

Appropriates for fiscal year 1973, \$5,571,696,000 for public works for water and power



development, including the Corps of Engineers—Civil, the Bureau of Reclamation, the Bonneville Power Administration and other power agencies of the Department of the Interior, the Appalachian Regional Development programs, the Federal Power Commission, the Tennessee Valley Authority, the Atomic Energy Commission, and related independent agencies and commissions. H.R. 15586. P/H 6/26/72. P/S amended 6/30/72.

#### *Supplemental appropriations for disaster relief*

Appropriated \$200 million in supplemental funds for disaster relief. H.J. Res. 1238. Public Law 92-337.

#### *State-Justice-Commerce-Judiciary*

Appropriates \$4,820,717, 769 for the Departments of State, Justice, and Commerce, the Judiciary and related agencies. H.R. 14989. P/H 5/18/72. P/S amended 6/15/72. In conference.

#### *Transportation*

Appropriates a total of \$3,038,175,095 in new budget (obligational) authority for the Department of Transportation and related agencies, of which \$2,906,994,095 is for fiscal year 1973 and \$131,181,000 is an advance appropriation for fiscal year 1974. H.R. 15097. P/H 5/24/72. P/S amended 6/16/72. In conference.

#### *Treasury Department, Postal Service, and Executive Office of the President*

Appropriated \$5,057,827,000 for the Treasury Department, Postal Service, and the Executive Office of the President, and certain independent agencies. H.R. 15585. Public Law 92-351.

#### *ATOMIC ENERGY*

#### *AEC temporary licensing for nuclear power reactors*

Added a new section "Temporary Operating License" to the Atomic Energy Act, and authorized the Atomic Energy Commission (for an interim period which will end on October 30, 1973) to issue a temporary operating license for a nuclear power reactor whose electrical energy is needed to meet energy needs in its service area, provided the Commission determines that the plant can be operated on a temporary basis safely and with adequate protection of the environment. H.R. 14655. Public Law 92-307.

#### *Atomic Energy Commission authorization*

Authorized \$2,110,480,000 for operating expenses and \$492,995,000 for plant and capital equipment, making a total authorization of \$2,603,475,000 for AEC for fiscal year 1973. S. 3607. Public Law 92-314.

#### *CONGRESS*

#### *Cornelia Fasset painting*

Authorizes the Architect of the Capitol, on behalf of the Congress, to loan to the Smithsonian Institution a painting, "The Electoral Commission of 1877," by Cornelia Fasset, for an exhibit by the National Portrait Gallery. S. Con. Res. 59. Senate adopted 3/24/72. House adopted 5/1/72.

#### *Congressional Representation for Guam and the Virgin Islands*

Provided that the organized, unincorporated territories of Guam and the Virgin Islands shall each be represented in Congress by a non-voting Delegate to the House of Representatives. H.R. 8787. Public Law 92-271.

#### *Equal time requirement and political broadcasting*

Repeals the equal opportunities requirement of section 315 of the Communications Act of 1934 insofar as it applies to legally qualified candidates for the office of President and Vice President in the general election campaign. S. 3178. P/S 3/23/72.

#### *Federal Election Campaign Act*

Required broadcasters to charge all candidates (Federal and State) no more than the lowest unit rate in the same period for 45

days before primaries and 60 days before general elections; provided that a person selling space in any newspaper or magazine to candidates for Federal office may not make a charge in excess of the charges made for a comparable use of such space for other purposes; imposed a limitation on expenditures for the use of communications media by candidates for Federal office of the greater of (1) 10 cents times voting age population, or (2) \$50,000, but not more than 60 percent of the overall limitation can be spent for the use of broadcasting stations; provided that no candidate for Presidential nomination can spend for the use in a State of communications media, or for the use in a State of broadcast stations, on behalf of his candidacy, a total amount in excess of either the overall communications media limitation, or the broadcast limitation, which would have been available to him had he been a candidate for the office of Senator from that State; provided that the communications media expenditure limitations shall be increased in proportion to increases in the Consumer Price Index, with the base period being calendar year 1970; provided that the States may make the broadcasting spending limit applicable to State-wide elections, and made the limitation applicable to any money spent by a candidate or on his behalf; required broadcasters selling time on behalf of a candidate to obtain a written certification that the amount to be spent will not put the candidate over the limitation, and applied the same requirement to spending for non-broadcast media; made the provisions of the act respecting disclosure of Federal campaign funds applicable to every elective process, every candidate, and every political committee (national, state or local) which accepts contributions in a calendar year in excess of \$1,000 provided that responsibility for receiving, compiling, and publishing financial statements of contributions and expenditures for candidates and political committees shall be vested in the Secretary of the Senate with respect to candidates for Senator, the Clerk of the House of Representatives with respect to candidates for Representative, and the Comptroller General in other cases and contained other provisions. S. 382. Public Law 92-225.

#### *Joint Committee on Inaugural Ceremonies of 1973*

Established a Joint Committee on Inaugural Ceremonies of 1973. S. Con. Res. 63. Senate adopted 3/24/72. House adopted 3/27/72.

#### *Senate intervention in Supreme Court proceedings*

Authorized Senate intervention in the Supreme Court proceedings involving Senator Gravel on the issue of the scope of article 1, section 6, the so-called speech and debate clause of the Constitution. S. Res. 280. Senate adopted 3/23/72.

#### *CRIME-JUDICIARY:*

#### *Administrative Assistant to the Chief Justice*

Added a new section 677 to title 38, United States Code, creating the Office of administrative assistant to the Chief Justice of the United States. H.R. 8699. Public Law 92-238.

#### *Bankruptcy receivers and trustees*

Amends the Bankruptcy Act to increase the maximum compensation allowable to receivers and trustees. S. 1395. P/S 2/18/72.

#### *Bankruptcy referees' salaries and expenses*

Amends the Bankruptcy Act to abolish the criteria for fixing the salaries of full-time referees and thus permit the Judicial Conference of the United States to fix the salaries of all full-time referees at the same level and to abolish the referees' salary and expense fund. S. 1394. P/S 2/18/72.

#### *Bankruptcy referees*

Amends the Bankruptcy Act to permit a full-time referee in bankruptcy to perform

the duties of a U.S. magistrate. S. 1396. P/S 2/18/72.

#### *Care for narcotic addicts*

Authorized the Attorney General to provide care for narcotic addicts who are placed on probation, released on parole, or mandatorily released; and clarified the intent of Congress that release under a program of supervisory aftercare is an appropriate mode of treatment for both parolees and mandatory releasees who may have been narcotic addicts or drug dependent persons. S. 2713. Public Law 92-293.

#### *Commission on bankruptcy laws extension*

Extended the Commission on the Bankruptcy Laws from July 24, 1972, to June 30, 1973, and increased the limit on appropriations to the Commission from \$600,000 to \$826,000. S.J. Res. 190. Public Law 92-251.

#### *Commission on revision of Appellate court system*

Creates a 12-member Commission on Revision of the Federal Court Appellate System to study the system under which decisions of the district courts and of administrative agencies are reviewed by the courts of appeals and the U.S. Supreme Court to find solutions to the problems caused by large caseload increases in recent years. H.R. 7378. P/H 5/15/72. P/S amended 6/30/72.

#### *Copyrights*

Extends the duration of copyright protection in certain cases. S.J. Res. 247. P/S 6/30/72.

#### *Federal Court jurors*

Amended the Jury Selection and Service Act of 1968 to change from 21 years to 18 years the minimum age qualification for service on grand juries in the district courts of the United States. S. 1975. Public Law 92-269.

#### *Juvenile delinquency control*

Extends the Juvenile Delinquency Prevention and Control Act of 1968, which expires on June 30, 1972; strengthens its operation by clearly delineating the scope of activities to be undertaken by the Department of Health, Education, and Welfare in the juvenile delinquency field; provides for grants to State, county, municipal or other public or nonprofit private agencies to plan, develop, and operate coordinated youth services systems; and contains other provisions. S. 3443. P/S 6/19/72.

#### *Supreme Court Justices survivors' benefits*

Amends the Judicial Survivors Annuity Act by giving Justices of the Supreme Court the option to make contributions to the Judicial Survivors Annuity Plan under which benefits are payable to their surviving widows and dependent children, and contains other provisions. S. 2854. P/S 6/30/72.

#### *U.S. Magistrates temporary assignment*

Added a new subsection to section 636 of title 28, United States Code, to permit the temporary assignment of U.S. magistrates from one judicial district to another in emergency situations and only upon the concurrence of the chief judges of the districts involved. H.R. 9180. Public Law 92-239.

#### *DEFENSE*

#### *Armed Forces mailing privileges*

Extends free mailing privileges for letters, cards, and sound-recorded personal communications to all members of the U.S. Armed Forces outside the 50 States, and to all members hospitalized as a result of disease or injury incurred while on active duty; and contains other provisions. H.R. 3808. P/H 10/4/71. P/S amended 6/16/72.

#### *Boy Scouts loans*

Provided permanent authority for the Secretary of Defense to lend Army, Navy, and Air Force equipment and to provide transportation and other services to the Boy

Scouts of America in support of their national jamborees and world jamborees. H.R. 11738. Public Law 92-249.

#### Civil Defense

Extends for four years the expiration date of financial assistance programs currently authorized by the Federal Civil Defense Act of 1950, and increases the per annum authorization for financial assistance for personnel and administrative expenses from \$25 million to \$25 million. S. 3772. P/S 6/30/72.

#### Defense Production Act amendments

Extended the the Defense Production Act of 1950 for 2 years, from the present expiration date of June 30, 1972, to June 30, 1974, and amended the Act by extending from June 30, 1975, to June 30, 1985, the time in which purchase and sales contracts may be entered into concerning materials in the Defense Production Act inventory. S. 3715. Public Law 92-.

#### Disposals from national and supplemental stockpiles

Authorizes disposal from the national and supplemental stockpiles of various materials, as follows:

Chromite, metallurgical grade: 1,313,600 short dry tons.

Lead: 498,000 short tons. S. 764. P/S 3/21/72.

Nickel: 38,876 short tons. S. 3086. P/S 3/21/72.

Zinc: 515,200 short tons. S. 766. Public Law 92-283.

#### Naval vessel loans

Authorized the loan of a total of 16 vessels of the destroyer and submarine category of the Reserve fleet to certain foreign countries for a period of 5 years. H.R. 9526. Public Law 92-270.

#### Servicemen's group life insurance for cadets and midshipmen

Amended 38 U.S.C. 765 so as to extend eligibility for Servicemen's Group Life Insurance (SGLI) to cadets and midshipmen at the United States Military Academy, United States Naval Academy, United States Air Force Academy, and United States Coast Guard Academy. H.R. 9096. Public Law 92-315.

#### DISTRICT OF COLUMBIA

##### Dump truck fees

Authorized the Commissioner of the District of Columbia to enter into agreements with the Commonwealth of Virginia and the State of Maryland concerning the fees for the operation of certain dump trucks, within the three jurisdictions, and the enforcement of traffic laws. H.R. 9580. Public Law 92-.

#### Educational Personnel Act

Authorizes the Commissioner to enter into on behalf of the District of Columbia the Interstate Agreement on Qualification of Educational Personnel; authorizes the advancing of emergency leave to temporary teachers and attendance officers; allows temporary teachers in the District public school system to elect coverage under the Federal life insurance and health benefits insurance programs after completion of one school year of service; amends existing law to transfer coverage of temporary teachers in the District public school system from the Civil Service Retirement System to the system established under the District of Columbia Public School Teachers Retirement Act; and amends the existing law to allow the employment of District school teachers in congressional offices during the summer months. S. 1998. P/S 4/13/72.

#### Healing Arts Practice Act amendments

Revises the makeup of the Commission on Licensure; provides for temporary licensure of certain physicians and osteopaths; and broadens the use of endorsement as a method of licensure, by eliminating the application of reciprocity as a barrier to the ad-

mission of competent physicians to practice in the District of Columbia. H.R. 8589. P/H 6/14/71. P/S 8/6/71. House requested conference 3/9/72.

#### Insurance Act

Increases the levels of paid-up and surplus requirements for stock life, mutual companies, and casualty insurance companies to further safeguard and protect innocent policyholders from possible losses resulting from bankrupt insurance companies; make available greater levels of group life insurance for District residents and expressly permits the assignment of an interest in a group life insurance policy consistent with the prevailing practice in 37 states; increases the number of contractors who may do business with the District without a bond by increasing from \$2,000 to \$10,000 the value of a contract for which a bond is required; and contains other provisions. S. 2208. P/S 4/27/72.

#### Interstate compact on mental health

Authorized the District of Columbia to enter into the Interstate Compact on Mental Health which: guaranteed that any person found to be mentally ill or mentally deficient within a party State will receive care and treatment in that State regardless of legal residence or domicile; permitted the transfer of a mentally ill patient to an institution in another State when such transfer is found to be in the best interests of the patient; provided for interstate cooperation with regard to after-care, and supervision of patients on convalescent status or conditional release; and encouraged supplementary agreements between two or more party States for the furnishing of care and treatment of patients on a cooperative basis. H.R. 10344. Public Law 92-280.

#### Law Enforcement and Criminal Justice Act

Defines certain credit card abuses as an offense and establishes a penalty for violations; authorizes the District government to regulate certain stores, which receive second-hand property, usually as trade-ins and which presently are not required to report the receipt of these items to the police; makes it an offense to throw missiles in the direction of any group of five or more persons if the thrower knows, or has cause to believe that an officer of the police or fire departments is present in the group; makes it a crime to possess flash paper or water soluble paper which are both used to record illegal bets by organized gambling operations; authorizes the seizure of motor vehicles used in a narcotics violations; and contains other provisions. S. 2209. P/S 4/12/72.

#### Licensing procedures

Provides for the modernization and streamlining of the laws governing the various occupations, professions, businesses, and trades in the District of Columbia, in order to better meet the needs of the general public and the regulated occupations and professions alike. S. 1363. P/S 4/12/72.

#### Municipal fees

Vests authority in the District of Columbia Council, after public hearing, to set a variety of municipal fees, including fees for certain licenses and permits. S. 1338. P/S 4/12/72.

#### National Capital Transit Act

Amended the National Capital Transportation Act of 1969 to provide for Federal guarantees of obligations issued by the Washington Metropolitan Area Transit Authority; authorized an increased contribution by the District of Columbia; and contained other provisions. H.R. 15507. Public Law 92-.

#### Personnel Act

Authorizes designated District employees to administer oaths of office; authorizes the set-offs of annuity payments, or refunds, payable from the civil service retirement

fund in order to liquidate debts owed to the District or Federal Government; authorizes the waiver by the District of claims for overpayment of pay; authorizes the District government to provide transportation for District employees working in municipal facilities outside the District of Columbia; and amends the Hatch Act to remove the exemption for the District of Columbia Recorder of Deeds. S. 1346. P/S 4/13/72.

#### Potomac River Reservoirs

Gave broad authorization to the D.C. Commissioner to enter into contracts to provide for payment to the United States of the District's equitable share of the non-Federal costs of any reservoir which may be authorized by Congress for construction on the Potomac River or any of its tributaries which would benefit the D.C. water supply. S. 1362. Public Law 92-263.

#### Tax sheltered annuities for teachers

Authorized the reduction of salaries of teachers and school officials employed in the service of the public schools of the District of Columbia, by an amount which would be paid into a tax-sheltered annuity program pursuant to the provisions of section 403(b) of the Internal Revenue Code of 1954, relating to the taxability of beneficiaries of annuity plans. H.R. 9395. Public Law 92-281.

#### ECONOMY-FINANCE

##### Automobile information disclosure

Clarifies the Congressional intent that the Automobile Information Disclosure Act of 1958, should apply to all new automobiles distributed in commerce within the United States, its territories, its possessions, and wherever else the United States exercises jurisdiction. S. 473. P/S 6/14/72.

##### Economic opportunity amendments of 1972

Extends the Economic Opportunity Act for three years, through fiscal year 1974; expands the Neighborhood Youth Corps manpower program and provides a special additional authorization of \$500 million to create 100,000 additional work and training opportunities in the program; establishes a new program for community design and planning assistance; provides for the expansion and permanent establishment of an annual Youth Recreation and Sports Program; authorizes additional funding to increase aid for the elderly poor; establishes two new special emphasis programs providing for work on environmental projects and improvement of low-income housing; establishes a National Legal Services Corporation as a private, non-profit corporation, chartered under the laws of the District of Columbia to carry out the functions of the present Legal Services Program now administered by the Office of Economic Opportunity; and contains other provisions. H.R. 12350 (S. 3010). P/H 2/17/72. P/S amended 6/29/72.

##### Export Administration Act

Provided a temporary extension of the Export Administration Act to August 1, 1972. S.J. Res. 218. Public Law 92-284.

##### Federal financing bank

Provides for a Federal Financing Bank through which the marketing of Federal and federally assisted borrowing activities can be centralized; provides for advance submission of financing plans to the Secretary of the Treasury and for Treasury approval of the method and source of financing, timing, rates of interest, maturities, and all other financing terms and conditions of issues or sales of obligations by Federal agencies; and provides for submission to the President of Federal agency budget programs for loan guarantees and for limitation by the President of such programs if overall fiscal requirements and credit demands so warrant. S. 3001. P/S 2/22/72.

##### Federal Reserve bank branch buildings

Increases the \$60 million limitation in section 10 of the Federal Reserve Act on con-



struction of buildings for branches of the Federal Reserve banks to \$120 million. S. 3197. P/S 2/22/72.

#### *Mortgage interest rates*

Extended the authority of the Secretary of Housing and Urban Development to establish maximum interest rates on insured mortgages at levels necessary to meet the mortgage market and extended certain other laws relating to housing and urban development. S.J. Res. 250. Public Law 92-335.

#### *Par Value Modification Act*

Authorized and directed the Secretary of the Treasury (1) to take the steps necessary to establish a new par value of the dollar of one dollar equals one thirty-eight of a fine troy ounce of gold, and (2) to maintain the value in terms of gold of the holdings of the United States dollars of the International Monetary Fund, the International Bank for Reconstruction and Development, the Inter-American Development Bank, the International Development Association and the Asian Development Bank to the extent provided for and required by the Articles of Agreement of these institutions; authorized the appropriation, to remain available until expended, of such amounts as may be necessary to satisfy these maintenance of value obligations; and directed that the increase in the value of the gold held by the United States resulting from the change in the par value of the dollar be covered into the Treasury as a miscellaneous receipt. S. 3160. Public Law 92-268.

#### *Public debt limit*

Increased from \$430 billion to \$450 billion the public debt limit through June 30, 1972. H.R. 12910. Public Law 92-250.

Provided for a four-month extension of the present temporary level in the public debt limitation, and provided for a 20 percent across-the-board increase in Social Security benefits, effective in September, 1972. H.R. 15390. Public Law 92-336.

#### *Small Business Act amendments*

Amended the Small Business Act to increase the total amount of the ceiling on loans, guarantees, and other obligations or commitments outstanding by the Small Business Administration from \$3.1 billion to \$4.3 billion; increased from \$450 million to \$500 million the SBA's lending authority to the Small Business Investment Company under title II of the Small Business Investment Act of 1958; increased from \$300 million to \$350 million the SBA's lending authority under title IV of the Economic Opportunity Act of 1964 for loans to low-income individuals and for businesses located in areas of high unemployment or low income; and increased the ceiling on each individual loan from \$25,000 to \$50,000. S. 3166. Public Law 92-320.

#### *Truth in Lending Act amendments of 1972*

Amends the disclosure and other provisions of the Truth in Lending Act and adds a new Credit Billing chapter under Title I (Fair Credit Billing Act) to the Truth in Lending Act, dealing with: correction of billing errors, regulation of credit reports, length of the billing period, prompt crediting of payments, crediting of excess payments, use of cash discounts, prohibition of offsetting a disputed bill from funds on deposit, relationship to State laws, and payment for undelivered goods and services; makes 10 amendments, under Title II, to the disclosure provisions of the Truth in Lending Act (unrelated to billing practices) dealing with a creditor's liability in individual and class action cases, credit card fraud, and with other items. S. 652. P/S 4/27/72.

#### *EDUCATION:*

##### *Education amendments*

Revised the Higher Education Act of 1965 to constitute a single law including all continuing higher education financial assist-

ance programs for both students and institutions of higher education and, in general, extended the authorizations for funds for programs thereunder through fiscal year 1975; established a major new program of grand assistance to which students desiring to attend postsecondary educational institutions are entitled as a matter of right, and increased assistance to institutions of higher education; amended the Vocational Education Act of 1963, and extended authorization for funds for vocational educational programs thereunder through fiscal year 1975; restructured the Federal education bureaucracy by establishing, within the Department of Health, Education, and Welfare, an Education Division headed by an Assistant Secretary of HEW, composed of the Office of Education and the National Institute of Education, and by establishing within the Office of Education a Bureau of Occupational and Adult Education, a bureau-level Office of Indian Education, and a unit for coordinating community college programs; barred discrimination by sex in higher education; contained various provisions relating to the assignment or busing of students or teachers to overcome racial imbalance, including a prohibition of use of funds for this purpose except when requested by local school officials and certain conditions regarding health and educational opportunities are met, and a section, to expire January 1, 1974, postponing the effectiveness of Federal district court orders requiring busing until the appeals process has been exhausted; authorized \$2 billion for fiscal year 1973 and 1974 for an emergency school aid program to assist desegregating school districts and local educational agencies which wish to meet desegregation problems; made special provision for Indian education and authorized investigations of youth camp safety; and contained other provisions. S. 659. Public Law 92-318.

#### *Uniformed Services Health Professions Revitalization Act*

Establishes an Armed Forces Health Professions Scholarship Program, and directs the Secretary of Defense to conduct a study of the feasibility of establishing a Uniformed Services University of the Health Services to be completed within one year from the date of enactment of the bill. H.R. 2. P/H 11/3/71. P/S amended 6/6/72. In conference.

#### *GENERAL GOVERNMENT*

##### *American Revolution Bicentennial Commission*

Authorized \$4.3 million for the Commission for fiscal year 1972; enlarged the Commission representation from 37 to 50 members; and contained other provisions. S. 1857. Public Law 92-236.

##### *Bureau of Land Management*

Authorizes an appropriation of \$3 million to provide the initial capital to establish a working capital fund for the Bureau of Land Management of the Department of the Interior. S. 2743. P/S 5/2/72.

##### *Bureau of Mines Research Center, Utah*

Authorized the establishment and maintenance of a new Bureau of Mines research center as a replacement facility for that now located and established on the campus of the University of Utah, and provided for the sale of the fixed improvements and the conveyance of certain lands to the University. S. 978. Public Law 92-287.

##### *Comprehensive Headstart, Child Development, and Family Services Act of 1972*

Provides a variety of quality child development and family services in order to assist parents who request such services in providing their children with an opportunity for a healthful and stimulating development, with priority to those preschool children and families with the greatest economic or social needs, in a manner designed to

strengthen family life and to insure decision-making at the community level through a partnership of parents, State and local governments and the Federal Government, building upon the experience and success of Headstart and other existing programs and authorizes \$150 million for fiscal year 1973 to prepare for implementation of the act, and \$1.2 billion and \$1.6 billion respectively for fiscal years 1974 and 1975 for programs under the act. S. 3617. P/S 6/20/72.

#### *Equal rights for men and women*

Submitted to the State legislatures an amendment to the Constitution of the United States which, if ratified, would insure equal rights under the law for men and women. H.J. Res. 208. Public Law 92-.

#### *Fire research*

Authorized not to exceed \$5 million for fiscal year 1973, not to exceed \$9 million for fiscal year 1974, and not to exceed \$10.5 million for fiscal year 1975 for the Department of Commerce to carry out the purposes of the Fire Research and Safety Act of 1968; authorized not to exceed \$3 million for fiscal year 1973, not to exceed \$4.5 million for fiscal year 1974, and not to exceed \$5.5 million for fiscal year 1975 for the Department of Commerce to carry out the purposes of the Standard Reference Data Act; and amended the act which established the National Bureau of Standards to make improvements in fiscal and administrative practices for more effective conduct of certain functions of the Bureau. H.R. 13034. Public Law 92-317.

#### *History of public works*

Authorizes the Library of Congress to assist the American Public Works Association in the preparation and publication of a history of public works in the United States from 1776 through 1976, (the undertaking to be the Association's official bicentennial project), and contains other provisions. S.J. Res. 204. P/S 6/23/72.

#### *Motor carrier reports*

Permitted motor carriers and others required to file annual reports with the Interstate Commerce Commission, to file such reports on the basis of a 13-period accounting year, rather than on a calendar year basis, if their bookkeeping is done on a 13-period basis, subject to rules and regulations prescribed by the ICC. H.R. 1074. Public Law 92-.

#### *National Commission on Consumer Finance*

Extended for six additional months the life of the National Commission on Consumer Finance (authorized and established pursuant to title IV of the Consumer Credit Protection Act of 1968) until December 31, 1972, and authorized an additional appropriation of \$500,000 to carry out the activities of the Commission for the extended period. S.J. Res. 211. Public Law 92-.

#### *National Environmental Data System*

Creates the National Environmental Data System to serve as the central national facility for the selection, storage, analysis, retrieval, and dissemination of information, knowledge, and data specifically relating to the environment. H.R. 56. P/H 5/17/71. P/S amended 6/29/72.

#### *National Science Foundation Authorization Act of 1972*

Authorizes appropriations to the National Science Foundation for fiscal year 1973 of \$720 million from the Treasury and \$7 million in foreign currencies which the Treasury Department determines to be excess to the normal requirements of the United States. H.R. 14109 (S. 3511). P/H 4/25/72. P/S amended 6/23/72. House requested conference 6/27/72.

#### *New Mexico land*

Disclaims U.S. interest in the title to about seven acres of the Antoine Leroux Spanish

Land Grant along the Rio Hondo near Taos, New Mexico. S. 2674. P/S 3/17/72.

#### *Passenger vessels sale abroad*

Removed the restrictions of section 503 of the Merchant Marine Act so as to authorize the sale abroad of five laid-up U.S.-flag passenger vessels and to require that the net proceeds be used to construct new U.S.-flag vessels. H.R. 11589. Public Law 92-296.

#### *Public buildings amendments*

Authorized a purchase-contract procedure of 3-years duration in an attempt to eliminate the 8-year backlog on construction of 63 Federal buildings which have been authorized but unfunded; established a public buildings fund into which will be deposited "rents" collected from all Federal agencies using space in government-owned buildings and from which will be drawn capital to finance construction of Congressionally-authorized buildings; and provided for the transfer of the non-performing arts functions (including maintenance, security, information, interpretation, janitorial, and other services) of the John F. Kennedy Center for the Performing Arts to the National Park Service and authorized \$1.5 million for fiscal year 1972 for the public costs of maintaining and operating the non-performing arts functions at the Center. S. 1736. Public Law 92-313.

#### *Secret Service protection for major presidential and vice-presidential candidates*

Authorizes the United States Secret Service to furnish protection to persons determined by the advisory committee as being major presidential or vice-presidential candidates (unless the candidate has declined such protection). S.J. Res. 222. P/S 4/19/72.

#### *Social Security special project grant extension*

Amended title V of the Social Security Act to extend for 5 years—until June 30, 1977—the period within which certain special project grants (under maternal and child health services program) may be made. H.R. 9410. Public Law 92—

#### *Star route mail contracts*

Amended the Postal Reorganization Act of 1970 to authorize the Postal Service to renew star route contracts for the transportation of mail with subcontractors who are supplying services satisfactory to the Postal Service. S. 1889. Public Law 92-286.

#### *Trust Territory of the Pacific Islands*

Authorized approximately \$3.1 million in additional Federal funds to the trust territory economic development loan fund, thus bringing the total in the fund to \$5 million, and contained other provisions. S. 860. Public Law 92-257.

#### *Uniform Relocation Assistance and Real Property Acquisition Policies Act amendments*

Amends the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 to continue after July 1, 1972, full Federal funding for the first \$25,000 in relocation payments made by State and local agencies under the act to persons displaced from their homes, businesses, or farms by federally assisted programs and projects; postpones the effective date of the act to allow States extra time to pass enabling legislation authorizing State and local agencies to comply with all the act's requirements; authorizes the head of a Federal agency to take all steps necessary to insure that all relocation payments and assistance prescribed by the act be provided to all persons displaced by a federally assisted program after the present July 1, 1972 effective date; and contains other provisions. S. 1819. P/S 4/12/72.

#### *Uniform Time Act amendment*

Permitted any State which is divided by a time zone boundary to exempt all of the State lying within one time zone from the

observance of advanced or "daylight saving time." S. 904 (H.R. 4174). Public Law 92-267.

#### *Virgin Islands—Amendment of Revised Organic Act*

Permits the legislature of the Virgin Islands to reduce the age limitations for membership in the legislature. H.R. 9545. P/H 3/6/72. P/S amended 5/3/72.

#### *War Powers Act*

Defines the emergency conditions, in the absence of a declaration of war by Congress, in which the Armed Forces of the United States may be introduced in hostilities, or in situations where imminent involvement in hostilities is indicated by circumstances; sets forth criteria for such emergency use and provides that use under other than the three specified emergency conditions must be pursuant to specific statutory authorization and is not to be inferred from any provision of law, including appropriations, unless such authority is explicitly provided; provides that no treaty, existing or future, may be construed as authorizing use of the armed forces without implementing legislation; provides that the use of the armed forces under any of the emergency conditions spelled out in the bill shall not be sustained beyond 30 days unless: (1) the President determines and certifies to the Congress in writing the need for their continued use under the first two emergency conditions (attack on the United States, its territories or possessions or on U.S. Armed Forces outside thereof); (2) the Congress is physically unable to meet; or (3) the Congress specifically authorizes such action; provides that this act shall take effect on the date of enactment but shall not apply to hostilities in which U.S. Armed Forces are already involved, thus exempting the current involvement in Indochina; and contains other provisions. S. 2956. P/S 4/13/72.

#### *GOVERNMENT EMPLOYEES*

##### *Air traffic controllers*

Amended title 5, United States Code, so as to improve the conditions of employment for individuals employed as air traffic controllers in the Department of Transportation by offering preferential retirement benefits, job training and improved appeal procedures for controllers removed from control work. H.R. 8083. Public Law 92-297.

##### *Civil Service retirement*

Permits certain employees of the Government of the United States to voluntarily retire when the Executive agency in which they are employed is involved in a major reduction of personnel. S. 3380. P/S 5/3/72.

##### *Civil Service survivor annuities*

Defined "child" for the purpose of a survivor annuity to include children living with an adoptive parent and made them eligible for a survivor benefit if the child is in the process of being adopted at the time of death of the employee or annuitant and the adoption process is later completed by the surviving spouse. S. 2896. Public Law 92-243.

##### *Federal employees health insurance*

Increases the Government's contribution toward paying the cost of health insurance plans authorized by the Federal Employees Health Benefits Act; includes Federal employees retired prior to January 1, 1960, within the scope of the program; and raises the maximum age of children of Federal employees for coverage under the program. H.R. 12202. P/H 4/27/72. P/S amended 6/23/72.

##### *Federal executive service*

Establishes a Federal Executive Service, under the direction of the Civil Service Commission, to authorize supergrade positions and appoint and direct top level Federal managers, thus relaxing some of the rigid constraints that now interfere with achieving effective personnel management at the supergrade level; provides for Congressional

surveillance of the Commission's activities; and contains other provisions. S. 1682. P/S 6/23/72.

##### *Federal firefighters retirement*

Permits Federal employees who are firefighters to retire at age 50 after 20 years of service or after 25 years of service regardless of age, and to receive 2 percent of average salary for each year of service. S. 916. P/S 6/16/72.

##### *Foreign Service grievance procedures*

Requires the Secretary of State to promulgate regulations providing for the consideration and resolution of grievances which do not "in any manner alter or amend the provisions for due process"; provides that informal procedures for the resolution of grievances shall be established by agreement between the Secretary of State and the organization recognized as the exclusive representative of the officers and employees of the Foreign Service; establishes a Grievance Board to be composed of independent, distinguished citizens; and contains other provisions. S. 3722. P/S 6/22/72.

##### *Government personnel surety bonds*

Provided that the Federal Government shall assume the risk of fidelity loss, thus, establishing the policy that no agency of any branch of the Federal Government shall obtain surety bonds for its civilian or military personnel who have the responsibility for substantial sums of money in connection with their official duties; repealed or amended existing law requiring Federal agencies to obtain surety bonds for these civilian and military personnel; and provided that the amount of any loss due to the fault or negligence of a Federal employee shall be charged to the agency's appropriations or other available appropriate fund. H.R. 13150. Public Law 92-310.

##### *Internal Revenue Code amendment*

Amended section 112 of the Internal Revenue Code of 1954 to provide an exclusion from gross income for compensation received (beginning on February 28, 1961, and ending at the time of the termination as designated by the President of combatant activities in Vietnam) for active service as a member of the armed forces, or for active service as a civilian governmental employee, during the period the individual is in a "missing status" (which includes a prisoner-of-war status) as a result of the Vietnam conflict. H.R. 9900. Public Law 92-279.

##### *National Guard technicians' credit*

Grants 100 percent retirement credit to all former technicians serving in any Federal position covered by the Civil Service Retirement Act on or after January 1, 1969; allows eligible technicians to pay the full amount of the optioned deposit due for the pre-1969 technician service; allows former technicians in the Federal service on and after January 1, 1969, to receive service credit for their pre-1969 technician service in determining length of service for leave, Federal employees' death and disability compensation, group life and health insurance, severance pay, tenure, and status; and provides that an annuitant with pre-January 1, 1969, technician service may have his annuity recomputed to reflect 100 percent credit for his pre-January 1, 1969, service. S. 855. P/S 5/3/72.

##### *Prevailing rate employees*

Establishes a system for adjusting rates for prevailing rate employees of the Federal Government, and to include prevailing rate employees of nonappropriated fund activities of the Armed Forces within the prevailing rate pay system. H.R. 9092. P/H 7/28/71. P/S amended 6/15/72.

##### *Retirement of Congressional employees*

Permits an employee or Member of Congress eligible for an immediate retirement annuity after a cost-of-living increase is ef-



fective, but before the next cost-of-living increase effective date, to retire and receive an annuity not less than it would have been had he been eligible and retired before the effective date; provides that the survivor annuity of an employee or Member who dies after the cost-of-living increase date would not be less than it would have been had it commenced on or before the effective date. S. 1681. P/S 5/14/71. P/H amended 5/17/71. Senate requested conference 4/4/72.

#### *Retroactive pay increases for blue-collar Federal employees*

Authorized retroactive wage adjustments for 214,000 wage board employees whose pay increases were delayed, either by the 90-day wage-price freeze or by the administration's postponement of wage surveys, and contained other provisions. H.R. 13753. Public Law 92-298.

#### HEALTH

##### *Black Lung Benefits Act of 1972*

Amended the Federal Coal Mine Health and Safety Act of 1969 so as to extend and broaden benefits under title IV of the Act for disabled miners and dependents of miners who die of pneumoconiosis; extended to June 30, 1973, federal responsibility for payments under the program; and contained other provisions. H.R. 9212. Public Law 92-303.

##### *Communicable disease control*

Authorizes \$90 million annually for a 5-year program to project grants to State and local governments for assistance in programs for the prevention and control of communicable diseases and creating a new section to the Public Health Service Act to provide for a special venereal disease prevention and controls program for which is authorized annually for the next three fiscal years: \$15 million in project grants for research, training, and public health projects relating to prevention and control; \$30 million in formula grants to states for establishing and maintaining programs for diagnosis and treatment; and \$30 million in project grants to States for prevention and control programs. S. 3442. P/S 6/7/72.

##### *Consumer Safety Act of 1972*

Creates a new, independent Food, Drug, and Consumer Product Agency within the Federal structure which has undiluted responsibility for preventing consumers from being exposed to unsafe foods, drugs, and other consumer products; consolidates within the new Agency various consumer products; consolidates within the new Agency various consumer product safety activities now being handled by a number of present food, drug, and product safety activities of the Secretary of Health, Education, and Welfare, the Secretary of Commerce, and the Federal Trade Commission; and repeals various consumer safety laws directed at particular products or specific hazards and replaces them with a single, comprehensive consumer product safety law capable of reaching any consumer product in the marketplace presenting an unreasonable risk of injury. S. 3419. P/S 6/21/72.

##### *Drug Abuse Office and Treatment Act of 1972*

Strengthened and improved the administrative structure within the Department of Health, Education, and Welfare (HEW) through which the Secretary of HEW is responsible for delivering a broad range of coordinated drug abuse prevention, treatment, and rehabilitation services; established a Special Action Office for Drug Abuse Prevention in the Executive Office of the President; established a National Institute on Drug Abuse within the National Institute of Mental Health to be created on December 31, 1974; established a National Advisory Council for Drug Abuse Prevention; and provided for extensive new Federal assistance to promote and improve the development of State

and local drug abuse prevention, treatment, and rehabilitation programs. S. 2097. Public Law 92-255.

##### *Drug Listing Act of 1972*

Provides the Secretary of Health, Education, and Welfare with a current list of each drug manufactured, prepared, propagated, compounded, or processed by a drug establishment registered under the Act, which would be revised semi-annually. H.R. 9936. P/H 9/16/71. P/S amended 6/30/72.

##### *Flammable fabrics*

Authorizes \$4 million for fiscal year 1973 to carry out the Flammable Fabrics Act of 1953 and extend flammability standards to include children's sleepwear for sizes 7-14. H.R. 5066. P/H 4/28/71. P/S amended 6/16/72. Reconsidered and P/S amended 6/19/72.

##### *Lead based paint poisoning amendments*

Extends the provisions of the Lead Based Paint Poisoning Prevention Act; authorizes \$100 million annually for lead poisoning programs; authorizes the Secretary of Health, Education, and Welfare to implement procedures to prohibit the use of lead-based paint in construction of Federal or Federally-assisted housing and in the manufacture of certain toys, furniture, and utensils; revises standards for the lead content in paint; and contains other provisions. S. 3080. P/S 6/14/72.

##### *National Heart, Blood Vessel, Lung, and Blood Act of 1972*

Enlarges the authorities of the National Heart and Lung Institute of the National Institutes of Health in order to advance the national attack upon diseases of the heart and blood vessels, the lungs and blood; requires the Director of the Institute, with the advice of the National Heart and Lung Advisory Council, to develop a plan for a ten-point National Heart, Blood Vessel, Lung and Blood Disease Program and authorizes the Director to acquire and maintain cardiovascular and pulmonary diseases centers, laboratories and other facilities necessary for the conduct of the program; authorize the establishment of 15 research centers for cardiovascular diseases and 15 research centers for pulmonary diseases; establishes an Office of Heart and Lung Health Education within the Department of Health, Education, and Welfare; and contains other provisions. S. 3323. P/S 4/7/72.

##### *National Institute of Arthritis, Metabolism, and Digestive Diseases*

Redesignated the National Institute of Arthritis and Metabolic Diseases as the National Institute of Arthritis, Metabolism, and Digestive Diseases; established within that Institute's presently existing advisory council a committee to advise the Director of the Institute on activities relating to digestive diseases; and provided a statutory authorization for the Director of the Institute to carry out intramural research, extramural research, and training in the diagnosis, treatment, and prevention of digestive diseases. H.R. 13591. Public Law 92-305.

##### *National Sickle Cell Anemia Act*

Established a national program to control, to conduct research, and to improve procedures in the treatment of persons suffering from, sickle cell trait or sickle cell anemia; authorized grants and contracts to public and nonprofit private agencies, organizations, or institutions to assist in establishing and operating voluntary sickle cell anemia screening and counseling programs; and contained other provisions. S. 2676. Public Law 92-

##### *Nutrition program for the elderly*

Amended the Older Americans Act of 1965 to authorize \$100 million for 1973 and \$150 million for fiscal year 1974 in grants to the States for establishing and operating nutrition projects to provide low cost, nutritionally sound meals to individuals 60 years

of age or older and their spouses, provided such individuals fall within certain categories. S. 1163. Public Law 92-258.

##### *Sudden infant death syndrome*

Designates the search for a cause and cure for sudden infant death as one of the highest priorities of research activities in the National Institute of Child Health and Human Development; directs the Department of Health, Education, and Welfare to develop, publish, and distribute literature to educate the families stricken by this disease and the professionals who come in contact with it; and further directs the Secretary of HEW to work toward reliable statistical reporting of the disease throughout the nation and its inclusion in the International Classification of Disease. S.J. Res. 206. P/S 6/7/72.

#### HOUSING

##### *Housing and urban development*

Overhauls legislation involving the Federal Housing Administration mortgage insurance program and the low-rent public housing program; contains a new block grant program to provide Federal assistance to localities for community development; establishes a new program of Federal grants to communities to help meet operating expenses of the Nation's mass transit systems; and contains other provisions. S. 3248. P/S 3/2/72.

#### INDIANS

##### *Assiniboine Indians of Montana judgment funds*

Authorizes the division and disposition of judgment funds awarded to the Assiniboine Tribes residing on the Fort Peck and Fort Belknap Reservations in Montana, which have been appropriated, but cannot be used by the recipients of the ward until authorized by Congress. S. 3230. P/S 5/25/72. P/H amended 6/5/72. Senate requested conference 6/20/72.

##### *Blackfeet and Gros Ventre Tribes, Montana*

Authorized division and disposition of judgment funds awarded to the Blackfeet Tribes of the Blackfeet Reservation, Montana, and the Gros Ventre Tribe of the Fort Belknap Reservation, Montana. S. 671.

##### *Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana*

Authorized disposition of judgment funds awarded to the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana. S. 602. Public Law 92-253.

##### *Confederated Tribes of the Colville Reservation*

Authorizes disposition of judgment funds awarded to the Confederated Tribes of the Colville Reservation, and contained other provisions. H.R. 6291. Public Law 92-244.

##### *Indian Claims Commission Act of 1946—Extension*

Extended the life of the Indian Claims Commission for 5 years, from April 10, 1972, to April 10, 1977, and contained other provisions. H.R. 10390 (S. 2408). Public Law 92-265.

##### *Jicarilla Apache Tribe, New Mexico*

Authorized the use of a judgment of \$9,232,709 to the Jicarilla Apache Tribe in New Mexico to be used, after payment of attorney fees and litigation expenses, for any purpose requested by the tribe and approved by the Secretary of the Interior. H.R. 9019. Public Law 92-295.

##### *Kickapoo Indians of Kansas and Oklahoma*

Authorizes the division of five claims judgments between the Kickapoo Tribe of Kansas and the Kickapoo Tribe of Oklahoma, and authorizes the disposition of the funds after they are divided, and also the disposition of a sixth judgment recovered by the Kickapoo Tribe of Oklahoma alone. H.R. 6797. P/H 5/3/71. P/S amended 4/19/72.

*Miami Tribes of Oklahoma and Indiana*

Authorized disposition of judgment funds awarded to the Miami Tribes of Oklahoma and Indiana. H.R. 5199. Public Law 92-309.

*Pueblo of Cochiti Indians*

Provides that all right, title, and interest of the United States in approximately 3,308 acres of federally owned land, acquired for school purposes, together with improvements thereon, will be held in trust by the United States for the Pueblo of Cochiti, subject to existing rights-of-way. S. 538. P/S 5/4/72.

*Southern Ute Tribe*

Authorized the Southern Ute Tribe, subject to the provisions of the tribal constitution, ordinances and resolutions adopted thereunder, to sell any land that is held by the United States in trust for the tribe or land subject to a restriction against alienation or taxation imposed by the United States, and that is not needed for Indian use. S. 1140. Public Law 92-312.

*Stockbridge-Munsee Indian Community*

Transfers 13,077 acres of federally owned submarginal land to the Stockbridge-Munsee Indian Community with the title to be held in trust by the United States; provides protection to any person who may have a vested interest in the land; directs the Indian Claims Commission to determine the extent to which the value of the beneficial interest conveyed should or should not be set off against any claim against the United States determined by the Commission; and reserves all mineral interests in the land to the United States. S. 722. P/S 6/8/72.

*Walker River Indian Reservation, Nevada*

Amends the act of August 9, 1955, as amended, by authorizing leases on the Walker River Reservation for a period up to 99 years for public, religious, educational, recreational, residential, or business purposes and for farming purposes which require the making of substantial investment in the improvement of the land for the growing of specialized crops. S. 953. P/S 5/11/72.

*Yankton Sioux Tribe*

Provides for the disposition of funds to pay a judgment of \$1,250,000 against the United States that was recovered by the Yankton Sioux Tribe in the Indian Claims Commission; states that such money has been appropriated but may not be used until authorizing legislation has been enacted; and contains other provisions. H.R. 7742. P/H 11/15/71. P/S amended 4/19/72.

## INTERNATIONAL

*Agreements with Portugal and Bahrain*

Stated the sense of the Senate that any agreement with Portugal and Bahrain for military bases or foreign assistance should be submitted as a treaty to the Senate for advice and consent. S. Res. 214. Senate adopted 3/3/72.

*Arctic winter games authorization*

Authorizes the appropriation of \$250,000 to the Secretary of Commerce to assist in financing the Arctic Winter Games which are scheduled to be held in Alaska in 1974 and which are hosted for the first time by the United States, and provides for the disbursement of these funds under such conditions as the Secretary deems appropriate. S. 2988. P/S 5/15/72.

*Asian Development Bank—**U.S. contributions*

Authorized the Secretary of the Treasury, in his capacity as U.S. Governor of the Bank, to agree to a U.S. contribution of \$100 million in two installments to the Bank's consolidated Special Funds; authorized appropriations therefor of \$60 million and \$40 million for fiscal years 1972 and 1973, respectively; required the President to instruct the U.S. Executive Director of the Bank to vote against any loan to any country which ex-

propriates property; and contained other provisions. S. 749. Public Law 92-245.

*Diplomatic privileges and immunities to the mission of the European communities*

Authorizes the President to extend or enter into an agreement extending to the mission of the Commission of the European Communities and its members the same privileges and immunities now enjoyed by diplomatic missions in Washington, D.C. S. 2700 P/S 3/17/72.

*Fishermen's Protective Act*

Amends the Fishermen's Protective Act of 1967 in order to expedite the reimbursement of U.S. vessel owners for charges paid by them for the release of vessels and crews illegally seized by foreign countries; to strengthen the provisions therein relating to the collection of claims against such foreign countries for amounts so reimbursed; and contains other provisions. H.R. 7117. P/H 8/2/71. P/S amended 5/25/72. In conference.

*Foreign aid authorization*

Authorized for fiscal year 1972 \$1,518,000,000 for military assistance and for fiscal year 1973 \$984 million for economic and humanitarian assistance; imposed a ceiling of \$341 million on funds which may be obligated in or for Cambodia in fiscal year 1972 and put a ceiling of 200 on the number of American civilian and military government personnel in Cambodia; and contained other provisions. S. 2819. Public Law 92-226.

*Inter-American Development Bank (IDB)—U.S. contributions*

Authorized the Secretary of the Treasury in his capacity as U.S. Governor of the IDB to pay to the Fund for Special Operations the second and third installments of \$450 million each for U.S. contributions; authorized appropriations therefor; required the President to instruct the U.S. Executive Director of the Bank to vote against any loan to any country which expropriates property; and contained other provisions. S. 748. Public Law 92-246.

*International agreements other than treaties*

Requires that international agreements, other than treaties, hereafter entered into by the United States, be transmitted to the Congress within sixty days after the execution thereof, except where the immediate public disclosure of an agreement would, in the opinion of the President, be prejudicial to national security, the agreement shall not be so transmitted to the Congress but to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House under an appropriate injunction of secrecy to be removed only upon due notice from the President. S. 596. P/S 2/16/72.

*International Coffee Agreement, 1968—Extension*

Extended the authority of the President to October 1, 1973, to carry out and enforce certain provisions of the International Coffee Agreement Act of 1968. H.R. 8293. Public Law 92-262.

*International Development Association (IDA)—U.S. contributions*

Authorized the Secretary of the Treasury, in his capacity as the U.S. Governor of the Association, to contribute to the IDA three annual installments of \$320 million each; authorized appropriations therefor; required the President to instruct the U.S. Executive Directors of the International Bank for Reconstruction and Development and the IDA to vote against a loan for any country which expropriates property; and contained other provisions. S. 2010. Public Law 92-247.

*Interpol dues*

Substitutes \$100,000 for the present statutory ceiling of \$28,500 on the total annual dues authorized to be paid for membership of the United States in the International Criminal Police Organization (Interpol) and

authorizes payment of \$55,000 to meet the unpaid balance of dues for calendar years 1970 and 1971, which have not been paid because of the existing \$28,500 ceiling. H.R. 11350. P/H 11/15/71. P/S amended 4/28/72. In conference.

*Olympic Games*

Extended the good wishes of the Senate to the citizens of Japan and the participants of the Eleventh Winter Olympic Games and affirmed the Senate's support for the designation of Denver as host city for the Twelfth Winter Games in 1976. S. Res. 246. Senate adopted 1/31/72.

*Radio Free Europe and Radio Liberty*

Authorized \$36 million for fiscal year 1972 to the Department of State for grants to Radio Free Europe and Radio Liberty. S. 18. Public Law 92-264.

Authorizes \$38,520,000 for fiscal year 1973 to the Department of State for grants to Radio Free Europe and Radio Liberty. S. 3645. P/S 6/16/72.

*Recognition of Bangladesh*

Expressed the sense of the Congress that the President should recognize Bangladesh as an independent foreign country and recognize its Government. S. Con. Res. 55. Senate adopted 3/21/72.

*State-USA authorizations*

Authorized a total of \$1,001,130,000 (\$648,354,000 for the Department of State—of which \$85 million is specified for use by Israel to assist in the migration of Soviet refugees; \$200,249,000 for the U.S. Information Agency; \$22 million for the Arms Control and Disarmament Agency; \$88,027,000 for the Peace Corps; and \$42.5 million for use by the President for international narcotics control); created a commission to make a long-range, in-depth study of the governmental mechanism and programs for the making and conduct of foreign policy; prohibited distribution of U.S. information materials to the U.S. public except for the publication "Problems in Communism"; established the position of Under Secretary of State; required Senate approval of persons given the personal rank of Ambassador or Minister; encouraged more candid testimony to Congressional committees by witnesses from the foreign affairs agencies; and contained other provisions. H.R. 14734. Public Law 92-

## TREATIES

*Amendment to statute of International Atomic Energy Agency*

Increases the membership of the Board of Governors of the International Atomic Energy Agency from 25 to 35 or 35 members, for the purpose of achieving more equitable representation on the Board for the countries of the lesser developed regions as well as to increase the representation of countries most advanced in the technology of atomic energy. Ex. C, 92d-1st. Resolution of ratification agreed to 3/17/72.

*Convention on taking of evidence abroad in civil or commercial matters*

Makes the employment of letters of request a principal means of obtaining evidence abroad; improves the means for securing evidence abroad by increasing the powers of consuls and by introducing in the civil law world, on a limited basis, the concept of the commissioners; provides means for securing evidence in the form needed by the court where the action is pending; and reserves all more favorable and less restrictive practices arising from internal law, internal rules of procedure and bilateral or multilateral conventions. Ex. A, 92d-2d. Resolution of ratification agreed to 6/13/72.

*Convention to prevent and punish acts of terrorism*

Condemns crimes of violence against officials of foreign states and international orga-



nizations as common crimes regardless of the motive for which they were committed; and thus excludes such crimes, for purposes of extradition and asylum, from being treated as political offenses for which diplomatic or territorial asylum is often extended. Ex. D, 92d-1st. Resolution of ratification agreed to 6/12/72.

#### *Extradition treaty with Argentina*

Lists 30 extraditable offenses, including those relating to narcotics and aircraft hijacking; permits extradition in the case of conspiracy to commit any of the offenses mentioned; provides that if one of the parties refuses to extradite a national of the other party, then that party is obliged to undertake to try the individual requested when the offense is punishable under its own laws and it has appropriate jurisdiction; provides for judicial cooperation in criminal matters by the execution of letters rogatory; and contains other provisions. Ex. F, 92d-2d. Resolution of ratification agreed to 6/13/72.

#### *International plant protection convention*

Promotes international cooperation in controlling pests and diseases of plants and plant products and in preventing their introduction and spread across international boundaries. Ex. D, 84th-2d. Resolution of ratification agreed to 6/12/72.

#### *Partial revision of the radio regulations relating to space telecommunications*

Revises the Radio Regulations in regard to the use of space telecommunication techniques, radio frequency allocations, technical criteria, and administrative procedures. Ex. E, 92d-2d. Resolution of ratification agreed to 6/13/72.

#### *Seabed arms control treaty*

Provides that the parties undertake not to emplace or place nuclear weapons or other weapons of mass destruction on the seabed and the ocean floor and in the subsoil thereof beyond the outer limit of a "seabed zone" as defined therein. Ex. H, 92d-1st. Resolution of ratification agreed to 2/15/72.

#### *Treaty with Honduras on the Swan Islands*

Settles longstanding differences between the United States and Honduras resulting from their conflicting claims to the Swan Islands. Ex. H, 92d-2d. Resolution of ratification agreed to 6/12/72.

#### *U.N. Fund for Environment*

Expresses the sense of the Congress that the United States delegation to the United Nations Conference on the Human Environment (June 5-16, 1972) should urge the establishment of a \$100 million U.N. Voluntary Fund for the Environment. S. Con. Res. 82. P/S 6/12/72.

#### LABOR

#### *Emergency Unemployment Compensation Act of 1971*

Extended for six months the time periods during which unemployed individuals may receive the emergency unemployment compensation payable under the Emergency Unemployment Compensation Act of 1971 and provided for the financing of the payments to be made during the extended time periods through an increase in the Federal unemployment tax. H.R. 15587. Public Law 92-329.

#### *Equal Employment Opportunities Enforcement Act*

Provided the Equal Employment Opportunity Commission with a court enforcement method for enforcing the rights of workers who have been subjected to unlawful employment practices; expanded the coverage of title VII of the Civil Rights Act of 1964 from those employers and labor organizations having 25 or more employees or members to those having 15 or more one year after the date of enactment and expanded the coverage to include employees of educational institutions and most employees of

State and local governments; and contained other provisions H.R. 1746 (S. 2515). Public Law 92-261.

#### *Interstate Environment Compact Act of 1972*

Permits the States involved to establish regional waste management organizations with the necessary authority, including capability to incur debt and sell bonds, to implement existing and future water pollution requirements without the lengthy delay often associated with usual compact approval, and contains other provisions S. 907. P/S 3/1/72.

#### *Manpower Development and Training Act Amendment of 1972*

Extended the Manpower Development and Training Act for 1 year and deleted the existing provision in the Act of 1962 which prohibits the further disbursement of funds under that act after December 30, 1972 (6 months after the act's expiration date of June 30, 1972), in order to enable MDTA contracts to continue to make commitments extending over the period of a full year in accordance with past practices. S. 3054. Public Law 92-277.

#### *West coast dock strike*

Provided a procedure for settlement of the dispute on the Pacific coast and Hawaii among certain shippers and associated employers and certain employees, by providing for the appointment of a board of arbitration to make a determination of all issues in the dispute, which will be final and binding on the parties, subject only to judicial review in the Court of Appeals for the Ninth District; and contained other provisions. S.J. Res. 197. Public Law 92-235.

#### MEMORIALS, TRIBUTES, AND MEDALS

#### *American Revolution Bicentennial Commemorative Medals*

Authorized the American Revolution Bicentennial Commission to utilize the facilities of the Bureau of the Mint on a fully reimbursable basis to strike a series of commemorative nation medals, including a medal commemorating the year 1776 and its significance to American independence and a maximum of 13 separate medals commemorating historical events of great importance recognized nationally as milestones in the continuing progress of the United States. H.R. 7987. Public Law 92-228.

#### *Arlington House*

Restored to the Custis-Lee Mansion in Arlington National Cemetery its original historical name, followed by the explanatory memorial phrase, so that it shall be known as Arlington House, the Robert E. Lee Memorial. H.R. 10595. Public Law 92-333.

#### *Attempted Assassination of George C. Wallace*

Deplores and condemns the attempted assassination of Governor Wallace and extends the sympathy and best wishes of all Members of Congress, the Vice President and the President to the Wallace family. S.J. Res. 234. Public Law 92-299.

#### *Benjamin Franklin National Memorial*

Provides that the Benjamin Franklin Institute, Philadelphia, Pennsylvania, be designated as the National Memorial in Honor of Benjamin Franklin effective upon the conclusion of an agreement between the governing body of the Franklin Institute and the Secretary of the Interior. S.J. Res. 221. P/S 6/23/72.

#### *Chapel of the Astronauts*

Authorized the Administrator of the National Aeronautics and Space Administration to convey for fair market value to the Chapel of the Astronauts, Inc., a nonprofit Florida corporation, not to exceed 7 acres of unimproved land at the John F. Kennedy Space Center, NASA, in Florida, for the purpose of constructing, operating, and maintaining a

public facility for worship or meditation and a memorial to our Astronauts. H.R. 11487. Public Law 92-227.

#### *Congress of the Interallied Confederation of Reserve Officers*

Extends to the Interallied Confederation of Reserve Officers a cordial welcome to the United States on the occasion of the 25th meeting of that organization, which is to be held in Washington, D.C., from August 7 through August 13, 1972. S. Con. Res. 73. Senate adopted 6/30/72.

#### *Eisenhower Memorial*

Provides that 10 percent of the proceeds of the sale of minted proof dollar coins bearing the likeness of former President Dwight D. Eisenhower be granted to Eisenhower College to provide additional endowment and additional facilities and equipment for the college. S. 2987. P/S 6/8/72.

#### *Franklin D. Roosevelt Memorial*

Authorized the Secretary of the Interior, upon the request of the Franklin Delano Roosevelt Memorial Commission, to participate in the planning and design of an appropriate memorial to the late President, and authorized such sums as may be necessary

#### *George William Andrews Lock and Dam*

Named the Columbia lock and dam, Chat-tahoochee River, Alabama, in honor of the late Honorable George William Andrews. H.R. 12488. Public Law 92-229.

#### *Girl Scouts of America*

Commended the Girl Scouts of the United States, during the week of March 12 through 18, on the occasion of their 60th birthday for a progressive spirit and lasting contribution to the social welfare of this Nation. S. Res. 259. Senate adopted 2/21/72.

#### *Harry S. Truman*

Extends the greetings and warm wishes of the Congress on the occasion of former President Harry S. Truman's eighty-eighth birthday, and expresses the gratitude and appreciation of the Congress to President Truman for his many years of distinguished service to the people of the United States and of the world. S. Con. Res. 78. Senate adopted 4/19/72. House adopted 4/20/72.

#### *J. Edgar Hoover*

Express the sense of the Congress that the body of J. Edgar Hoover should lie in state in the Rotunda of the United States Capitol. H. Con. Res. 600. House adopted 5/2/72. Senate adopted 5/2/72.

#### *J. Edgar Hoover Building*

Designates the Federal Bureau of Investigation Building now under construction in Washington, D.C., the "J. Edgar Hoover Building." S. 3568. P/S 5/25/72.

#### *John D. Rockefeller, Jr., Memorial Parkway, Wyoming*

Authorizes the establishment and designation of the John D. Rockefeller, Jr., Memorial Parkway, to extend from West Thumb in Yellowstone National Park to the south entrance of Grand Teton National Park in Wyoming. S. 3159. P/S 3/24/72.

#### *Law enforcement officers*

Requested that on Law Day, May 1, 1972, special emphasis be given in tribute to law enforcement officers. S. J. Res. 169. Public Law 92-282.

#### *Seabees Memorial*

Authorizes the Seabee Memorial Association, Inc., to erect a memorial on public grounds in the District of Columbia, or its environs, in honor and commemoration of the Seabees of the U.S. Navy and contains other provisions. H.J. Res. 55. P/H 5/9/72. P/S amended 6/23/72.

#### *U.S. Frigate "Constellation" Medal*

Authorizes the Secretary of the Treasury to strike and to furnish to the Constellation Committee of the Star-Spangled Banner Flag House Association, Inc., not more than

100,000 medals in honor of the 175th anniversary of the launching of the U.S. frigate *Constellation*, the first ship in the U.S. Navy S. 2499. P/S 6/30/72.

#### NATURAL RESOURCES

##### *Amistad National Recreational Area, Texas*

Authorizes the establishment of a 65,000-acre national recreation area in southwest Texas, comprising that portion of the Amistad Reservoir and adjacent lands on the Rio Grande, Devils, and Pecos Rivers in the United States. S. 1295. P/S 5/25/72.

##### *Arkansas land conveyance*

Authorized and directed the Secretary of Agriculture to release a condition in a conveyance of certain lands in the State of Arkansas to the Arkansas State Game and Fish Commission which requires the land to be used for public purposes. H.R. 5404. Public Law 92-319.

##### *Brantley project, Pecos River Basin, New Mexico*

Authorizes construction, operation and maintenance of the Brantley reclamation project in southeastern New Mexico to provide substantial flood protection for the Carlsbad area, irrigation, water supplies, recreation, and fish and wildlife conservation. S. 50. P/S 3/30/72.

##### *Buffalo National River, Ark.*

Established the Buffalo National River in the State of Arkansas, said area to include not more than 95,730 acres. S. 7. Public Law 92-237.

##### *Fossil Butte National Monument, Wyo.*

Establishes the Fossil Butte National Monument in the State of Wyoming to consist of 8,200 acres. S. 141. P/S 3/24/72.

##### *Golden Eagle Passport Program*

Continued the "golden eagle passport" annual permit for entrance to designated units of the national park system and to certain other national recreational areas, and contained other provisions. S. 1893. Public Law 92-347.

##### *Gulf Island National Seashore, Florida & Mississippi*

Amended the existing law which created the Gulf Islands National Seashore by increasing the land acquisition acreage on the Mississippi mainland from 135 to 400 acres and by increasing the amount authorized for land acquisition by \$342,000; and increased the development ceiling for the seashore by \$2,995,000. S. 3153. Public Law 92-275.

##### *Honokohau National Historical Landmark*

Authorized and directed the Secretary of the Interior to study the area of the Honokohau National Historic Landmark for the purpose of determining the feasibility and desirability of establishing a unit of the national park system in the area, and contained other provisions. H.R. 11774. Public Law 92-346.

##### *Indian Peaks Area*

Authorizes the Secretary of Agriculture to review as to its suitability for preservation as wilderness the area of approximately 75,000 acres commonly known as the Indian Peaks Area in the State of Colorado west of Denver. S. 1198. P/S 6/7/72.

##### *Interstate compact to conserve oil and gas*

Consents to an extension and renewal of the interstate compact to conserve oil and gas. S.J. Res. 72. Public Law 92-322.

##### *Kansas-Nebraska Big Blue River Compact*

Gave congressional consent to a compact between Kansas and Nebraska which will divide the waters of the Big and Little Blue Rivers, promote the orderly development of these waters, and reduce pollution. H.R. 8116. Public Law 92-308.

##### *Kosciuszko National Historic Site*

Establishes the Thaddeus Kosciuszko Home National Historic Site in the State of Pennsylvania to include the Philadelphia

Home of General Kosciuszko, a Polish patriot and soldier whose genius as a military engineer contributed materially to the success of the American Revolution. S. 1973. P/S 3/28/72.

##### *Longfellow National Historic Site*

Establishes the Longfellow National Historic Site in Cambridge, Mass., and authorizes the Secretary of the Interior to acquire by donation the former home, together with furnishings and other property of the popular American poet of the 19th century, Henry Wadsworth Longfellow. S. 3129. P/S 3/22/72.

##### *Magnuson Coastal Zone Management Act of 1972*

Establishes a national program for the management, beneficial use, protection, and development of the land and water resources of the Nation's coastal zones; authorizes a total of \$20 million for fiscal year 1973 (the estimated cost of the program for fiscal 1974 and fiscal 1975-1977 being \$71.5 and \$81.5 million respectively); authorizes Federal grants-in-aid to coastal states for up to 66 2/3 percent of the cost of establishing and administering coastal zone management programs; authorizes for 1973 \$6 million in Federal grants to States for up to 50 percent of the cost of acquisition, development, and operation of estuarine sanctuaries; authorizes \$1.5 million annually from 1973-1977 for administrative expenses incurred by the Secretary of Commerce; authorizes \$500,000 for 1973 for a study to be made of the possible environmental hazards of offshore oil drilling on the Atlantic Outer Continental Shelf; and creates a National Coastal Resources Board (the Vice-President to be its chairman) to coordinate the programs of the various Federal agencies, to mediate differences between any Federal agency and a coastal state, and to provide a forum for appeals by any area-wide planning entity or unit of local government. S. 3507. P/S 4/25/72.

##### *Mining and minerals research centers*

Amends the Mining and Mineral Policy Act to support research and training centers through the authorization of matching grants to each State of \$100,000 in fiscal year 1973, \$200,000 in fiscal year 1974, and \$250,000 in fiscal year 1975 and succeeding fiscal years; authorizes additional funds for special mineral resources research projects; and contains other provisions. S. 635. P/S 7/19/71. P/H amended 5/22/72. In conference.

##### *Missouri River basin*

Authorizes \$114,000,000 in appropriations to complete the program of the Bureau of Reclamation for the completion of construction of the Pick-Sloan Missouri Basin program, formerly called the Missouri River Basin project. S. 3284. P/S 4/4/72. P/H amended 4/17/72. In conference.

##### *National forests volunteers*

Authorized the employment of volunteers to work without compensation in areas administered by the Forest Service; authorized the Secretary of Agriculture to provide for their incidental expense; authorized an annual appropriation of \$100,000; and contained other provisions. S. 1379. Public Law 92-300.

##### *National park system*

Increased ceilings in appropriations for land acquisition at nine areas in the national park system; increased ceilings on appropriations for development at three areas; and authorized boundary revisions at eleven areas. S. 2601. Public Law 92-272.

##### *Oregon Dunes National Recreation Area*

Established the Oregon Dunes National Recreation Area of 32,237 acres within and adjacent to the Siuslaw National Forest in Oregon. S. 1977. Public Law 92-260.

##### *Ports and Waterways Safety Act of 1972*

Promotes the safety and protects the environmental quality of ports, waterfront

areas, and the navigable waters of the United States. H.R. 8140. Public Law 92-340.

##### *Puukohola Heiau National Historic Site*

Establishes the Puukohola National Historic Site in the State of Hawaii which would provide for the stabilization and preservation of three important Hawaiian temples and the home of John Young, a prominent Englishman closely associated with the early history of the Hawaiian Kingdom. H.R. 1462. P/H 4/17/72. P/S amended 6/30/72.

##### *Saline water conversion program authorization*

Authorized an appropriation of \$26,871,000 for fiscal year 1973 for the Federal saline water conversion program. H.R. 12749. Public Law 92-273.

##### *San Francisco Bay National Wildlife Refuge*

Authorized the Secretary of the Interior to establish a wildlife refuge in the southern part of San Francisco Bay to comprise approximately 21,662 acres of land and waters; and authorized for the 5-year life of the program from July 1, 1972, to June 30, 1977, not to exceed \$20.3 million, of which \$9 million would be for acquisition purposes and \$11.3 million for carrying out the other provisions of the legislation. H.R. 12143. Public Law 92-330.

##### *Sawtooth National Recreation Area, Idaho*

Establishes as the Sawtooth National Recreation Area some 750,000 acres of the Sawtooth, White Clouds, and Boulder Ranges and adjacent forest and high mountain valley lands located in south central Idaho, including the 201,000-acre Sawtooth Primitive Area, which would be designated as wilderness; requires the Secretary of the Interior to develop a specific proposal for the creation of a national park in this area and to submit his recommendations to the Congress no later than December 31, 1974; and contains other provisions. H.R. 6957. P/H 1/26/72. P/S amended 5/23/72. House requested conference 6/19/72.

##### *Sitka National Monument, Alaska*

Authorizes the Secretary of the Interior to acquire certain lands, including the Russian Mission, for addition to the Sitka National Monument, and redesignates the monument as Sitka National Historical Park. S. 1497. P/S 6/30/72.

##### *Sycamore Canyon Wilderness, Arizona*

Designated approximately 48,500 acres as the Sycamore Canyon Wilderness within and as a part of the Coconino, Kaibab, and Prescott National Forests, Arizona. S. 960. Public Law 92-241.

##### *Tinicum National Environmental Center*

Authorized 2,250,000 for the Secretary of Interior to acquire such lands in Tinicum Marsh, Pennsylvania, as may be necessary, not to exceed 1,200 acres, for the purpose of establishing the Tinicum National Environmental Center, and, thus, preserving the last true tidal marshland in the Commonwealth of Pennsylvania. H.R. 7088. Public Law 92-326.

##### *Toxic Substances Control Act of 1972*

Requires that new chemical substances be tested by their manufacturer for their environmental and public health effects and that the results of those tests and the intended uses of the chemical substance be furnished the Environmental Protection Agency (E.P.A.) for review 90 days in advance of commercial production with a possible second 90-day extension if necessary; requires testing of existing chemical substances which E.P.A. finds reason to believe pose unreasonable threats to human health or the environment; provides a variety of tools to regulate toxic substances including the authority to restrict use and distribution, to seize chemical substances creating imminent hazards, and to order such other action as is necessary to protect man or the



environment; requires manufacturers and processors of chemical substances to maintain certain records and reports to enable the Administrator of E.P.A. to properly determine hazards; affords citizens the opportunity to bring suits to enjoin certain violations of the act and to require the Administrator to perform mandatory duties; authorizes the Coast Guard to establish regulations governing the transport of chemical substances on the navigable waters at its own initiative or upon notice of E.P.A.; and contains other provisions. S. 1478. P/S 5/30/72.

#### Upper Colorado River Basin

Increases the authorization for appropriation by \$610 million to complete work on storage units and projects in the Upper Colorado River Basin originally authorized by the Colorado River Storage Project Act of 1956. H.R. 13435. P/H 4/17/72. P/S amended 5/9/72. In conference.

#### Van Buren National Historic Site

Establishes the Van Buren National Historic Site, which includes the former residence, called Lindenwald, of Martin Van Buren, eighth President of the United States, at Kinderhook, N.Y. S. 1426. P/S 3/22/72.

#### Vermejo Ranch acquisition

Authorizes the Secretary of Agriculture to acquire such lands, waters, and interests as he deems desirable for national forest purposes within the proposed Vermejo Ranch purchase area as shown on a map on file in the Office of the Chief of the Forest Service, such acquisitions to become a part of the Carson National Forest. S. 2699. P/S 6/15/72.

#### Washakie Wilderness and the Shoshone National Forest, Wyoming

Designates the Stratified Primitive Area as a part of the Washakie Wilderness, heretofore known as the South Absaroka Wilderness, Shoshone National Forest, Wyoming. S. 166. P/S 5/3/71. P/H amended 2/7/72. In conference.

#### Water Pollution Control Act amendments

Establishes a policy that the discharge of pollutants should be eliminated by 1985 that the national chemical, physical, and biological integrity of the Nation's waters be restored and maintained, and that an interim goal of water quality providing for the protection of fish, shellfish, and wildlife and for recreation in and on the water be achieved by 1981; changes the enforcement mechanism of the Federal water pollution control program from water quality standards to effluent limits; balances the Federal-State effort in the pollutant discharge permit system; authorizes \$14 billion during fiscal years 1972 through 1975 for Federal grants to communities for construction of sewage treatment facilities; and contains other provisions. S. 2770. P/S 11/2/71. P/H amended 3/29/72. In conference.

#### WATER POLLUTION CONTROL ACT—EXTENSIONS

Extended authorizations for salaries and related expenses under Section 5(n) of the Federal Water Pollution Control Act in an amount of \$9 million for the period November 1, 1971, to June 30, 1972 and for grants for State water pollution control programs under Section 7 in an amount of \$15 million for fiscal year 1972. S. 3122. Public Law 92-240.

Extends authorizations for research, investigations, training, and information under Section 5 of the Federal Water Pollution Control Act for an additional \$11 million (from \$30 million for the period ending April 30, 1972 to \$41 million for the period ending June 30, 1972) and for construction grants under Section 8 at the appropriated level of \$2 billion for the full fiscal year 1972, (an additional \$350 million to the previously authorized sum). S. 3572. P/S 5/4/72.

#### Water resources planning authorization

Increases by \$3.5 million the fiscal year 1973 appropriations for the Water Resources Council to carry out certain functions as-

signed to it under the provisions of the Water Resources Planning Act of 1965. S. 3384. P/S 6/5/72. H.R. 14106. P/H 6/5/72. P/S amended (by language of S. 3384) 6/19/72.

#### Westlands Water District

Provides for deferment of construction charges against Westlands Water District for facilities to serve irrigation water to certain lands within the district which are presently in Federal ownership. H.R. 1682. P/H 11/1/71. P/S amended 3/1/72.

#### Youth Conservation Corps

Amends the Youth Conservation Corps Act of 1970 to expand and make permanent the Youth Conservation Corps pilot program and to provide additional employment for young people while furthering the proper development, protection and maintenance of our natural resources, and authorizes \$150 million annually for carrying out the Act. S. 2454. P/S 5/23/72.

#### NOMINATIONS (ACTION BY ROLL CALL VOTE):

##### Nomination of Richard G. Kleindienst, of Arizona, to be Attorney General

Nomination confirmed June 8, 1972. (64-19)

##### Nomination of George P. Shultz, of Illinois, to be Secretary of the Treasury

Nomination confirmed June 8, 1972. (80-0)

#### PROCLAMATIONS:

##### Clean Waters for America Week

Authorizes the President to issue a proclamation designating the last full calendar week in May of 1972 as "Clean Waters for America Week." S.J. Res. 210. P/S 4/11/72.

##### Father's Day

Authorized the President to designate the third Sunday in June of each year as Father's Day. H.J. Res. 687. Public Law 92-278.

##### Honor America Day

Declare July 4, 1972, as a day to honor America. S. Con. Res. 87. Senate adopted 6/28/72. House adopted 6/30/72.

##### National Arbor Day

Authorized the President to issue a proclamation designating the last Friday of April 1972 "National Arbor Day" and to call upon the people of the United States to observe such day with appropriate ceremonies and activities. H.J. Res. 563. Public Law 92-276.

##### National Arthritis Month

Authorized the President to issue a proclamation designating the month of May 1972, as "National Arthritis Month." H.J. Res. 1029. Public Law 92-289.

##### National Beta Club Week

Authorized and requested the President to proclaim the week which begins on the first Sunday in March, 1972, as "National Beta Club Week." S.J. Res. 153. Public Law 92-234.

##### National Check Your Vehicle Emissions Month

Authorized the President to issue a proclamation designating the month of April, 1972, as "National Check Your Vehicle Emissions Week." H.J. Res. 1095. Public Law 92-274.

##### National Coaches Day

Authorizes and requests the President to issue a proclamation designating October 6, 1972, as "National Coaches Day." S.J. Res. 213. P/S 4/28/72.

##### National Day of Prayer for World Peace

Declared it to be the sense of the Congress that the President designate Sunday, February 20, 1972, as a National Day of Prayer for the cause of world peace. H. Con. Res. 524. House adopted 2/16/72. Senate adopted 2/16/72.

##### National Hunting and Fishing Day

Requested the President to declare the fourth Saturday of September 1972, as "Na-

tional Hunting and Fishing Day." S.J. Res. 117. Public Law 92-285.

#### National Shut-In Day

Authorizes the President to issue a proclamation designating the first Sunday in June of each year as "National Shut-In Day." S.J. Res. 208. P/S 4/11/72. P/H amended 6/30/72.

#### National Voter Registration Month

Authorized the President to designate the calendar month of September, 1972, as "National Voter Registration Month" and to call upon the people of the United States to observe such month with appropriate ceremonies and activities. S.J. Res. 245. Public Law 92-350.

#### National Week of Concern for Prisoners of War/Missing in Action

Authorized the President to designate the period beginning March 26, 1972, as "National Week of Concern for Prisoners of War/Missing in Action" and to designate March 26, 1972, as a national day of prayer for these Americans. S.J. Res. 189. Public Law 92-248.

#### SPACE

##### NASA Authorization Act, 1973

Authorized appropriations totaling \$3,444,150,000 to the National Aeronautics and Space Administration for fiscal year 1973 for research and development, construction of facilities, research and program management, and for other purposes. H.R. 14070. Public Law 92-304.

#### TRANSPORTATION AND COMMUNICATIONS

##### Coast Guard authorizations

Authorized a total of \$145,880,000 in appropriations for fiscal year 1973 for use by the Coast Guard for the procurement of vessels and aircraft and construction of shore and offshore establishments, and authorized the average annual active duty personnel strength for the Coast Guard. H.R. 13188. Public Law 92-343.

##### High-Speed Ground Transportation Act extension

Authorized \$97 million for fiscal year 1973, \$126 million for fiscal year 1974, and \$92.9 million for fiscal year 1975 to carry out the provisions of the act; authorized research and development in door-to-door ground transportation as well as high-speed ground transportation; extended from 15 to 25 years the maximum period for repayment of loans to railroads guaranteed under part V of the Interstate Commerce Act; and contained other provisions. S. 979. Public Law 92-348.

##### International Aeronautical Exposition of 1972

Increased from \$3 million to \$5 million the funds authorized for appropriation under the fiscal year 1970 Military Construction Authorization Act for the conduct of an international aeronautical exposition to be held at Dulles International Airport from May 27, 1972, through June 4, 1972. S. 3244. Public Law 92-252.

##### Merchant Marine Act

Amended Section 613 of the Merchant Marine Act of 1936, the cruise legislation section, to authorize the cruising of passenger vessels for the entire year if the Secretary of Commerce finds that the operation of the vessel on its trade route is not required, and to permit U.S.-flag passenger vessels to carry mail and cargo between ports not on their regular service under certain conditions. H.R. 9552. Public Law 92-323.

##### Motor Vehicle Information and Cost Savings Act

Requires the Secretary of Transportation to set property loss reduction standards for passenger motor vehicles; establishes an Automobile Consumer Information study to determine how to provide consumers with meaningful information about the operating costs and safety characteristics of particu-

lar vehicles; establishes demonstration projects to test the design and feasibility of diagnostic test inspection facilities; and establishes a national policy against odometer tampering. S. 976. P/S 11/3/71. P/H amended 5/22/72.

#### *Natural Gas Pipeline Safety Act amendments*

Amends the Natural Gas Pipeline Safety Act of 1968 so as to extend the deadline by which a State must have in force legislation authorizing the State enforcement agency to impose monetary and injunctive sanctions from August 12, 1970 to August 12, 1973; authorizes the Secretary of Transportation to make grants-in-aid up to 50 percent of the cost of personnel, equipment, and activities of States that act as agent of the Secretary in enforcing Federal safety standards for interstate pipelines; authorizes not to exceed \$3 million for fiscal year 1972, \$3.8 million for fiscal year 1973, and \$5 million for fiscal year 1974 for the purpose of carrying out the provisions of the Act; and contains other provisions. H.R. 5065. P/H 6/21/71. P/S amended 6/6/72. In conference.

#### *Public broadcasting*

Provides improved financing for the Corporation for Public Broadcasting with a two-year authorization under a formula matching non-federal fund coming into all of public broadcasting, but in no event greater than \$65 million in fiscal year 1973 and \$90 million in fiscal year 1974; authorizes an increase of \$10 million in fiscal year 1973, bringing the total authorization to \$25 million, for the Educational Broadcasting Facilities Program; and contains other provisions. H.R. 13918. President Nixon vetoed June 30, 1972.

#### *Rail Passenger Service Act of 1970 amendments*

Authorized an additional \$225 million for grant to Amtrak, plus \$2 million annually for service between the U.S. and the following cities: Vancouver, Canada; Montreal, Canada; and Nuevo Laredo, Mexico; authorized an increase in loan guarantees from \$100 million to \$150 million through June 30, 1973, and \$200 million thereafter, and limits the loan guarantee authority after enactment to expenditures for capital improvements; provided the General Accounting Office with the authority to review records of participating railroads; limited salaries of Amtrak officers, to that of Cabinet officials, except for present Amtrak officers, provided that the excess thereof must be paid only from net profits of Amtrak; restored within stated guidelines, passenger train pass privileges (held prior to or in April 30, 1971) to railroad employees, retirees, and dependents; and contained other provisions. H.R. 11417. Public Law 92-316.

#### *Rates in foreign air transportation*

Gave the Civil Aeronautics Board discretionary authority, subject to disapproval by the President, to suspend or reject tariffs in international air transportation to and from the United States; imposed on U.S. and foreign air carriers engaged in foreign air transportation a duty to establish just and reasonable individual and joint rates and practices; maintained the present mechanism for establishing international air transportation rates through the International Air Transport Association, gave the Board the statutory tools needed to perform its responsibility to protect the traveler, the shipper and air carriers by suspending and rejecting rates which are too high and rates which are destructively low; in essence, gave the Board the same degree of control over rates and practices of foreign air carriers operating into U.S. territory as foreign countries now have over operations of their own carriers and over operations of carriers foreign to those nations. H.R. 11416 (S. 2423). Public Law 92-259.

#### *Ship mortgage insurance*

Amends section 509 of the Merchant Marine Act, 1936, to increase the amount of Federal ship mortgage insurance available for high-powered vessels capable of sustained speed of more than 40 knots. S. 2684. P/S 3/30/72.

#### *Towing vessel licensing*

Promoted safe navigation by requiring that, while underway, certain towing vessels shall be under the direction and control of persons licensed under regulations prescribed by the Secretary of the Department in which the Coast Guard is operating, and required the Secretary of Transportation to conduct a study and to submit to the Congress a report thereon, together with any legislative recommendations, concerning the need for engineers in such vessels. H.R. 6479. Public Law 92-339.

#### *Travel agents registration*

Adds a new title II to the International Travel Act of 1961 to require persons operating a travel agency to secure registration certificates from the Secretary of Transportation and prohibits, after January 1, 1973, transportation carriers from entering into a contract or other arrangement with any person who is not a registered travel agent. S. 2577. P/S 6/29/72.

#### *VETERANS*

##### *Disabled veterans*

Provided for a 10-percent increase in compensation rates for service-connected disabilities and a 10-percent increase in monthly dependents' allowance payable for dependents of veterans rated at least 50 percent or more disabled; authorized the granting of equitable relief by the Administrator of the Veterans' Administration in cases of loss incurred due to administrative error; and contained other provisions. S. 3338. Public Law 92-328.

##### *Specially adapted housing for disabled veterans*

Amended chapter 21 of title 38, United States Code, to increase the maximum amount of a grant payable by the Administrator of the Veterans' Administration to \$17,500 to provide specially adapted housing for disabled veterans. S. 3343. Public Law 92-341.

##### *Veterans' Administration Health Manpower Training Act of 1972*

Expands the primary function of the VA Department of Medicine and Surgery to include assisting in providing an adequate supply of health care manpower for national needs in addition to providing a complete medical and hospital service for veterans; authorizes a program for continuing medical education for health care staff of VA medical facilities and staff of other Federal medical facilities and members of the surrounding medical community on a reimbursable basis utilizing certain VA hospitals as "Regional Medical Education Centers;" directs that, to the extent feasible, any new VA hospital be constructed in close proximity to a medical school; authorizes for each of seven fiscal years beginning in fiscal year 1973 an appropriation of \$125 million for three major new programs; and contains other provisions. H.J. Res. 748. P/H 7/19/71. P/S amended 4/27/72.

##### *Veterans' Health Care Expansion Act of 1972*

Improves the ability of the Veterans Administration to deliver quality medical care to its beneficiaries by removing certain legislative restrictions in the scope of treatment (particularly for ambulatory and nursing care); by expanding coverage to certain dependents of beneficiaries or former beneficiaries; by providing for a comprehensive sickle cell anemia screening and counseling program for requesting veterans and their spouses; by improving the personnel system of the Department of Medicine and

Surgery (DM&S) to provide for major emphasis on the recruitment, training and employment by the VA of recent veterans with medical skills and to make DM&S more attractive to skilled health care personnel and thus more able to compete for scarce health care manpower; by improving the staff-to-patient ratio in VA medical facilities; by ensuring that VA facilities are structurally safe; and by other means. H.R. 10880. P/H 10/4/71. P/S amended 5/4/72.

#### **EXTENSION OF PERIOD FOR TRANSACTION OF ROUTINE MORNING BUSINESS**

The PRESIDING OFFICER (Mr. HOLINGS). The period of transaction of routine morning business has expired.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the time for transaction of routine morning business be extended for not to exceed 15 minutes.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

#### **LEGISLATIVE ACCOMPLISHMENTS OF CONGRESS A "MIXED BAG"**

Mr. SCOTT. Mr. President, the summation of what the Congress has done is, of course, a mixed bag. It always is in every session. But what the administration is saying is, "Give us the legislation to enable the country to be well and better governed. Give us the legislation we recommend, or give us your version of it."

In some cases this has been done, but in major matters, such as revenue sharing and welfare reform, the legislation is not yet enacted. All that is happening is that we want to see it enacted. The same is true as to vital matters such as the portability of pensions, matters that pertain to general welfare, and matters that relate to better ordered relationships between management and labor, wherever they need to be worked out.

I have no doubt that we can complete action on the appropriation bills. I think we should get action on the major legislation that the President sent up here. We ought to do something in the health field before we go home, and I hope we can.

The Democratic Party has completed its convention and has adopted a platform. The Republican Party was in a similar position in 1948. I was serving in the House then, and President Truman called Congress back for 2 weeks and said to it:

You have passed a platform. Now enact it.

This was regarded at the time as an impossibility, but it certainly helped Mr. Truman's cause. The Republican Party, of course, certainly could not enact the whole program, but I regretted that it did not enact a part of it. As national chairman at that time, I urged that they were wrong in only picking up two matters, including the International Wheat Agreement, and enacting them into law, saying this was all we could do in 2 weeks.

I think it would be cruel and unusual punishment to ask the Democratic Party to do the same thing. We would like you to show that you mean what you say in your platform. We doubt very much that



you would do it, platforms being used to get "in on" rather than to "ride on" thereafter.

They are more like the observation platform on an old-fashioned train, from which you stood and waved as you receded into the distance toward the setting sun.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. ROBERT C. BYRD. Mr. President, if the Chair will recognize me, I yield my 3 minutes to the distinguished minority leader.

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

Mr. SCOTT. I thank the Senator.

There are, however, some things in that platform which can be elucidated. Much of it is so vague as to be indeterminate, but insofar as we can find out what the platform says, we will be glad to have you enact it, or try to. The Democrats are the majority party. We can submit our versions of it, as Congress submits its versions to the President on all legislation. I think, as an evidence of good faith, they should try to enact some of it. It would help show the country that when parties pass platforms, they have some meaning. So I issue an open invitation to the majority party to take its own platform seriously, study it over, see if it can make sense out of it, and then enact it.

I am glad they did not do anything about acid or abortion, and did not do very much about amnesty in the platform. The amnesty issue will solve itself at the end of the war anyway, in one way or another.

But as to the nondangerous elements in the platform, maybe some of them are beneficial to the American people. We will never know unless you wash them off, clean them up, dry them out, and hang them on the congressional laundry line so we can all see whether they are worth pressing and sending on to the President for his imprimatur.

As far as the President is concerned, he has done what he can in the executive department, and the economy has benefited from it. It has expanded, under his administration, by 8 percent after the deductions for inflation. Eighty-two million people are working this June, more than 5 million more than when he became President. The average factory worker gets 23 percent more pay per hour now. Store sales are up 26 percent; housing starts up 4 percent; and company profits up 12 percent after taxes. Unemployment is not yet satisfactory, but it is down from 6 percent to 5.5 percent.

The President's record in foreign policy is virtually unimpeachable. No one else could do as well. No one else has ever done as well. No one has opened up so many avenues toward peace. On the domestic scene, the country is returning to a prosperous and generally affluent state.

All we need the platforms for is to find out if they mean what they say. If the convention just closed meant anything at all—and there was even more dissent on that point—surely its platform ought to be given some opportunity for exploration, evaluation, and, if necessary, action.

Mr. MANSFIELD. Mr. President, the distinguished minority leader has taken into consideration the future, but avoided the present as far as the legislative schedule is concerned.

What we have to keep in mind is that we have a very difficult schedule of legislation confronting the Senate: the Foreign Assistance Act, which is the unfinished business; the Minimum Wage Act, which will go on the second track; the welfare bill; the no-fault insurance bill; the maritime bill; the bill dealing with marine mammals; the military construction appropriation bill; the agriculture appropriation bill; the supplemental appropriation bill; the foreign aid appropriation bill; the defense appropriation bill; revenue sharing; the SALT Treaty and the interim agreement on defensive weapons; plus a number of other items which are with us now and should be considered now or as soon as possible.

As far as the conventions are concerned, the platforms which will be agreed to by both parties look to the future. What we in the Senate have to consider is the present, and I would hope that on both sides of the aisle there would be a reasonable attitude toward a time limitation on all legislation, so that we could, if possible, get through with as much of it as we can, and do it in a fashion that lies outside the field of partisan politics. This Chamber is not the place to wage a party campaign, but it is a place to do things which the committees have reported out and which are or will be on the calendar shortly.

I think the record ought to be kept straight. May I say to my distinguished friend the minority leader that what I have said about the Senate's accomplishments is just as much to the credit of the Republican Members of this body as it is to the credit of the Democratic Members, because after all this is an institution. It has a certain responsibility, and that responsibility is aside and apart from party contentions, be they Democratic or Republican.

The record ought to be made straight. The record of the Senate, I think, has been exceedingly good, all things considered, so far; and I would hope that in the next 5 weeks we could work together, Democrats and Republicans alike, to pass this legislation or not to pass it, depending upon the mood of the majority and its will. But we do have a situation confronting us which I think will call out the best in us, and I would hope that for the next 5 weeks we can do what has to be done with a minimum of politics involved, and with an understanding on both sides as far as time limitations are concerned.

If we have to come back after the Republican Convention—and as of now I am afraid we will—then I dread what will happen during that period. But let us not cross that chasm until we come to it. Let us try to work together and get as much of the President's program through as possible, making modifications and alterations which we as responsible Senators think should be made, and in that way take care of the business of the people for the time being,

and let the campaigns take care of themselves at an appropriate period.

Mr. SCOTT. Mr. President, I agree. Both parties should and must cooperate.

#### COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

The ACTING PRESIDENT pro tempore (Mr. ALLEN) laid before the Senate the following letters, which were referred as indicated:

##### REPORT ON FINAL DETERMINATION IN INDIAN CLAIM CASE

A letter from the Chairman, Indian Claims Commission, reporting, pursuant to law, on its final determination with respect to Docket No. 233, the Swinomish Tribe of Indians, Plaintiff, v. The United States of America, Defendant (with accompanying papers); to the Committee on Appropriations.

##### LIST OF REPORTS OF GENERAL ACCOUNTING OFFICE

A letter from the Comptroller General of the United States, reporting, pursuant to law, on the reports made by that Office during the month of June, 1972 (with an accompanying report); to the Committee on Government Operations.

##### REPORTS OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report entitled "Opportunities to Increase Effectiveness of Long-Term, Full-Time Training Program for Civilian Employees", Department of Defense, dated June 30, 1972 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report entitled "Improved Foreign-Market Analyses Can Increase United States Exports," Department of State, Department of Commerce, dated July 6, 1972 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report entitled "Improvements Needed in Policy For Establishing Regulatory Fees," District of Columbia Government, dated July 12, 1972 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report entitled "Assessment of the Teacher Corps Program," Office of Education, Department of Health, Education, and Welfare, dated July 14, 1972 (with an accompanying report); to the Committee on Government Operations.

##### SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

Two letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders suspending deportation of certain aliens (with accompanying papers); to the Committee on the Judiciary.

##### ADJUSTMENT OF STATUS OF CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, copies of orders relating to the adjustment of status of certain aliens (with accompanying papers); to the Committee on the Judiciary.

##### TEMPORARY ADMISSION INTO THE UNITED STATES OF CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders granting temporary admission into the United States of certain aliens (with accompanying papers); to the Committee on the Judiciary.

### THIRD PREFERENCE AND SIXTH PREFERENCE CLASSIFICATION FOR CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, reports concerning third preference and sixth preference classification to certain aliens (with accompanying papers); to the Committee on the Judiciary.

### PETITIONS

Petitions were laid before the Senate and referred as indicated:

By the ACTING PRESIDENT pro tempore (MR. ALLEN):

A concurrent resolution of the Legislature of the State of Louisiana; to the Committee on Commerce:

"HOUSE CONCURRENT RESOLUTION No. 264 BY MESSRS. TRICHE, GUIDRY, ANGELLE, HAINKEL AND WALL

"A concurrent resolution to urge the Congress of the United States to take whatever congressional action as may be necessary to clarify the Natural Gas Act, June 21, 1938, c. 556, § 24, 52 stat. 833 (USCA 15 § 717) as amended, so as to make it clear that the Federal Power Commission has no jurisdiction over natural gas which is both produced and consumed within a state without its ever having crossed the boundary of the state irrespective of the fact that the pipeline through which such gas is transported in intrastate commerce may also be used simultaneously or otherwise to transport gas in interstate commerce

"Whereas, the 'interstate commerce clause' of the Federal constitution was never intended to authorize or allow the Federal Government to regulate a product wholly produced, marketed and consumed within the borders of a single state, and

"Whereas, the Natural Gas Act, in clear terms, (provides that '(b) the provisions of this chapter shall apply to the transportation of natural gas in interstate commerce, to the sale in interstate commerce of natural gas for resale for ultimate public consumption, for domestic, commercial, industrial, or any other use, and to natural gas companies engaged in such transportation or sale, but shall not apply to any other transportation or sale of natural gas or other local distribution of natural gas or other facilities used for such distribution or to the production or gathering of natural gas'; and

"Whereas, the Federal Power Commission has erroneously interpreted the provisions of this act so as to extend its jurisdiction to the regulation of natural gas wholly produced, transmitted and consumed within a state, such gas having never crossed the borders of the state, on the 'theory' that any pipeline located within a state which is used at any time to transport gas into or out of said state, thereby becomes an 'interstate pipeline' and subject to their regulation thereafter regardless of the fact that the natural gas thereafter transported through such lines is wholly produced, transported and consumed within the state; and

"Whereas, this interpretation, if allowed to stand, will result in the highly undesirable, uneconomical and impractical necessity of constructing dual pipeline systems, one for interstate and one for intrastate gas shipment in order to avoid Federal Power Commission regulation of all intrastate gas consumption; and

"Whereas, such interpretation and application of its jurisdiction by the Federal Power Commission is not only a deviation from the clear intent of Congress as expressed in the Natural Gas Act, but is also a clear violation of the state's right and responsibility to regulate its intrastate commerce.

"Now therefore be it resolved by the House of Representatives of the Louisiana Legisla-

ture, the Senate thereof concurring, that the Louisiana delegation in the Congress and the Representatives from all the other states are memorialized, requested and urged to take whatever congressional action as may be necessary to specifically clarify the Natural Gas Act so as to make it unequivocally clear that the Federal Power Commission has jurisdiction only with respect to such natural gas as is actually transported in interstate commerce and that said Commission has no jurisdiction whatsoever to regulate natural gas which is both produced and consumed within the borders of a single state without having crossed the borders of said state irrespective of the fact that said gas may be transmitted simultaneously or otherwise through a pipeline which may be transporting other gas in interstate commerce.

"Be it further resolved that copies of this Concurrent Resolution shall be transmitted to the presiding officers of the two houses of Congress and to each member of the Louisiana Delegation in Congress."

A concurrent resolution of the Legislature of the State of Louisiana; to the Committee on Finance:

"HOUSE CONCURRENT RESOLUTION No. 114

"A concurrent resolution to memorialize the Congress of the United States to amend the federal laws to allow recipients of Old Age Assistance to keep the first Fifty (\$50.00) Dollars per month of Social Security benefits without affecting their Old Age Assistance grants

"Whereas, the elderly people of the state of Louisiana and the nation should be of prime concern to those persons in a position of authority; and

"Whereas, merely because these people are no longer able to work at regular jobs because of forced retirement or disabilities is no reason to reduce any benefits that they worked for over their productive years; and

"Whereas, without the wisdom of our elders, we in this state and nation could never have achieved the progress that we have made over the years; and

"Whereas, let us not turn our backs on them at a time when we can repay them for what they have done for us; and

"Whereas, everything possible should be done to see that they live out the remainder of their lives in as much comfort as is possible,

"Therefore be it resolved by the House of Representatives of the Louisiana Legislature, the Senate thereof concurring, that the Congress of the United States is hereby memorialized to amend the federal laws to allow recipients of Old Age Assistance to keep the first Fifty (\$50.00) Dollars per month of Social Security benefits without affecting their Old Age Assistance grants.

"Be it further resolved that copies of the Resolution shall be transmitted forthwith to each of the members of the Louisiana delegation in the Congress of the United States."

A concurrent resolution of the Legislature of the State of Louisiana; to the Committee on Labor and Public Welfare:

"HOUSE CONCURRENT RESOLUTION No. 170

"A concurrent resolution to memorialize the Congress of the United States to appropriate funds for Title XI, § 1136 of the 1965 Higher Education Act as amended October 1968 for Clinical Legal Education

"Whereas, the system of legal education presently used to educate students in the field of law is lacking in the practical aspects of judicial administration; and

"Whereas, the need to remedy this lack of instruction has been recognized by the Congress in the 1968 amendment to the Higher Education Act of 1965 by authorizing through Title XI funding for Clinical Legal Education Programs at approved law schools; and

"Whereas, law schools presently restrict the numbers of students in Clinical Legal Education Programs due to the high cost of funding; and

"Whereas, Clinical Legal Education is directed to educating students in the practical aspects of judicial administration.

"Therefore, be it resolved by the House of Representatives of the Legislature of Louisiana, the Senate concurring therein, that the Congress of the United States is hereby memorialized to appropriate funds for Title XI § 1136 of the Higher Education Act of 1965 as amended in 1968 for Clinical Legal Education Program in approved law schools.

"Be it further resolved that a copy hereof be sent to the Congress of the United States and copies to the members of the Louisiana Congressional Delegation."

Two concurrent resolutions of the Legislature of the State of Louisiana; to the Committee on the Judiciary:

"HOUSE CONCURRENT RESOLUTION No. 18

"A concurrent resolution to memorialize Congress with respect to legislation changing the method of selection of judges of the federal judiciary

"Whereas, under the present method of appointment of judges of the United States Court system for life terms the people have no voice therein, and judges are answerable to no one for entire lifetimes; and

"Whereas, a judicial system which is answerable to the people breeds competence in and trust of the members of its judiciary; and

"Whereas, such a system fits well within our democratic form of government; and

"Whereas, certain merit systems for the selection of the judiciary have been introduced into various states which give the executive branch the power of initial appointment but offers the electorate a periodic right to judge the performance of the appointees, one of which systems is popularly known as the 'Missouri Plan'; and

"Whereas, under such plan an incumbent member of the judiciary is allowed to run for re-election based on his previous record, and not on popularity, political affiliation or television or radio 'personality'; and

"Whereas, this system protects the judiciary from political influences and tends to insure an independent judiciary while still requiring it to answer to the people; and

"Whereas, the system generally retains the few advantages of the present system of selection while incorporating the many advantages of election of judges.

"Now therefore be it resolved by the House of Representatives of the Legislature of Louisiana, the Senate therefore concurring, that the members of the United States Congress are hereby strongly urged and requested to consider legislation which would change the present method of selection of the federal judiciary by adopting in whole or similar form that merit system for selection of the judiciary commonly referred to as the 'Missouri Plan'.

"Be it further resolved that the Clerk of the Louisiana House of Representatives shall transmit copies of this Resolution without delay to the members of the Louisiana Delegation in both houses of the United States Congress and to the presiding officer of each of the houses of the Congress."

"HOUSE CONCURRENT RESOLUTION No. 147

"A concurrent resolution to memorialize the Congress of the United States to immediately take the necessary steps to give to the citizens of this nation an opportunity by constitutional amendment to determine whether or not prayer shall be permitted in the public schools and to urge the legislatures of all the states to join in this recommendation to the Congress

"Whereas, no civilization, government or nation has ever existed, nor could they be possible, without a fundamental and profound recognition of and reverence for some



authority, some ideal, some being, superior to the individual which in our national heritage we have expressed as a belief in and dependence upon Almighty God; and

"Whereas, our national tradition and heritage of public and civic prayer give purpose and meaning to our union as a nation, without which we could only suffer the anarchy or tyranny of the oppressed peoples in less enlightened parts of the world; and

"Whereas, education is a worthless, if not evil and dangerous thing, if limited to merely the dissemination of factual information without the expression and understanding of ideas, ideals, theories, customs and beliefs of other men, whether designated as being of a religious nature or by some other appellation; and

"Whereas, none of the constitutional safeguards of individual rights and civil liberties of the citizens of these United States were designed or intended to prohibit prayer in the schools or any public place, so long as no citizen is coerced into a participation therein inconsistent with his own beliefs; and

"Whereas, the Supreme Court of the United States has had occasion to so construe our constitution as to prohibit public prayer in public schools.

"Therefore, be it resolved by the House of Representatives of the Legislature of Louisiana, the Senate thereof concurring, that the Congress of the United States be and it is memorialized to immediately take the necessary steps to provide the citizens of this great Nation an opportunity by way of a proposition to amend the United States Constitution to determine whether or not public prayer shall be permitted in the public schools of the several States.

"Be it further resolved that the legislatures of every state of the nation are hereby urged to join in this recommendation to Congress.

"Be it further resolved that copies of this Resolution shall be forwarded to the Secretary of State of the United States, the clerk of the House of Representatives of the United States, the members of Louisiana's congressional delegation, and the secretary of state of each of the several states for transmittal by him to the legislature of his respective state."

A concurrent resolution of the Legislature of the State of Louisiana; to the Committee on Commerce:

**"SENATE CONCURRENT RESOLUTION No. 67**

"A concurrent resolution to urge and request the Federal Power Commission to amend its rules and the United States Congress to amend the Natural Gas Act so as to exempt from the definition of 'interstate natural gas' natural gas transported through interstate pipelines from one point within a state to another point therein

"Whereas, the state of Louisiana is an important source of natural gas in the United States; and

"Whereas, large volumes of natural gas produced in Louisiana are shipped in interstate commerce through interstate pipelines; and

"Whereas, there are in existence extensive networks of interstate pipelines for the transportation of natural gas in the state of Louisiana; and

"Whereas, there is available natural gas in the state of Louisiana which has not been committed to interstate transmission companies; and

"Whereas, there exists an acute shortage of natural gas in the state of Louisiana available for industrial use, due, in large part, to the fact that there are not sufficient intrastate pipelines to transport this gas from its source of supply in Louisiana to the point of use in Louisiana; and

"Whereas, there has arisen a serious question as to whether natural gas can be trans-

ported from one point to another within Louisiana when commingled with interstate natural gas without the total natural gas becoming interstate and therefore subject to the regulations of the Federal Power Commission; and

"Whereas, the Federal Power Commission has no authority over the sale of natural gas except for resale but does have authority over interstate natural gas pipelines; and

"Whereas, it is extremely important to the state of Louisiana that the Federal Power Commission amend its rules so as to exempt from its definition of 'interstate natural gas' natural gas transported through interstate pipelines from one point within a state to another therein.

"Therefore, be it resolved by the Senate of the state of Louisiana, The House of Representatives thereof concurring herein, that the Federal Power Commission is hereby urged and requested to amend its rules so as to exempt from its definition of 'interstate natural gas' natural gas transported through interstate pipelines from one point within a state to another point therein, whether said gas is commingled with interstate gas or not.

"Be it further resolved that the Congress of the United States is hereby urged and requested to amend the Natural Gas Act so as to permit natural gas to be transported through interstate pipelines from one point within a state to another point therein, without said gas becoming 'interstate natural gas' within the meaning of said Act.

"Be it further resolved that copies of this resolution be transmitted without delay to the Louisiana delegation in Congress and to the Federal Power Commission."

A resolution of the Senate of the State of Louisiana; to the Committee on Commerce:

**"SENATE RESOLUTION No. 30**

"A resolution to memorialize the Congress of the United States to enact the Surface Transportation Act of 1971

"Whereas, the present and future needs of the citizens of this state as well as the needs of the citizens of the remaining states of the United States for a stable and expanding economy require the smooth functioning of a balanced surface transportation system making the best possible use of all modes of transportation, including rail, highway and waterway; and

"Whereas, it is reported that the demand for freight transportation is growing three times as fast as the population and may double by the year 1985; and

"Whereas, much of the surface transportation system is today in a precarious financial position which impedes its ability to modernize and to meet increasing needs of both shippers and consumers alike; and

"Whereas, the existing federal policies with respect to the regulation and financing have lagged far behind and have resulted in impeding the progress and health of the transportation industry; and

"Whereas, truckers, railroads and regulated water carriers feel it is in the best interest of all citizens that pending legislation in the Congress of the United States be enacted so as to correct these inequities in regulation and financing.

"Therefore, be it resolved by the Senate of the Legislature of Louisiana that the Congress of the United States is hereby urged to give every favorable consideration for the enactment of the Surface Transportation Act of 1971, being S. 2362 and H.R. 11207.

"Be it further resolved that a copy of this Resolution shall be transmitted to the President of the United States, and to each member of the Louisiana delegation in Congress."

A joint resolution of the Legislature of the State of California; to the Committee on Foreign Relations:

**"ASSEMBLY JOINT RESOLUTION No. 4—RELATIVE TO REQUIRING NORTH VIETNAM TO ACCOUNT FOR EACH AMERICAN MISSING IN ACTION OR LISTED AS A PRISONER OF WAR AS A RESULT OF THE CONFLICT IN VIETNAM**

**"LEGISLATIVE COUNSEL'S DIGEST**

**"AJR 4, Burke. Prisoners of war.**

"Memorializes President, Vice President, and Congress to demand full accounting from North Vietnam of all prisoners of war taken in Vietnam conflict before completion of American troop withdrawals.

"Whereas, Countless American servicemen are listed as prisoners of war or missing in action, a nebulous status which has been a continuous source of uncertainty, grief, and despair for the friends, relatives, and loved ones they have left behind in the United States; and

"Whereas, To this date, over 18 years after the conclusion of the Korean conflict, our government has been unable to secure any information as to the well-being or existence of over 389 men who were similarly listed as prisoners or missing in action in that conflict; now, therefore, be it

**"Resolved by the Assembly and Senate of the State of California, jointly,** That the members respectfully memorialize the President, the Vice President and Congress of the United States to demand a full accounting from the government of North Vietnam for every American prisoner of war taken in the Vietnam conflict before the completion of American troop withdrawals from the war; and be it further

**"Resolved,** That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

Two joint resolutions of the Legislature of the State of California; to the Committee on Interior and Insular Affairs:

**"SENATE JOINT RESOLUTION No. 10—RELATIVE TO CREATING A NATIONAL PARK IN LOS ANGELES COUNTY**

"Whereas, Congressman Alphonzo Bell has introduced a bill in the Congress of the United States to create a national park in the Santa Monica area of Los Angeles County; and

"Whereas, The inclusion in this park of a system of parkways would enhance its value and utility; now, therefore, be it

**"Resolved by the Senate and Assembly of the State of California, jointly,** That the Legislature of the State of California respectfully requests Congressman Bell to amend his bill to include in it provisions for parkways; and be it further

**"Resolved,** That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to enact Congressman Bell's park bill; and be it further

**"Resolved,** That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

**"SENATE JOINT RESOLUTION No. 19—RELATIVE TO THE SAN FELIPE DIVISION OF THE CENTRAL VALLEY PROJECT**

"Whereas, The federal budget for fiscal 1972-1973 contains no funds for completion of preconstruction activity for the San Felipe Division of the Central Valley Project; and

"Whereas, It appears that the ground for the deletion of such funds is that by reason of the recent decision of the State Water Resources Control Board setting quality criteria for specified reaches of the Delta of the Sacramento-San Joaquin Rivers, the Bureau of

Reclamation is unable to guarantee a water supply for such division; and

"Whereas, It appears the Santa Clara sub-area, as the principal prospective contractor for San Felipe Division supplies, and other public contractors in the proposed service area in San Benito, Santa Cruz and Monterey Counties, are fully prepared to accept a form of contract which provides for temporary discontinuance of deliveries in years of shortage, hold-over underground storage being available; and

"Whereas, The years in which a rationing might, upon such decision, be imposed will occur only under a combination of conditions remote in probability; now, therefore, be it

*"Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California memorializes the President and the Congress of the United States to augment the federal budget for fiscal 1972-1973 by the sum of three hundred thousand dollars (\$300,000) which represents the capability of the Bureau of Reclamation to complete San Felipe Division preconstruction activity; and be it further*

*"Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."*

A joint resolution of the Legislature of the State of California; to the Committee on Interior and Insular Affairs:

**"ASSEMBLY JOINT RESOLUTION No. 33—RELATIVE TO FEDERAL LANDS ADJACENT TO POINT MUGU STATE PARK**

*"Resolved by the Assembly and Senate of the State of California jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to declare surplus and transfer to the Department of Parks and Recreation for inclusion in the state park system, under the federal government's legacy of parks program, those federal lands adjacent to, and northwesterly of, Point Mugu State Park which are not needed for military and defense purposes; and be it further*

*"Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Secretary of Defense, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."*

A resolution of the Legislature of the State of Florida; to the Committee on Labor and Public Welfare:

#### **"RESOLUTION**

"Whereas, in 1950 the Congress created a program of financial assistance to those agencies providing education for children residing on federal property or for children whose parents are employed on federal property; and

"Whereas, every year since, the Congress has seen fit to support this program with what has become commonly known as 'impact funds'; and

"Whereas, the Brevard County School District educates 1,952 pupils whose parents live on federal property and 20,532 pupils whose parents live off, but work, on federal property; and

"Whereas, in the instance of Brevard County, a great deal of what would otherwise be 'industrial or commercial property,' is federally owned and, therefore, wholly exempt from taxation; and

"Whereas, the tax exempt federal property in Brevard County amounts to 159,133 acres or 65 percent of the total property in the county and is valued at \$1.8 billion; and

"Whereas, based upon a ten mill maximum

which the Brevard County School District has levied against all privately owned properties, this tax exempt federal property would produce \$17.1 million in operating revenues for school purposes; and

"Whereas, the present Administration has proposed eliminating from impact fund consideration the 'B Category' pupils, those pupils whose parents live off, but work, on federal property; and

"Whereas, such action on the part of Congress would result in a loss of \$3.684 million, or over three-fourths of the Brevard County School District's entitlement of \$4.642 million; and

"Whereas, the Brevard County School District cannot operate and offer the same educational program for our children if this loss in revenue is sustained; and

"Whereas, there are 21 other counties in the State of Florida similarly affected.

"Now, therefore, be it resolved that the Governor and Cabinet of the State of Florida strongly urges Congress to support adequate funding of all educational legislation, therefore eliminating the continued need for supplemental appropriations; and

"Be it further resolved that if such funding is not forthcoming, that the Governor and Cabinet do hereby urge Congress to honor its 22 year old commitment to those agencies which have faithfully educated the children of federal government employees, during that time, to wit: fund at full entitlement both A and B category pupils; and

"Be it further resolved that copies of this resolution be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, to each member of the Florida delegation to the United States Congress, and to the appropriate members of the Senate and House Appropriations Committees.

A joint resolution of the Legislature of the State of Kentucky; to the Committee on the Judiciary:

#### **"HOUSE RESOLUTION No. 2**

"A joint resolution ratifying a proposed amendment to the Constitution of the United States

"Whereas, House Joint Resolution 208 of the Ninety-Second Congress (Second Session) proposes an amendment to the Constitution of the United States; and

"Whereas, the amendment so proposed shall be valid to all intent and purposes as part of the Constitution of the United States when ratified by the legislatures of three-fourths of the several states within seven years from the date of its submission by the Congress; and

"Whereas, the purpose of the proposed amendment is in keeping with the desires of the people of this Commonwealth to insure that equality of rights under law shall not be denied or abridged by the United States or any State on account of sex;

"Now, therefore, *Be it resolved by the General Assembly of the Commonwealth of Kentucky:*

"Section 1. The amendment to the Constitution of the United States proposed by House Joint Resolution 208 of the Ninety-Second Congress (Second Session), proposing an amendment to the Constitution of the United States relative to equal rights for men and women and reading as follows, hereby is ratified:

#### **"ARTICLE**

"Section 1. Equality of rights under law shall not be denied or abridged by the United States or any State on account of sex.

"Section 2. The Congress shall have the power to enforce by appropriate legislation the provisions of this article.

"Section 3. This Amendment shall take effect two years after the date of ratification.

"Section 4. The Governor of the Commonwealth shall cause certified copies of this resolution to be sent to the Administrator of General Services of the United States, to the Secretary of State of the United States, to the President of the Senate and to the Speaker of the House of Representatives of the Congress of the United States. The Secretary of State of this Commonwealth shall cause certified copies of the resolution to be sent to the Governor of each of the United States.

A resolution adopted by the North Carolina Bar Association, Raleigh, N.C.; expressing opposition to any legislation that would impose unwarranted Federal control and preempt State action in the auto reparations system; to the Committee on Commerce.

A resolution adopted by the Adjutants General Association of the United States, Washington, D.C., in support of action taken by the President in the conflict in Southeast Asia; to the Committee on Foreign Relations.

A petition adopted by the Presbyterian Church of the United States, Atlanta, Ga., praying for an end to the economic boycott of Cuba; to the Committee on Foreign Relations.

The petition of Benjamin Holland, Ralford, Fla., praying for a redress of grievances; to the Committee on the Judiciary.

A resolution adopted by the Student Government Association, Lafayette, La., opposing any unjust discrimination against working students; to the Committee on Labor and Public Welfare.

### **ENROLLED BILLS AND JOINT RESOLUTIONS PRESENTED**

The Secretary of the Senate reported that on July 1, 1972, he presented to the President of the United States the following enrolled bills and joint resolutions:

S. 979. An act to amend the act of September 30, 1965, relating to high-speed transportation, to enlarge the authority of the Secretary to undertake research and development, to remove the termination date thereof, and for other purposes;

S. 3343. An act to amend title 38, United States Code, to increase the maximum of the grant payable for specially adapted housing for disabled veterans;

S. J. Res. 245. Joint resolution authorizing the President to designate the calendar month of September 1972 as "National Voter Registration Month"; and

S.J. Res. 250. Joint resolution to extend the authority of the Secretary of Housing and Urban Development with respect to interest rates on insured mortgages and to extend laws relating to housing and urban development.

### **REPORTS OF COMMITTEES**

The following reports of committees were submitted:

By Mr. SPARKMAN, from the Committee on Banking, Housing and Urban Affairs, with amendments:

S. 1076. A bill to provide for the striking of medals in commemoration of Jim Thorpe (Rept. No. 92-965).

### **AMENDMENT OF THE NATIONAL SECURITY ACT—REPORT NO. 92-964**

Mr. MANSFIELD. Mr. President, on behalf of the distinguished Senator from Arkansas (Mr. FULBRIGHT), chairman of



the Committee on Foreign Relations, I make the following statement:

Mr. President, on July 7, 1971, by unanimous consent, S. 2224, to amend the National Security Act of 1947, as amended, to keep the Congress better informed on matters relating to foreign policy and national security by providing it with intelligence information obtained by the Central Intelligence Agency and with analysis of such information by such agency, was referred to the Committees on Armed Services and Foreign Relations jointly.

I now ask unanimous consent that the bill with amendments, as reported from the Committee on Foreign Relations be referred, with the amendments, to the Committee on Armed Services.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first time and, by unanimous consent, the second time, and referred as indicated:

By Mr. SCOTT (for himself, Mr. BEALL, Mr. HARRY F. BYRD, JR., Mr. BUCKLEY, Mr. CHILES, Mr. GURNEY, Mr. JAVITS, Mr. MATHIAS, Mr. RANDOLPH, Mr. SCHWEIKER, Mr. SPARKMAN, and Mr. SPONG):

S. 3795. A bill to provide additional relief to victims of hurricane and tropical storm Agnes, and for other purposes. Referred, by unanimous consent, jointly to the Committee on Banking, Housing and Urban Affairs and to the Committee on Agriculture and Forestry.

S. 3796. A bill to amend section 125 of title 23, United States Code, relating to highway emergency relief to authorize additional appropriations necessary as a result of recent floods and other disasters. Referred to the Committee on Public Works.

By Mr. MCINTYRE:

S. 3797. A bill to amend the Small Business Act to reduce the interest rate on Small Business Administration disaster loans. Referred to the Committee on Banking, Housing and Urban Affairs.

By Mr. TAFT:

S. 3798. A bill for the relief of Mrs. Maxine-Lawrence Billion Ames. Referred to the Committee on the Judiciary.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. SCOTT (for himself, Mr. BEALL, Mr. HARRY F. BYRD, Mr. BUCKLEY, Mr. CHILES, Mr. GURNEY, Mr. JAVITS, Mr. MATHIAS, Mr. RANDOLPH, Mr. SCHWEIKER, Mr. SPARKMAN, and Mr. SPONG):

S. 3795. A bill to provide additional relief to victims of hurricane and tropical storm Agnes, and for other purposes. Referred, by unanimous consent, jointly to the Committee on Banking, Housing and Urban Affairs and to the Committee on Agriculture and Forestry.

S. 3796. A bill to amend section 125 of title 23, United States Code, relating to highway emergency relief to authorize additional appropriations necessary as

a result of recent floods and other disasters. Referred to the Committee on Public Works.

Mr. SCOTT. Mr. President, today I am introducing legislation on behalf of myself and Senators BEALL, HARRY F. BYRD, JR., BUCKLEY, CHILES, GUERNEY, JAVITS, MATHIAS, RANDOLPH, SCHWEIKER, SPARKMAN, and SPONG to assist those States which were so terribly affected by the late June floods.

This legislation is a \$1.8 billion program known as the Agnes Recovery Act and proposed last week by President Nixon.

It liberalizes loans and cash grants to property owners, residents, businessmen, farmers, and all individuals who suffered from the natural disaster.

The President has proposed a broad and comprehensive plan to help millions of persons fight back and rebuild their communities, their businesses, and their homes.

The Agnes Recovery Act will make available \$5,000 cash grants while the present law provides a maximum of \$2,500.

Interest rates are to be dropped to 1 percent instead of the current 5½ percent on Small Business Administration and Farmers Home Administration loans. The legislation will require supplemental appropriations for the following: \$1,300 billion for the Small Business Administration; \$200 million for the President's Disaster Relief Fund; \$200 million for the Federal Highway Administration; \$16 million for the Appalachian Regional Commission; \$55 million for the Economic Development Administration; \$12 million for the Corps of Engineers; \$30 million for the Department of Labor; and \$1.85 million for the Farmers Home Administration.

These are the two keys to helping people get a new start, to let them get back on their feet.

These are the keys to keeping a business in the community, to provide the economic base.

These are the keys to the future of a region.

If we do not come to the support of those beleaguered residents and businesses in their time of dire need, we can expect increases in unemployment.

Without help from the Congress we will watch areas lose their equity.

President Nixon summed it up best when he said liberalized assistance can mean the difference between recovery and bankruptcy and ruin.

Our commitment to the less fortunate must be massive because this was a massive disaster.

Our commitment must be of short term and long term for recovery.

The Agnes Recovery Act should give hope to those who have waited patiently while working so diligently in their battle for economic survival.

Mr. President, I ask unanimous consent that the bill "to provide additional relief to victims of hurricane and tropical storm Agnes, and for other purposes," be jointly referred to the Com-

mittee on Banking, Housing and Urban Affairs, and the Committee on Agriculture and Forestry.

The ACTING PRESIDENT pro tempore (Mr. ALLEN). Without objection, it is so ordered.

Mr. SCOTT. Mr. President, I ask unanimous consent that the two bills be printed in full in the RECORD.

There being no objection, the bills were ordered to be printed in the RECORD, as follows:

#### S. 3795

A bill to provide additional relief to victims of Hurricane and Tropical Storm Agnes, and for other purposes

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Agnes Recovery Act of 1972."*

#### PURPOSE

SEC. 2. The Congress hereby finds and declares that the untold suffering and the interruption of life and commerce resulting principally from flooding, high waters, and wind-driven waters associated with Hurricane and Tropical Storm Agnes compels enactment of special measures designed to aid the victims of this catastrophe in their efforts to restore and rehabilitate devastated homes, farms, and businesses.

#### SMALL BUSINESS ADMINISTRATION DISASTER LOANS

SEC. 3. Notwithstanding any other provision of law, in the administration of the disaster loan program under section 7(b) (1), (2), and (4) of the Small Business Act, as amended (15 U.S.C. 636(b) (1), (2), and (4)), in the case of property loss or damage or injury resulting from a major disaster as determined by the President or a disaster as determined by the Administrator which occurred as a result of Hurricane and Tropical Storm Agnes, the Small Business Administration—

(1) to the extent such loss or damage or injury is not compensated for by insurance or otherwise, (A) shall cancel the principal of the loan, except that the total amount so canceled shall not exceed \$5,000, and (B) may defer interest payments or principal payments, or both, in whole or in part, on any loan made under this section during the first three years of the term of the loan except that any such deferred payments shall bear interest at the rate of 1 per centum per annum.

(2) to the extent such loss or damage or injury is not compensated for by insurance or otherwise, may grant any loan for repair, rehabilitation, or replacement of property damaged or destroyed, without regard to whether the required financial assistance is otherwise available from private sources.

(3) may, in the case of the total destruction or substantial property damage of a home or business concern, refinance any mortgage or other liens outstanding against the destroyed or damaged property if such property is to be repaired, rehabilitated, or replaced, except that the amount refinanced shall not exceed the amount of the physical loss sustained. Any such refinancing shall be subject to the provisions of clauses (1) and (2) of this section.

#### FARMERS HOME ADMINISTRATION EMERGENCY LOANS

SEC. 4. Notwithstanding any other provision of law, in the administration of the emergency loan program under subtitle C of the Consolidated Farmers Home Administration Act of 1961, as amended (7 U.S.C. 1961-67), and the rural housing loan program

under section 502 of title V of the Housing Act of 1949, as amended (42 U.S.C. 1472), in the case of property loss or damage or injury resulting from a major disaster as determined by the President or a natural disaster as determined by the Secretary of Agriculture which occurred as a result of Hurricane and Tropical Storm Agnes, the Secretary—

(1) to the extent such loss or damage or injury is not compensated for by insurance or otherwise, (A) shall cancel the principal of the loan, except that the total amount so canceled shall not exceed \$5,000, and (B) may defer interest payments or principal payments, or both, in whole or in part, on any loan made under this section during the first three years of the term of the loan except that any such deferred payments shall bear interest at the rate of 1 per centum per annum.

(2) to the extent such loss or damage or injury is not compensated for by insurance or otherwise, may grant any loan for repair, rehabilitation, or replacement of property damaged or destroyed, without regard to whether the required financial assistance is otherwise available from private sources.

(3) may, in the case of the total destruction or substantial property damage of homes or farm service buildings and related structures and equipment, refinance any mortgage or other liens outstanding against the destroyed or damaged property if such property is to be repaired, rehabilitated, or replaced, except that the amount refinanced shall not exceed the amount of the physical loss sustained. Any such refinancing shall be subject to the provisions of clauses (1) and (2) of this section.

#### DISASTER LOAN INTEREST RATES

SEC. 5. Any loan made under sections 3 and 4 of this Act shall not exceed the current cost of repairing or replacing the disaster loss or damage or injury in conformity with current codes and specifications. Any loan made under sections 3 and 4 of this Act shall bear interest at the rate of 1 per centum per annum.

#### AGE OF APPLICANT FOR LOANS

SEC. 6. In the administration of any Federal disaster loan program under the authority of sections 3 and 4 of this Act, the age of any adult loan applicant shall not be considered in determining whether such loan should be made or the amount of such loan.

#### APPLICABILITY OF BENEFITS

SEC. 7. The benefits provided under this Act shall be applicable to all loans qualifying hereunder, whether approved before or after the date of enactment of this Act.

#### EFFECTIVE DATE

SEC. 8. The provisions of this Act shall apply to loss or damage or injury occurring on or after June 17, 1972, as a result of Hurricane and Tropical Storm Agnes for major disasters determined by the President or a disaster as determined by the Administrator of the Small Business Administration or a natural disaster as determined by the Secretary of Agriculture.

#### S. 3796

A bill to amend section 125 of title 23, United States Code, relating to highway emergency relief to authorize additional appropriations necessary as a result of recent floods and other disasters

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 125 of title 23, United States Code, is amended by adding a new subsection at the end thereof as follows:

"(d) In addition to the sums authorized to carry out subsection (a) of this section, there is hereby authorized to be appropriated

\$200,000,000 for the fiscal year ending June 30, 1973. Sixty per centum of the expenditures under this section are authorized to be appropriated from the Highway Trust Fund and the remaining 40 per centum of such expenditures are authorized to be appropriated only from any moneys in the Treasury not otherwise appropriated. Such sum shall be available for expenditure during the next three succeeding fiscal years in addition to amounts otherwise available to carry out this section in such years. Funds authorized to be appropriated under this subsection shall be available for obligation immediately upon enactment in the same manner and to the same extent as if such funds were appropriated under this chapter.

#### By Mr. MCINTYRE:

S. 3797. A bill to amend the Small Business Act to reduce the interest rate on Small Business Administration disaster loans. Referred to the Committee on Banking, Housing and Urban Affairs.

Mr. MCINTYRE. Mr. President, today I am introducing a bill designed to lower interest rates and provide financial relief for those victims unfortunate enough to be involved in a natural disaster.

As we know, President Nixon has recently announced his desire to aid victims of Hurricane Agnes in the States of Florida, Pennsylvania, New York, Maryland, Virginia, West Virginia, and the District of Columbia by providing disaster relief loans at 1 percent interest with a \$5,000 forgiveness provision. The House of Representatives on June 29 passed H.R. 15692 amending the Small Business Administration's disaster relief program and providing for either a \$2,500 forgiveness at 3 percent or a straight 1-percent loan without forgiveness at the option of the disaster victim.

The bill I am introducing today is identical to the bill passed by the House except with regard to the amount of forgiveness and the interest rates on loans.

I applaud President Nixon's initiative in attempting to provide needed relief for those citizens injured as a result of Hurricane Agnes and the resultant flooding. The damage accompanying Agnes along the east coast ranks as one of the worse natural disasters of recent times. Certainly, we in Congress join with the President in providing desperately needed financial relief to the victims of this disaster.

With regard to the SBA disaster relief program, my bill is very similar to the proposed administration bill. Press reports indicate that the President's proposed bill would increase forgiveness to Hurricane Agnes victims to \$5,000 and the total loan will be at an interest rate of 1 percent.

The bill I am introducing today also provides for a total forgiveness of \$5,000, but I have modified the interest rate. My bill calls for an interest rate of 1 percent on the first \$10,000; 3 percent on the amount between \$10,000 and \$20,000; and the cost of money to the U.S. Treasury on the amount of a loan over \$20,000. The reason why I have increased interest rates as the amount of the loan increases is that most lower income individuals who are economically injured by natural disasters have substantially smaller losses than more affluent individuals who are

capable of paying higher interest rates. I feel that this approach is much more equitable and at the same time calls on those who can afford it to shoulder a larger interest rate than those less able to do so.

But my bill also goes further than the proposed administration bill by offering aid to victims of other recent disasters.

The House-passed bill has a retroactive date taking effect on the first day of fiscal year 1972, July 1, 1971, whereas, the administration bill only applies to victims of Hurricane Agnes. Certainly, the destruction caused by Agnes is staggering and relief for those victims must be given immediately. However, to any disaster victim who suffers serious loss or who is completely wiped out, the size of the disaster is only a contingency to his individual loss.

Only a few days before Hurricane Agnes hit, the State of South Dakota suffered disastrous flooding but under the President's proposal those victims would not be treated equitably with the victims suffering damages as a result of Hurricane Agnes. The bill I introduce today is designed to provide equity with other disaster victims equal to the relief to be given Hurricane Agnes victims by the President's bill.

The President's bill is limited only to Hurricane Agnes and does not operate either retroactively or prospectively; whereas, my bill would take effect retroactively on July 1, 1971 and would amend the SBA's permanent disaster relief program to apply to future disasters.

#### ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTIONS

S. 1015

At the request of Mr. COOPER, the Senator from Delaware (Mr. ROTH) was added as a cosponsor of S. 1015, a bill to establish an Environmental Financing Authority.

S. 3449

At the request of Mr. ROBERT C. BYRD, for Mr. JACKSON, the Senator from North Dakota (Mr. YOUNG), the Senator from Rhode Island (Mr. PASTORE), the Senator from Alaska (Mr. STEVENS), the Senator from Utah (Mr. MOSS), the Senator from Montana (Mr. MANSFIELD), and the Senator from West Virginia (Mr. ROBERT C. BYRD) were added as cosponsors of S. 3449, a bill to authorize and direct the Water Resources Council to coordinate a national program to insure the safety of dams and other water storage and control structures, to provide technical support to State programs for the licensing and inspection of such structures, to encourage adequate State safety laws and methods of implementation thereof.

#### SENATE RESOLUTION 329—SUBMISSION OF A RESOLUTION TO REFER THE BILL FOR THE RELIEF OF JOHN J. YARNELL TO THE COURT OF CLAIMS

(Referred to the Committee on the Judiciary.)

Mr. SCOTT submitted the following resolution:



## S. RES. 329

Resolved, That the bill (S. 1594) entitled "A bill for the relief of John J. Yarnell," now pending in the Senate, together with all the accompanying papers, is hereby referred to the chief commissioner of the United States Court of Claims; and the chief commissioner shall proceed with the same in accordance with the provisions of sections 1492 and 2509 of title 28, United States Code, and report thereon to the Senate, at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand as a claim, legal or equitable, against the United States or a gratuity and the amount, if any, legally or equitably due from the United States to the claimant.

## FOREIGN ASSISTANCE ACT OF 1972—AMENDMENT

## AMENDMENT NO. 1317

(Ordered to be printed and to lie on the table.)

Mr. MANSFIELD submitted an amendment intended to be proposed by him to the bill (S. 3390) to amend the Foreign Assistance Act of 1961, and for other purposes.

## FAIR LABOR STANDARDS AMENDMENTS OF 1972—AMENDMENT

## AMENDMENT NO. 1318

(Ordered to be printed and to lie on the table.)

Mr. STAFFORD. Mr. President, today I send to the desk an amendment and I ask that it be printed. The Senator from West Virginia (Mr. RANDOLPH) and I intend to offer the amendment to S. 1861, the Fair Labor Standards Amendments of 1972.

While I agree fully with most of the work done by the Committee on Labor and Public Welfare on the bill, I did reserve the right with the chairman to offer an exemption that I consider to be needed by the small businessmen of the Nation.

The amendment that Senator RANDOLPH and I intended to offer to S. 1861 would restore the enterprise test to the \$250,000 level that exists in the present law. The committee, after extensive discussion, voted to lower the test to \$150,000 in four stages and to eliminate the chainstore exemption.

The amendment we are offering would restore only the \$250,000 gross sales test for individual small businesses. It would not, in any way, alter the committee's action regarding coverage of chain stores.

Senator RANDOLPH and I feel this is a genuine small business exemption that is needed at this time. We intend to call up this amendment as soon as consideration of S. 1861 begins.

Mr. President, I ask unanimous consent that the text of the amendment be printed at the conclusion of my remarks.

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

## AMENDMENT NO. 1318

On page 18, strike out all after line 16, over to and including line 9 on page 19 and re-number subsection accordingly.

## AMENDMENT NO. 1319

(Ordered to be printed and to lie on the table.)

Mr. GRIFFIN (for Mr. PEARSON) submitted an amendment intended to be proposed to the bill (S. 1861) to amend the Fair Labor Standards Act of 1938, as amended, to extend its protection to additional employees, to raise the minimum wage to \$2.25 an hour, to provide for an 8-hour workday, and for other purposes.

## STATUS OF COMPETITION AND ROLE OF SMALL BUSINESS IN GOVERNMENT PROCUREMENT OF DRUGS

Mr. NELSON. Mr. President, I wish to announce that the Subcommittee on Monopoly of the Select Committee on Small Business will resume its hearings on competitive problems, role of small business, the efficiency and economy of Federal agencies and departments in the procurement and use of drugs.

The hearing which was originally scheduled for June 20 will now be held on July 19, 1972, in room 318—Caucus Room—of the Old Senate Office Building starting at 10 a.m.

## NOTICE OF HEARINGS ON THE COMMUNITY SUPERVISION AND SERVICES ACT

Mr. BURDICK. Mr. President, as chairman of the Judiciary Committee's Subcommittee on National Penitentiaries, I wish to announce hearings for the consideration of S. 3309, the Community Supervision and Services Act, beginning at 10 a.m. on July 19 and 20, 1972, in room 2228 of the New Senate Office Building.

This legislation is designed to provide clear legislative authorization for a program of pretrial diversion in the system of Federal district courts. Pretrial diversion has been experimented with in a number of cities and it is clear from the evidence which has been presented today, that such an approach provides a meaningful way of dealing with alleged offenders, to provide opportunities for rehabilitation at a savings in the time of our busy courts and at a savings in dollars and cents to taxpayers and potential victims of crime.

These hearings will include representatives of all facets of criminal justice, including those who have sponsored working projects.

Any person who wishes to testify or submit a statement for inclusion in the record should communicate as soon as possible with the Subcommittee on National Penitentiaries, room 6306, New Senate Office Building.

## ADDITIONAL STATEMENTS

## WATERSHEDS—A PROGRAM THAT WORKS

Mr. ALLEN. Mr. President, Hurricane Agnes—one of the most ravaging storms in the history of our country—has come and gone, leaving behind a trail of death and destruction.

What "Agnes" did not destroy were the hundreds of dams in the small watershed flood control projects located in the hurricane's path.

These dams, designed and built with the help of the Soil Conservation Service, U.S. Department of Agriculture, were severely tested by heavy rainstorms in the Middle Atlantic States.

Not one of these SCS-designed dams failed under even the most severe conditions. Not one came close to failure. All of them functioned as planned and, in the process, prevented millions of dollars in damages, and may very well have saved human lives.

A nearby example can be found in the Upper Rock Creek small watershed project in Montgomery County, Md. Lake Needwood, a part of this project, protects thousands of people downstream. At no time during the 100-year-frequency storm that was "Agnes" did floodwaters reach the level of Lake Needwood's emergency spillway, designed to handle overflows safely. At no time did the lake itself come closer than 14 feet to the top of the dam.

The Soil Conservation Service estimates that the depth of floodwaters in many areas below Lake Needwood was reduced one-third to one-half because of the lake's flood control features. This may have saved lives as well as property. In 1956, for example, before Needwood was built, Viers Mill Road, about 3 miles downstream from the lake, was inundated with floodwaters, and a fireman lost his life in a rescue attempt. Last month, during "Agnes," floodwaters in that same area were 4 to 5 feet below the roadway.

There was, of course, serious flooding farther down Rock Creek, where small watershed-type protection is not now possible because the area is intensively urbanized and potential dam sites were preempted years ago for homes or other buildings.

Hurricane Agnes also slammed into Pennsylvania with great intensity. The dozens of dams in the 21 small watershed projects complete or under construction performed very well. Mayor William Hall of Wellsboro, Pa., for example, credits the Marsh Creek watershed project dams with preventing millions of dollars in damages.

In Delaware, Jack Webb, a corn and soybean farmer near the Upper Chop-tank River watershed project, told a reporter:

I have both improved and unimproved land in the watershed area. In the improved area, my drainage saved me \$4,500 on one farm alone. Where I didn't have drainage improvements because outlets were not provided, I lost 90 acres of crops.

And Merritt Camper, a farmer in the marshy Hope Creek watershed project said:

These ditches are saving the agricultural industry in this State.

Southern New York State was also pounded by Hurricane Agnes rainstorms. The SCS district conservationist in Cattaraugus County estimates that the five completed or partially completed dams in the Conewango Creek watershed

project held back more than 446 million gallons of water, and probably saved some lives. The conservationist said that, during a smaller 1967 rainstorm, patients in a Randolph, N.Y., nursing home were evacuated, while, during the more severe "Agnes" rainstorm, the nursing home and its patients were never threatened. The difference was a new small watershed dam.

Virginia was also hard hit by floods, but all dams held. Dams in the Mountain Run watershed project, Culpeper County, for example, held back an estimated 1.8 billion gallons of water.

But flood control is not the whole story of these projects.

Some areas, such as the city of Culpeper, suffer from both drought and flood. Their Mountain Run project stores an additional 700 million gallons of water to augment the city's water supply. This steady source of water has brought new economic growth to the area, and new jobs for hundreds of local people.

Further, there is fishing in one of the dam-created lakes, and it is the center of the county's first public park.

I know from personal experience in my own State of Alabama, which has 8 completed watershed projects and 21 approved for construction, that these flood-control projects are strongly supported by local people. As "Agnes" illustrated, these SCS-assisted projects are also soundly planned and built.

The small watershed concept of flood control is an idea that works. Hurricane Agnes demonstrates this. Congress can be very proud of its steady support of the program.

Newspapers in the small communities affected by Agnes have quickly credited the dams and other flood control structures with protecting their areas. But—where are the news stories in the metropolitan press? Absent—unfortunately. Here in Washington—within easy community distance of the upper Rock Creek area—I did not see anything in the major metropolitan press on this point—although the Montgomery County Sentinel carried an excellent article and editorial.

The Montgomery County newspaper made a cogent point—and I would like to quote briefly from their editorial:

One of the many lessons we should have learned from the flood is that destruction along Rock Creek below the dams would have been twice as bad if the dams had not been there. The Rock Creek dams were started late in the county's development—too late to do the job adequately because land costs had already soared.

My purpose in bringing this to the attention of my colleagues in the Congress is this. We need to focus attention on the thousands of watersheds, and their communities, where flooding could have been prevented had the small watershed program been in operation.

Let this tragedy mark the point in time for a new swing of the pendulum so that we can move onward and upward with the flood prevention job that can be achieved through the small watershed program. It has proven itself a hundred times over—in Pennsylvania, in

New York, in Culpeper, Va., and elsewhere.

Watershed installations have been planned or constructed for only one out of 10 communities where they are needed and feasible. Let the experience of "Agnes" help us to better prepare for the next disaster. And let us do it now—in advance—while there is time.

#### GOLDEN ANNIVERSARY OF THE ORDER OF AHEPA

Mr. SCOTT. Mr. President, congratulations to the members of the Order of Ahepa on the celebration of a golden anniversary on July 26. Ahepa stands for the American Hellenic Educational Progressive Association and I believe this organization is based upon some very sound principles. Following are four objectives of the Order of Ahepa:

First. To promote and encourage loyalty to the United States.

Second. To instruct its members in the tenets and fundamental principles of government, and in the recognition and respect of the inalienable rights of mankind.

Third. To encourage its members to always be profoundly interested and actively participating in the political, civic, social, and commercial fields of human endeavor.

Four. To champion the cause of education and to maintain new channels for facilitating the dissemination of culture and learning.

The activities of the Order of Ahepa over the past half century have ranged from aiding disaster victims to funding Greek student programs. Men such as John Anagnostakos of Philadelphia, Steve C. Nicholas of Harrisburg, Dinos W. Katsafanas of Pittsburgh, and many others have greatly contributed to the success of the Order of Ahepa in the Commonwealth. Mr. President, I extend my wholehearted personal congratulations and those from the citizens of Pennsylvania on this special occasion and I ask my colleagues to join me in this salute.

#### URGENT APPEAL TO HELP RURAL AMERICA

Mr. TALMADGE. Mr. President, I have taken the floor of the Senate a number of times to oppose the administration's efforts to destroy the U.S. Department of Agriculture.

We are now told that USDA will be saved. But upon close examination of what will remain after a new Department of Community Development is created, it is certain that only a bare skeleton will remain of what is clearly the best agency to help country people—not only in agriculture, but also in rural community development.

It has been estimated that if the President's full reorganization plan is put into effect, the number of USDA employees will drop from 83,000 to 27,304 and the budget would drop from \$12 billion to \$7.1 billion. Obviously, such a move would weaken USDA sufficiently so that it could not retain Cabinet status for very long.

The inclusion of programs now designated as rural programs into an agency that is essentially the Department of Housing and Urban Development—in other words, a department that is dominated by urbanists—will do serious harm to efforts by my committee to provide a new thrust toward rural development and balanced national growth.

I am not alone in this contention. I ask unanimous consent to have printed in the RECORD a letter to one of our committee staff members from the chancellor of the University of Maryland, to be followed by a wire which the chancellor received from a long list of prominent organizations concerned with the welfare of rural people.

There being no objection, the letter and wire were ordered to be printed in the RECORD, as follows:

UNIVERSITY OF MARYLAND,  
College Park, Md., May 3, 1972.

DR. JOHN BAKER,  
U.S. Senate,  
Washington, D.C.

DEAR DR. BAKER: Enclosed is a copy of a telegram that I have received from a group of concerned rural leaders relative to the proposed reorganization of the U.S. Department of Agriculture. I was not mindful that the Rural Bill being considered would call for a transfer of the Electrification Administration and the Farmers Home Administration from the USDA.

In my opinion, such a dismemberment of USDA would be a gross mistake and would lead to more of the funds allocated to these programs being used in metropolitan areas. Previous experience clearly dictates that if funds are to be used to support programs in rural areas they must be earmarked for this purpose.

I hope that strong and forthright measures will be taken to enhance rural development, but I would hate to see some of our most effective programs destroyed in the process.

Sincerely yours,

C. E. BISHOP, Chancellor.

Washington, D.C., April 25, 1972.

DR. CHARLES E. BISHOP,  
Coalition for Rural America,  
University of Maryland,  
College Park, Md.

This is an urgent appeal from farm and rural organizations representing millions of farmers and rural people; we ask your support and the support of your Coalition for Rural America to flatly oppose the dismemberment of the Department of Agriculture and specifically to oppose the transfer of the Rural Electrification Administration and the Farmers Home Administration from USDA.

The proposal, as you know, is now under consideration by the Congress.

The immediate step is to take REA and FMHA out of USDA and to put them into a new department of Community development. Even if nothing further were done now or next year, this move, in our opinion, will simply weaken the USDA and downgrade the attention that REA, FMHA and all of Rural America can expect to receive in the years ahead. Our members understand this and have taken official positions on this side of the question. We are convinced they will be alienated by any such action as is proposed.

This is not a matter entirely of organization charts. This is a matter of advocacy in Washington—an advocacy in finding solution for difficult and little understood problems. Whether you agree with him or not, Secretary Butz in just a few weeks has demonstrated the effectiveness of a strong spokesman in government. Under the proposed dismemberment now under consideration, rural people



can expect nothing of this kind once the change is made.

We are alarmed at word we hear that the coalition for Rural America is supporting the Administration's plan for reorganization. We urgently request your denial of this position and ask that you inform Rep. Chet Holifield of your interest in maintaining a strong department of Agriculture including all FMHA and REA and rural development functions.

#### LIST OF SIGNATURES

Tony Dechant, president, National Farmers Union.

F. V. Heinkel, president, Midcontinent Farmers Association.

Charles L. Frazier, Director, Washington staff, National Farmers Organization.

Stephen E. Bossi, Washington representative, National Catholic Rural Life conference.

John W. Scott, master, the National Grange.

Robert D. Partridge, general manager, National Rural Electric Cooperative Assn.

Gene Moos, president, National Association of Wheat Growers.

Ray Wax, president, National Association of Farmer Elected Committeemen.

Alvah Troyer, president, Soybean Growers of America.

Albert Harp, president, Grain Sorghum Producers Association.

Walter Goeppinger, president, National Corn Growers Association.

Harry B. Caldwell, executive vice president, Farmers Cooperative Council of North Carolina.

B. J. Malusky, general manager, Farmers Union Grain Terminal Assn.

David C. Fullarton, executive vice president, National Telephone Cooperative Association.

Stanley Dreyer, president, the Cooperative of the USA.

Kenneth D. Naden, executive vice president, National Council of Farmer Cooperatives.

Mr. TALMADGE. The people who run the Department of Housing and Urban Development are simply not interested in the problems of the 35 percent of our people who live outside of metropolitan areas. They proved this when, despite the advice of a consultant which HUD had hired, they did not strengthen, but instead they abolished the department which was responsible for small community affairs.

The Department of Agriculture, on the other hand is equipping itself through my rural development legislation and other means to provide significant services to both farmers and those who live in small towns.

Mr. President, the President of the United States controls the executive departments. He does not need to come to us with reorganization legislation. He could accomplish this so-called reorganization with the stroke of a pen.

I agree that the bureaucracy has become too large and that some reform would be worthwhile. But why must it be at the expense of rural people. They are already getting the short end of the stick as far as receiving their share of the Federal dollar is concerned.

When Federal outlays are divided by the number of persons living in metropolitan and nonmetropolitan counties, the nonmetropolitan counties in 1970 received 17 percent less per capita than those people living in the metropolitan counties.

A Department of Community Development will only compound this felony.

I ask my colleagues in the Senate to

listen to such groups as the National Farmers Union, the Mid-Continent Farmers Association, the National Farmers Organization, the National Grange, the rural electric cooperatives, and all the rest.

These people know that the proposed diminution of the Department of Agriculture is merely a first step. After the Farmers Home Administration and the Economic Research Service are rendered in two, and the Rural Electrification Administration is excised altogether, it will be a very simple matter for the opponents of farmers and other rural people to cause the early demise of the rest of the Department of Agriculture.

There are those in this Congress who have built their entire political careers by making USDA and farmers their whipping boys. But the big metropolitan areas from which these Members come would have been so economically rich and powerful had it not been for the cheap food provided by the diminishing numbers of American farmers.

The farmers do not like to hear people like me talk about cheap food. Many of them make as little as 3 percent return on their investment—not as much as they could make if they sold out and put their money in the savings and loan. But the cheap food provided by these farmers over the years has permitted our people to spend their money on the consumer comforts that have given this Nation a trillion-dollar gross national product.

All Americans have a significant debt to repay to these fine people. It would be a cruel form of hypocrisy for the Congress to help in the destruction of one Department of this Government that provides service to the people of the countryside.

#### THE GENOCIDE CONVENTION AND THE CONSTITUTION

Mr. PROXMIRE. Mr. President, some opponents of the Genocide Convention maintain that if ratified this treaty will supersede the Constitution and will thus jeopardize the rights guaranteed U.S. citizens. They claim that it will become the supreme law of the land, citing as authority article VI of the Constitution which states:

This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all treaties made or which shall be made, under the Authority of the United States, shall be the supreme law of the Land.

Even a superficial reading of this passage negates that argument. Rather than placing treaties above the Constitution along with Federal laws, and are in turn supreme over State constitution and laws.

The U.S. Supreme Court set a precedent in this area in the case of *Reid v. Covert*, 353 U.S. 1, when it declared that it "has regularly and uniformly recognized the supremacy of constitution over a treaty." All acts of Congress and all treaties must conform to the Constitution; when they do not they are null and void. Therefore, none of the rights accorded U.S. citizens under the Bill of

Rights will be endangered by the ratification of the Genocide Convention.

Furthermore, the Court ruled in the same case that whenever a treaty and an act of Congress conflict, the last enacted is controlling. This means that Congress could at anytime, through legislation, supersede any part of the Genocide Convention.

The argument that ratification of the Genocide Treaty would create havoc in our courts is clearly without foundation. The Convention, like any other treaty, would be subordinate to the Constitution, and Congress could at any time supersede any part of the Convention through legislation. Mr. President, I urge the speedy ratification of the Genocide Convention.

#### CONSUMER PROTECTION AGENCY INTERVENTION AUTHORITY

Mr. ALLEN. Mr. President, the Government Operations Committee, on which I serve, is expected soon to report the proposed Consumer Protection Organization Act of 1972, a necessarily complex bill that would create an independent Consumer Protection Agency to advocate the interests of consumers in Federal, State, and local administrative agencies and courts.

Because floor action on this critical bill is imminent, and because considerable confusion has arisen concerning the subject, I should like to share with the Senate some illuminating information about this CPA proposal.

I might add, as an aside, that the confusion surrounding the bill is so great that a respected syndicated columnist recently reported that the bill had passed both Chambers of Congress, and he feared that the President might veto it. There even is considerable debate over what the Democratic platform position on this proposed legislation is.

The last time I saw the liberal Democratic platform, as I think it was ratified by the delegates, was in Miami at the convention. It endorsed the creation of a Consumer Protection Agency to act as an amicus curiae before Federal agencies, and took no position on CPA intervention in court cases or on CPA appeals of Federal actions to the courts. Of course, this is different from the bill we have been working on, leading some to conclude that the Democratic plank surely must have been a mistake.

#### THE 1970 BILL

It could very well have been a mistake. Many mistakes have been associated with this bill, a proposal that few understand. Take, for example, the original bill that came before the Government Operations Subcommittee. It was identical to a bill that passed the Senate by an overwhelming margin in 1970, but failed to go to conference because of House inaction during the last Congress.

After hearings by our Executive Reorganization Subcommittee on its identical counterpart for this Congress, the subcommittee determined that the bill was totally inadequate and, legally defective and that its major provisions would have to be completely rewritten, word

for word—a process that still is not finished.

#### FEDERAL AGENCY SURVEY

One of the difficulties with this bill is that it is intended to allow for consumer advocacy in the formal and informal deliberations of any instrumentality charged with the administration of any Federal statute. This is everything from the Daughters of the American Revolution\* to the Defense Department.

Thus, we are faced with literally millions of possible proceedings and activities which would come within the scope of the new CPA's rights to forcefully advocate the important special interests of consumers.

It was agreed late last year that a survey would be taken of Federal agencies to attempt to assess, for the subcommittee's benefit, the responsibilities of existing agencies that would be affected by the proposed strong advocacy powers for the new CPA.

The constant and time-consuming revisions that took place on the bill, however, prevented the subcommittee from issuing a survey prior to the target date for reporting the bill to the full committee.

I agreed to take on the responsibility of surveying selected Federal agencies to determine for the first time which, if any, of their proceedings or activities would be subject to intervention, participation and court appeal by the CPA under the bill as reported by the subcommittee. I did this to prevent the repetition of our 1970 experience when we were, quite apparently, a bit too hasty in approving a good concept without a complete review of all of its particulars.

#### AGENCY RESPONSES

As of late last week, I had received responses from 24 Federal agencies, listing 554 different types of proceedings or activities under their responsibility which would be subject to CPA advocacy under the bill as reported by subcommittee. I have checked these responses against the present slightly revised version of the bill, and found that they are still appropriate for the present version.

Not included in this total of 554 are such general responses as those from the Federal Power Commission and Federal Communications Commission to the effect that all of their proceedings or activities would be subject to the proposed CPA powers under the subcommittee bill.

Also not included are subcategories of various types of proceedings. For example, Department of Agriculture marketing order proceedings are considered one type of proceeding, although there are various categories of marketing orders—milk marketing orders and fruit and vegetable marketing orders for specific commodities.

The 24 agencies that have responded to date are the Agriculture Department, Agency for International Development, Atomic Energy Commission, Civil Aeronautics Board, Defense Supply Agency,

Equal Employment Opportunity Commission, Federal Communications Commission, Federal Home Loan Bank Board—and Federal Savings and Loan Insurance Corporation—Federal Mediation and Conciliation Service, Federal Power Commission, Federal Reserve Board.

Interstate Commerce Commission, National Labor Relations Board, National Science Foundation, Office of Economic Opportunity, Office of Emergency Preparedness, Pay Board, Price Commission, Social Rehabilitation Service, Tariff Commission, Tennessee Valley Authority, Trade Negotiations, Office of Special Representative, Urban Mass Transportation Administration.

Considerably more responses are expected, and these will be filed with the Government Operations Committee, as are the present 24 responses.

#### THE TWO MAJOR QUESTIONS

Most of us on the committee favor the creation of a Consumer Protection Agency, but we feel a responsibility to answer two major questions first:

First. What Federal activities should be subject to CPA advocacy? and

Second. What advocacy powers should a Federal agency have within particular proceedings of its sister agencies and in the Federal courts?

Obviously, the questions are interrelated.

The present bill covers virtually all proceedings and activities of all organizations that, for whatever reason, administer a Federal law. We have yet to determine how many such organizations exist, or what proceedings and activities they may conduct.

The bill also provides for complete CPA intervention or full participation in these proceedings and activities that we have yet to identify. In addition the CPA would have a right to appeal the results of these proceedings and activities to the courts.

#### THE TASK IS GREAT

As you can see, the task is great and the time is limited for us to create another major Federal agency this year.

Of course, the members of the Government Operations Committee are not experts in the proceedings and activities of all the organizations covered by this bill.

The responses from the various Federal agencies will help us in this regard, however, and aid this entire body when the bill comes up for debate.

The actual responses now on file are too voluminous to print in the RECORD. But I can share with the Senate an outline chart of these responses, omitting statute citations and detailed descriptions of agency responsibilities.

I, therefore, ask unanimous consent to have printed in the RECORD the outline table of the 24 responses received to date, and ask the Senate committees having oversight responsibilities concerning these agencies, or with particular interests in them, to file any comments they might have on this matter with the Government Operations Committee.

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

#### PARTIAL LISTING OF FEDERAL PROCEEDINGS AND ACTIVITIES SUBJECT TO INTERVENTION OR PARTICIPATION AND COURT APPEAL BY CONSUMER PROTECTION AGENCY UNDER PROPOSED CONSUMER PROTECTION ORGANIZATION ACT OF 1972

##### U.S. DEPARTMENT OF AGRICULTURE

##### Selected formalized proceedings

(In which CPA could (a) intervene as a full party or full participant and (b) appeal results to the courts where judicial review would be allowed for anyone) Sec. 203(a), 204 of bill.

1. Marketing Agreements—issuance after notice and hearing.
2. Marketing Orders—issuance after notice and hearing.
3. Cotton Research and Promotion Act Rulemaking.
4. Potato Research and Promotion Act Rulemaking.
5. Milk Research and Promotion Act Rulemaking.
6. Anti-Hog-Cholera Serum and Hog Cholera Virus Marketing Agreement Act Rulemaking.

##### Packers and Stockyards Act Rulemaking

7. Ratemaking under Act.
8. Charges under Act.
9. Regulations under Act.
10. Practices under Act.

##### Commodity Exchange Act Adjudications

11. Commodity Exchange Commission (CEC) suspension or revocation of board of trade [e.g., Chicago Board of Trade] as a contract market.

12. Denial of trading privileges on contract markets.

13. Revocations or suspensions of futures commission merchants or floor brokers.

14. Issuance of cease and desist orders against persons other than contract markets.

15. CEC reviews of Secretary of Agriculture's refusal to designate a board of trade as a contract market.

16. CEC exclusion of cooperative associations from membership and trading on contract market.

17. Proceedings to refuse to register applicants because of failure to meet financial requirements of Act.

18. Proceedings to refuse to register applicants because of unfitness.

19. Proceedings to suspend or revoke registrations of futures commission merchants for failure to meet financial requirements.

20. Proceedings to suspend or revoke registrations of futures commission merchants and floor brokers for unfitness.

##### Packers and Stockyards Act Adjudications

21. Issuance of cease and desist orders against packers for violation of Title II of Act.

22. Proceedings to suspend registrations of market agencies and dealers for insolvency or violations of Act.

23. Proceedings to revoke registrations of State weighing agencies.

24. Issuance of cease and desist orders against licensees under Title VI, stockyard owners and market agencies with respect to rates, charges, regulations or practices.

25. Proceedings to revoke a brand inspection authorization.

26. Proceedings to issue cease and desist orders against licensees under Title V, stockyard owners, market agencies and dealers who engage in unfair, unjustly discriminatory or deceptive practices or devices.

27. Proceedings to refuse, suspend or revoke licenses and publish the facts under Title V.

28. Proceedings for reparations.

29. Proceedings to determine adequacy of accounts, records and memoranda of packers, live poultry dealers and handlers, stockyard owners, market agencies and dealers, and to prescribe manner and form thereof.

30. Proceedings to determine whether ap-

\*The DAR administers Chapter 1A of title 36, United States Code.



licants for registration under Title III are unfit for registration.

31. Proceedings to determine which of two or more applicants should receive brand inspection authorization.

Agricultural Marketing Act Adjudications

32. Adjudications subject to Administrative Procedure Act.

33. Proceedings to consider refusal or withdrawal of voluntary inspection or grading service for meat, poultry products, and other agricultural products under procedures prescribed by rules of practice (e.g., 7 CFR Part 50).

34. Proceedings to consider suspension or revocation of inspector's or grader's license under various regulations (e.g., 7 CFR 68.41).

35. Perishable Agricultural Commodities Act Adjudications.

36. Federal Seed Act proceedings to determine whether to issue a cease and desist order.

Animal Welfare Act Adjudications

37. Proceedings to issue cease and desist orders.

38. Proceedings to suspend or revoke licenses issued to dealers, exhibitors or operators of an auction sale.

39. Issuance of cease and desist orders to research facilities.

Plant Variety Protection Act Adjudications

40. Proceedings to suspend or exclude a person from practicing before the Plant Variety Protection Office.

41. Proceedings to decide questions of improper seed labeling with regard to protected varieties or varieties for which application is pending.

42. Issuance of cease and desist orders in relation to improper seed labeling.

43. Hearings on appeals regarding refusals of applications for plant variety protection.

44. Proceedings to decide questions raised in protest proceedings in reexamination of previously issued certificates.

45. Proceedings to decide questions raised in Priority Contests where two applications have been received on the same variety.

46. Hearings on appeals regarding release of information in abandoned applications, allowed by rules and regulations under Act.

Federal Meat Inspection Act

47. Hearings on orders to withhold labeling or containers from use.

48. Proceedings to refuse or withdraw mandatory inspection service because of unfitness to engage in business requiring inspection.

49. Proceedings in connection with withdrawal of mandatory inspection service for failure to destroy condemned articles or to meet sanitary and other requirements, or refusal of such inspection for failure to meet such requirements.

50. Proceedings in connection with refusal, withdrawal, or modification of exemption of operations in unorganized territory.

51. Refusal or withdrawal of inspection under Federal Water Pollution Control Act.

Poultry Products Inspection Act

52. Hearings to withhold labeling or containers from use.

53. Proceedings to refuse or withdraw mandatory inspection service because of unfitness to engage in business requiring inspection.

54. Hearings following withdrawal of mandatory inspection service for failure to destroy condemned articles or meet sanitary or other requirements, or refusal of such inspection for failure to meet such requirements.

55. Virus-Serum-Toxin provision proceeding to suspend or revoke license or import permit.

56. Proceedings in connection with suspension or termination of certain exemptions from inspection.

57. Proceedings in connection with refusal, withdrawal or modification of exemption of operations in unorganized territory.

58. Refusal or withdrawal of inspection under Federal Water Pollution Control Act.

U.S. Grain Standards Act Adjudications

59. Suspension, revocation or refusal to renew license of official grain inspection personnel when formal procedure requested.

60. Refusal of official grain inspection service when formal procedure requested or inspection required.

61. Refusal to renew, or suspension or revocation, of licenses of official grain inspection personnel when formal procedure is not requested.

62. Refusal of voluntary grain inspection service when formal procedure is not requested.

U.S. Warehouse Act Adjudications

63. Suspension or revocation of federal warehouse license or license of inspector, sampler, classifier, or weigher.

64. Publication of findings of non-compliance by licensed warehouseman.

65. Agricultural Adjustment Act adjudications for review of producers' complaints about their farm marketing quotas.

66. Sugar Act proceedings to establish marketing area quotas or to determine whether any specific lot of sugar is direct-consumption sugar or raw sugar.

67. Soil Conservation Service hearings on demand for refund of payments made under conservation contract in Great Plains conservation program, based on alleged violation of the contract.

68. Forest Service proceedings under regulations (36 CFR 211.20 et seq.) from administrative decisions involving such matters as timber sales contracts, grazing permits and homestead permits.

Egg Products Inspection Act Adjudications

69. Proceedings to disapprove labeling.

70. Proceedings to withdraw inspection from official plants.

71. Export Apple and Pear Act proceedings to refuse export certificates.

72. Export Grape and Plum Act proceedings to refuse export certificates.

73. Cotton Standards Act adjudications for suspension or revocation of licenses.

74. Agriculture Stabilization and Conservation Service—proceedings to consider requests by producers for review or reconsideration of determinations made by country ASCS Committees, State ASCS Committees or the Deputy Administrator, ASCS.

75. Animal Quarantine Law proceedings for suspension or revocation of accreditation of veterinarians under various Animal Quarantine laws and regulations and rules of practice.

#### Selected "informal" activities

(In which CPA would (a) have no opportunity equal to that of any person outside the federal unit to participate; and/or (b) in CPA's discretion, present oral or written arguments; and (c) appeal results to courts where judicial review would be allowed for anyone) Sec. 203(b), 204 of bill.

All Informal Rulemaking Under Following Acts

1. Commodity Exchange Act.  
2. Packers and Stockyards Act and related laws.

3. Federal Seed Act.

4. Naval Stores Act.

5. Plant Variety Protection Act.

6. Animal Welfare Act.

7. Federal Meat Inspection Act.

8. Poultry Products Inspection Act.

9. Agricultural Marketing Act.

10. Cotton Futures Provisions.

11. Cotton Statistics and Estimates Act.

12. Cotton Standards Act.

13. Egg Products Inspection Act.

14. Export Apple and Pear Act.

15. Export Grape and Plum Act.

16. Honeybee Act.

17. Produce Agency Act.

18. Renovated Butter Act.

19. Tobacco Seed and Plant Exportation Act.

20. Tobacco Statistics Law.

21. Peanut Statistics Act.

22. Virus-Serum-Toxin Act.

23. Agricultural Adjustment Act—Section 22 proceedings and Presidential Proclamations issued thereunder (re licenses for implementation of quantitative limits on imports).

24. Processor wheat marketing certifications under 7 USC 1379d(b) et seq.

25. Set-aside programs for upland cotton wheat, and feed grain.

26. Rural environmental assistance activities and naval stores conservation programs. Special Commodity Credit Corporation (CCC) activities:

27. CCC activities under support price program through loans, purchases, payments, etc.

28. Export sales program.

29. Overseas disposition of agricultural commodities and products under barter contracts.

30. Export Credit Sales program activities of CCC to finance credit sales by U.S. exporters.

31. Export payment activities concerning commodities exported by commercial exporters.

32. Purchasing of storage bins and equipment for care and storage of CCC owned or controlled commodities.

33. CCC loans to producers for the purchase, building, or expansion of storage and care facilities on farms.

34. CCC sales to producers and others of bins needed for storage of agricultural commodities.

35. CCC activities for procurement from domestic and foreign sources of food, agricultural commodities and products and related materials.

36. CCC program for cotton research and promotion.

37. CCC donations of food commodities for domestic use (child nutrition, needy persons, charitable institutions, minors in penal and correctional institutions).

38. CCC furnishing of commodities and products for overseas "P.L. 480" distribution to meet famine or urgent relief requirements combat malnutrition, school lunch, etc.

39. National emergency use of CCC facilities, services, authorities and funds.

40. Surplus commodity and product removal programs, including the following types:

(a) direct purchases of food for donations to schools, summer camps, child care centers, needy persons, charitable institutions and disaster victims.

(b) special feeding program for needy children, certain adults, food packages for infants and expectant and new mothers.

(c) diversion payments to processors who divert surplus commodities to byproducts and new uses.

(d) export payments to commercial exporters and surplus commodities.

(e) production payments to help reestablish farmers' purchasing power.

SCHOOL LUNCH ACT ACTIVITIES, INCLUDING—

41. State and school cash and food assistance for serving lunches to school children.

42. Special food service program for children in service institutions where children are not maintained in residence.

CHILD NUTRITION ACT ACTIVITIES, INCLUDING—

43. State and school cash assistance for serving breakfasts to needy children and to supply certain schools with food, storage, preparation and service equipment.

44. Special milk program to increase fluid milk consumption by children.

45. Food Stamp Program activities under Food Stamp Act.

46. U.S. Grain Standards Act informal rulemaking.

47. U.S. Warehouse Act informal rulemaking.

48. Animal Quarantine Law informal rulemaking.

49. Plant Quarantine Law informal rulemaking.

50. House Protection Act informal rulemaking.

51. 28-Hour Law informal rulemaking (policy statements).

52. Export Animal Accommodation Act informal rulemaking.

53. Defense Production Act of 1950 regulations and implementations concerning assignment of priority and allocations.

#### Commodity Exchange Act Activities Worthy of Note

54. Designating form and manner of keeping books and records by registrants.

55. Setting trading and position quantities at which traders are in reporting status and specifying the reports which they must file and the records which they must keep.

56. Registering applicants for registration as floor brokers and futures commission merchants.

57. Requiring such information from applicants for registration and from registrants as to their business as the Secretary deems necessary.

58. Designating boards of trade or contract markets.

59. Prescribing the reports that warehousemen must make and the records they must keep.

60. Vacating contract market designations at the request of the contract markets.

61. Investigating contract market operations and personnel subject to Act, and publishing the results and such statistical information gathered therefrom as Secretary deems of interest to public.

62. Investigating marketing conditions for commodities and commodity products and distributing information with respect thereto.

63. Establishing trading and position limits and fixing delivery periods and time for notices of delivery.

64. Communicating to contract markets and publishing the facts concerning certain transactions or market operations.

65. Disapproving violative bylaws, rules, regulations or resolutions made or proposed by a contract market that relate to terms and conditions in sales contracts.

#### Packers and Stockyards Act Activities Worthy of Note

66. Posting and depositing of stockyards.

67. Registering and approving bonds of market agencies and dealers.

68. Prescribing the form and manner in which rate schedules and charges of licensees, market agencies and stockyard owners shall be prepared, arranged and posted.

69. Authorizing the charging and collection of fees for brand inspection services and registering as market agencies the parties so authorized; and suspending such authorizations.

70. Designating areas in which certain persons must be licensed by Secretary to provide services or facilities in connection with live poultry, and licensing such operations.

#### Naval Stores Act Activities of Note

71. Establishing or modifying standards for naval stores.

72. Analyzing and certifying class or grade of naval stores.

73. Publishing results of analyses.

74. Agricultural Marketing Act determinations of class, quality, quantity or conditions of agricultural products.

#### Federal Seed Act Activities of Note

75. Approving code designations for purchasers of seed for resale.

76. Approving seed treatment descriptions.

77. Requesting information from advertising media and other persons concerning seed advertisements.

78. Procedures for determining eligibility of seed and other screenings for admittance into the United States.

79. Determination whether foreign alfalfa or red clover is not adapted for general agricultural use in U.S.

80. Publication of notices of judgment.

#### Plant Variety Protection Act Activities of Note

81. Issuing certificates of plant variety protection.

82. Provisionally accepting defective applications for certification.

83. Proceeding to declare protected variety open to public use.

84. Issuance of notice of refusal of application for certification, or objection or requirement made by the examiner; and reconsideration of action.

#### Federal Meat Inspection Act Activities of Note

85. Issuance of standards for carcasses, parts thereof, meat and meat food products.

86. Approval of products or condemnation of adulterated products.

87. Refusal or approval of entry of imported meat products.

88. Designation of States and specific establishments for application of federal requirements to intrastate activities.

89. Detention of apparently violative articles.

90. Issuance of export certificates.

91. Grants of inspection.

#### Poultry Products Inspection Act Activities of Note

92. Issuance of standards for carcasses, parts thereof.

93. Approval of products or condemnation of adulterated products.

94. Refusal or approval of entry of imported products.

95. Designation of States and specific establishments for application of federal requirements to intrastate activities.

96. Detention of apparently violative articles.

97. Issuance of export certificates.

98. Grants of inspection.

99. Cotton Statistics and Estimates Act activities for compiling statistics from reports from industry.

#### Egg Products Inspection Act Activities of Note

100. Detention and condemnation of adulterated eggs and egg products.

101. Approval of entry of imported eggs and egg products.

102. Honeybee Act activities relating to control of importation of honeybees.

103. Tobacco Statistic Act activities requiring handlers to report to quantities of tobacco on hand.

104. Tobacco Seed and Plant Exportation Act actions on applications for authorization to export.

105. Virus-Serum-Toxin provision for licensing establishments.

106. Cotton Standards Act activities for licensing inspectors.

107. Section 22, Agricultural Adjustment Act activities relating to advising the President with a view toward import controls.

#### Forest Service Activities Worthy of Note

108. Management and sale of forest products.

109. Use of forest land for grazing, commercial recreation facilities and other commercial enterprises.

110. Providing recreation services or other land uses to the public (e.g., timber sales, grazing permits, etc.).

#### Certain Loan Program Activities Worthy of Note

111. Community development and farm loans under Consolidated Farmers Home Administration Act.

112. Individual and group housing loans under Housing Act of 1949.

113. Watershed and flood prevention and water supply storage loans.

114. Land conservation and utilization loans.

115. Emergency loans under Disaster Relief Act.

116. Loans under delegated authority under Economic Act.

117. Land acquisition loans to Indians.

118. Loans and related activities pursuant to Rural Electrification Act.

119. Cooperative Extension Service activities including instructions and demonstrations in home economics, agriculture, and related subjects.

120. Hatch Act activities concerning research and experiments bearing on maintenance of effective agricultural industry in U.S.

121. Research and Marketing Act activities relating to research and marketing.

122. Federal Crop Insurance Act proceedings relating to crop insurance programs.

123. Proclamation of national marketing quotas.

124. Acreage allotment and farm marketing quota determinations.

125. Water bank program activities.

126. Commercial sale financing relating to agricultural commodities.

127. Wheat and flour export program activities relating to terms and conditions.

128. Sugar Act activities, including actions relating to—

(a) determination of U.S. consumer requirements and proration of such requirements among domestic and foreign areas

(b) determination of farm acreage allotments

(c) determination of fair and reasonable rates for payment for sugar purchased by producer-processors from other producers

(d) determination of fair and reasonable rates of pay for workers in sugar beet industry

#### Soil Conservation Service Activities Worthy of Note

129. Resource Conservation and other conservation programs.

130. Flood prevention programs.

131. Watershed protection programs.

132. Tobacco Inspection Act hearings for granting additional inspection services to designated markets.

#### U.S. Grain Standards Act Activities Worthy of Note

133. Designation of official inspection agencies.

134. Waiving inspection requirements.

135. Inspection of grain in Canadian ports, reinspection and appeal inspection of grain in U.S.; supervising inspection by licensees; cancellation of superseded inspection certificates.

136. Licensing of official inspection personnel.

137. Temporary (summary) suspension of such licenses.

#### U.S. Warehouse Act Activities Worthy of Note

138. Investigation of warehousing and classifying of agricultural products.

139. Inspection of licensed warehouses and warehouses of applicants for licenses.

140. Determination of suitability of applicants' warehouses for proper storage.

141. Licensing warehouses, inspectors, samplers, classifiers and weighers.

142. Temporary (summary) suspension of



warehouse licenses and licenses of inspectors, samples, classifiers and weighers.

143. Determining adequacy of bonds and requiring additional bond coverage.

#### "Animal Quarantine Laws" Activities Worthy of Note

144. Determining eligibility of animals, animal products and other regulated articles for interstate or export movement or for importation into U.S. (e.g., inspections, tests, etc.).

145. Issuance of orders to dispose of animals affected with or exposed to communicable or dangerous diseases.

146. Seizure and disposal of animals, carcasses, products and articles of disposal orders are not obeyed.

147. Seizure and disposal of hay, straw, forage, meats, hides, etc., coming from infected foreign country or in U.S. interstate transit.

148. Conduct of programs for control or eradication of livestock or poultry diseases and pests, including payment of certain claims.

149. Issuing notices to carriers and newspapers regarding diseases and establishment of quarantines and regulations to prevent spreading.

150. Accreditation of veterinarians.

#### "Plant Quarantine Laws" Activities Worthy of Note

151. Determination of eligibility of plants, plant products and other articles by inspections and certifications.

152. Ordering the disposal of products, articles and means of conveyance under Federal Plant Pest Act or those reasonably believed to be infested with pests.

153. Disposal of plants, products, articles and means of conveyance if orders are not obeyed or if moved in violation of plant Quarantine Act.

154. Certification as to freedom from insect pests and plant diseases of plant and plant products for export.

155. Programs for control or eradication of insect pests and plant diseases, including payment of claims for certain destroyed property.

156. Issuing notices to carriers and newspapers regarding quarantines and regulations to prevent spread of dangerous plant diseases or insect infestations.

#### AGENCY FOR INTERNATIONAL DEVELOPMENT—STATE DEPARTMENT<sup>1</sup>

##### Formalized proceedings

Regulations governing AID's activities, including—

Regulations governing procurement of goods and services.

##### Informal activities

1. Drafting of specifications for commodities relating to such matters as nutrition and population programs.

2. Meetings of advisory committees.

#### ATOMIC ENERGY COMMISSION

##### Formalized proceedings

##### Licensing and permits

1. Proceedings for the issuance of construction permits or operating licenses for—

- a) nuclear power reactors
- b) testing reactors
- c) research reactors, and
- d) fuel reprocessing plants

2. Proceedings for the issuance of licenses for possession and use of—

- a) special nuclear material
- b) source material, and
- c) by-product material

3. Proceedings for the issuance of licenses for—

- a) disposal of waste radioactive material
- b) operation of radioactive waste burial grounds

c) manufacture of certain products containing radioactive material

d) shipment of certain radioactive material

4. Proceedings for the amendment of regulations pertaining to the issuance of licenses or the conduct of licensed activities

##### Informal activities

1. Contract selection actions

2. Contract awards

3. Assignment of research and development activities to a particular organization

4. Establishment of AEC prices for special nuclear materials; toll enrichment, etc.

5. Responding to public inquiries and inquiries from Congress

6. Inspections of licensed facilities

7. Preparation for Congressional hearings and drafting and submission of proposed legislation

8. Deliberations with respect to contract negotiations and positions to be taken therewith

9. Telephone conversations between AEC staff and outsiders concerning any particular subject which might be under AEC consideration

#### CIVIL AERONAUTICS BOARD

[The CAB letter incorporated by reference the rulemaking proceedings set forth in 14 CFR Part 200, which are listed here.]

##### Economic Rulemaking Proceedings Concerning—

1. Applications for certificates of public convenience and necessity.

2. Terms, conditions and limitations of certificates of public convenience and necessity; interstate and overseas route air transportation.

3. Terms, conditions and limitations of certificates of public convenience and necessity; foreign air transportation.

4. Inauguration and temporary suspension of scheduled route service authorized by service authorized by certificates of public convenience and necessity.

5. Certificates of public convenience and necessity; special authorizations.

6. Charter trips and special services.

7. Terms, conditions and limitations of certificates to engage in supplemental air transportation.

8. Applications for permits to foreign air carriers.

9. Charter trips by foreign air carriers.

10. Terms, conditions and limitations of foreign air carrier permits.

11. Terms, conditions and limitations of foreign air carrier permits authorizing charter transportation only.

12. Names of air carriers and foreign air carriers.

13. Commingling of blind sector traffic by foreign air carriers.

14. Reporting data pertaining to civil aircraft charters performed by foreign air carriers.

15. Construction, publication, filing and posting of tariffs of air carriers and foreign air carriers.

16. Air cargo pickup and delivery zones; filing of tariffs; application for authority to file

17. Tariffs of air carriers; free and reduced-rate transportation

18. Access to aircraft for safety purposes; free transportation for security guards and for certain Federal Aviation Administration, National Transportation Safety Board, and National Weather Service employees

19. Tariffs of certain certificated airlines; trade agreements

20. Tariffs of air carriers and foreign air carriers; reduced rate for furloughed military personnel and immediate families of military personnel

21. Embargoes on property

22. Transportation of mail; mail schedules

23. Transportation of mail; review of orders of Postmaster General

24. Transportation of mail; free travel for postal employees

25. Flight schedules of certificated air carriers; realistic scheduling required

26. Reinvestment of gains derived from the sale or other disposition of flight equipment

27. Inspection of accounts and property

28. Uniform system of accounts and reports for certificated air carriers

29. Reporting results of scheduled all-cargo services

30. Report of charter services performed for the military airlift command

31. Filing of reports by air freight forwarders, international air freight forwarders, and cooperative shippers association

32. Reports of ownership of stock and other interests

33. Reports of stock ownership of affiliates of air carriers.

34. Direct airport-to-airport mileage records.

35. Submission of audit and reconciliation reports.

36. Preservation of air carrier accounts, records and memoranda.

37. Priority rules, denied boarding compensation tariffs and reports of unaccommodated passengers.

38. Prohibited interests; interlocking relationships.

39. Filing of agreements.

40. Agreements between air carriers and foreign countries.

41. Participation of air carrier associations in Board proceedings.

42. Exemption and approval of certain interlocking relationships.

43. Exemption of air carriers for military transportation.

44. Exemption of air carriers from agreement filing requirements of section 412 of the Federal Aviation Act of 1958.

45. Transfer of airlift among air carriers in certain emergencies.

46. Classification and exemption of Alaskan air carriers.

47. Classification and exemption of indirect air carriers.

48. Classification and exemption of international air freight forwarders.

49. Classification and exemption of air taxi operators.

50. Exemption of air carriers from certain requirements of section 408 of the Federal Aviation Act.

*Procedural Rulemaking concerning—*

51. Rules of conduct in Board proceedings.

52. Rules of practice in economic proceedings

53. Rules of practice in informal nonpublic investigations by the Bureau of Enforcement

54. Inspection and copying of board opinions, orders, and records

*Special Rulemaking Proceedings concerning—*

55. Employee responsibilities and conduct

56. Study group charters, by direct air carriers and study group charter

57. Implementation of the Consumer Credit Protection Act (otherwise known as the Truth in Lending Act and the Fair Credit Reporting Act) with respect to air carriers and foreign air carriers

58. Navigation of foreign civil aircraft within the United States

59. Amendment of flight patterns of helicopter operators

60. Continuance of expired authorizations by operation of law pending final determination of applications for renewal thereof

61. Inclusive tours by supplemental air carriers, certain foreign air carriers, and tour operators

62. Bulk inclusive tours by tour operators

63. Nondiscrimination in Federally assisted

<sup>1</sup>Due to the nature of our statutory authority, this agency engages solely in overseas developmental activities which are not considered directly to affect consumers in the United States.

programs of the Board—effectuation of Title VI of the Civil Rights Act of 1964

#### Adjudications concerning—

64. Issuance of certificate of public convenience and necessity

65. Amendment, modification, suspension or revocation of certificate

66. Abandonment of any route or part thereof

67. Issuance of foreign air carrier permit

68. Alteration, modification, amendment, suspension, cancellation, or revocation of foreign air carrier permit.

69. Approval or disapproval of mergers or acquisitions of control between air carriers, between air carriers and surface carriers, and between air carriers and persons engaged in any other "phase of aeronautics."

70. Fixing compensatory and/or subsidy mail rates.

71. Prescription of reasonable and/or non-discriminatory commercial rates and practices for air carriers engaged in interstate and overseas air transportation.

72. Removal of discriminatory rates and practices in foreign air transportation.

73. Prescription of divisions of rates between air carriers.

74. Establishment of through rates and services

75. Rejection or cancellation of new rates in foreign air transportation which are unjust or discriminatory

76. Cancellation of existing rates in foreign air transportation which are unjust or discriminatory

77. Establishment by joint board (ICC and CAB) of joint rates

78. Revocation, modification or suspension of certificates of supplemental air carriers

79. Determination of violations of provisions governing certain interrelationship between air carriers, between air carriers and surface carriers, and between air carriers and persons engaged in any other phase of aeronautics

80. Determination and prohibition of unfair methods of competition

81. Orders requiring compliance with the Federal Aviation Act

"In addition to the foregoing proceedings which are required by the Federal Aviation Act to be determined on the record after opportunity for hearing, the Board often orders hearings, even though not required by the Act, where the issues are substantial and essential evidence is sharply controverted. These would be considered as formal proceedings for the purposes of the bill.

Such hearings have been held, for example, with respect to the approval or disapproval of various types of intercarrier agreements, applications for exemption from the provisions of the Act, and applications for approval or disapproval of interlocking relationships."

#### Informal activities

##### CAB Actions concerning

1. Exemption of indirect air carriers (e.g., air freight forwarders) from the economic regulatory provisions of the Act (49 U.S.C. 1301). In the exercise of this power the Board authorizes indirect air transportation services

2. Authorization of temporary suspension of service by an air carrier

3. Temporary suspension of certifications of public convenience and necessity of supplemental air carriers

4. Grant of permission to make tariff changes on less than 30 days notice

5. Review of Postmaster General's orders fixing mail schedules and loads

6. Exercise of right to inspect records and facilities of air carriers

7. Special exemptions involving acquisitions of control of a noncertificated air carrier pursuant to the Federal Aviation Act

8. Approval of transactions involving acquisitions of control of persons other than direct air carriers

9. Approval or disapproval of interlocking relationships

10. Approval or disapproval of Government loans and financial aid to air carriers

11. Approval or disapproval of various types of intercarrier agreements

12. Exemption of direct air carriers from economic regulatory provisions of the Act; as in the case of exemptions for indirect air carriers, this function may involve authorization of new or improved air transportation services

13. Grant of special operating authorizations to supplemental air carriers to engage in individually-ticketed services to meet temporary service needs not being met by scheduled airlines

14. Compromise of civil penalties for violations of the Act

15. Determinations whether to institute investigations or enforcement proceedings either upon the Board's own initiative or upon formal complaint of a third party

16. Determination whether to investigate rates, fares, practices, etc., included in new tariffs for interstate or overseas air transportation and whether to suspend such tariffs pending investigation

17. Determinations whether to investigate rates, fares, practices, etc., included in new tariffs for foreign air transportation and whether to suspend such tariffs pending investigation

18. Determinations whether to investigate rates, fares, practices, etc., included in existing tariffs for foreign air transportation and whether to suspend such tariffs pending investigation

19. Determinations whether to suspend an existing tariff of a foreign air carrier providing service between the United States and a foreign country where the Board finds that the Government of the foreign country has refused to permit the charging of rates contained in a tariff filed by an air carrier for foreign air transportation to such foreign country

20. Determinations whether to grant objections to public disclosure of information contained in documents filed with the Board or otherwise obtained by it

21. Grant, modification, suspension or revocation of permits authorizing navigation (but not common carriage) by foreign aircraft in the United States

22. Authorization of air carriers to change airports through which service to a point has theretofore been provided

23. Authorization of changes in service patterns of air carriers

24. Authorization to delay inauguration of newly certificated service

25. Authorization to provide special services

26. Waiver of regulations establishing terms, conditions, and limitations of supplemental air carrier certificates

27. Authorization of off-route charters by foreign air carriers

28. Waiver of regulations establishing terms, conditions, and limitations of foreign air carrier permits authorizing charter transportation only

29. Grant or denial of permission to file tariffs establishing air cargo pickup and delivery zones

30. Waiver of special regulations governing inclusive tour charters

#### DEFENSE SUPPLY AGENCY

##### Formalized proceedings

1. Appeals to Armed Services Board of Contract Appeals involving disputes under contracts

2. Sanction proceeding proposals against contractors for failure to comply with Equal Employment Opportunity requirements

3. Proposals to debar a contractor for action reflecting adversely on his integrity relating to the performance of defense contracts

#### Informal activities

1. Pre-award surveys to determine if a contractor has ability to perform a contract successfully

2. Inspection of products to determine if they meet specifications

3. Suspension of contractors suspected of criminal conduct

#### EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

##### Formalized proceedings

[Under the Equal Employment Opportunity Act of 1972, EEOC enforcement proceedings are in court, and therefore the CPA could intervene as a party in such court proceedings under section 204 of the CPA bill, not section 203.]

#### Informal activities

1. Proceedings to issue a subpoena and appeals to the EEOC by respondents wishing to oppose same

2. Public forums on nature and scope of discrimination in particular industries or geographic areas

#### FEDERAL COMMUNICATIONS COMMISSION

"[If the provisions of section 203 [of the CPA bill], which empowers the Administrator [of CPA] to intervene as of right in [Federal Communications] Commission 'proceedings' and 'activities' which 'substantially affect the interests of consumers,' as defined in section 401, are broadly interpreted [as bill section 3(5) would require], then it could be contended that potentially everything the Commission does could affect the 'interests of consumers.' The decision to intervene or participate would rest with the [CPA]. . ."]

##### Formalized proceedings

"Although not exhaustive of matters that could fall under section 203 [of the CPA bill], the [following] list is indicative of the very broad scope of the bill as it relates potentially to Commission matters."

1. Rate-making Proceedings for telephone and telegraph.

Broadcast Bureau proceeding concerning

2. Investigation of Network TV Program Distribution Practices.

3. Restrictions on exclusivity in the distribution of non-network TV programming.

4. "One-to-a-Market" Proceeding

5. Educational FM Allocation.

6. New AM Allocation Rules.

7. Long Range Future Needs for UHF-TV Including Technology of Future TV Broadcasting.

8. TV Programming for Children.

9. Inquiry into the Handling of Public Issues under the Fairness Doctrine and the Public Interest Standard.

10. Rules and Policies relating to the renewal of broadcast licenses.

11. Formulation of Policies Relating to the Broadcast Renewal Applicant, Stemming from the Comparative Hearing Process.

Cable television proceedings concerning

12. Cross-ownership with Other Media.

13. Multiple Ownership.

14. Technical Standards for Cable Television.

15. Cable Programming Policy.

16. Role of Cable Television in Metropolitan and Rural Areas.

17. Carriage of Distant Signals.

18. Federal-state local responsibilities. Proceeding of Office of Chief Engineer concerning

19. Implementation of Regional Spectrum Management.

Common Carrier Bureau proceedings concerning

20. Investigation of Manufacturing Affiliates.

21. Satellite vs. Submarine Cable.

22. Tariff Rate Cases.

23. Prior approval of New or Revised Classifications of Service.



24. Comsat Rates.
25. Private Line Rates.
26. Domestic Satellite Program.
27. Outstanding Interconnection Problem.
28. Quality of Telephone Service
29. Entry of Specialized Carriers
30. Equal Employment Opportunities of Carriers
- Safety & Special Radio Services Bureau
31. Frequency shortage in the Land Mobile Radio Services
32. Police Radio Communication
33. Vehicle locator systems
34. Violations in the Citizens Radio Service
35. Automatic Transmitter Identification System
36. Reallocation of frequencies to the Citizens Radio Service

#### Informal activities

"[P]otentially everything [else] that the Commission does . . ."

#### FEDERAL HOME LOAN BANK BOARD AND FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION

##### Formalized proceedings

1. All rulemaking proceedings
2. Cease and desist order hearings against savings and loan associations by Board
3. Cease and desist order hearings against insured institutions by corporation
4. Hearings on removal of directors or officers of savings and loan associations or institutions by Board or corporations
5. Hearings on removal of a member of a Federal Home Loan Bank from membership
6. Hearings on deprivation of nonmember borrower from obtaining further advances
7. Hearings on involuntary termination of insured status of an institution
8. Hearings on a person's controlling influence over insured institution or holding company
9. Hearings on special petitions or proposed regulations if set by Board (rarely done)

##### Informal activities

##### Application determinations concerning

1. Permission to organize a federal savings and loan association
2. Branch, mobile facility, or change of office location of Federal association
3. Insurance of accounts of a newly chartered State savings and loan association
4. Branch office of a District of Columbia association
5. Mergers involving federal savings and loan associations
6. Agency of a federal association
7. Conversion from federal to state charter
8. Increases of insurable accounts
9. Change of state chartered mutual insured institution to a guaranty or permanent stock institution
10. Acquisitions by a savings and loan holding company
11. Investigative and examination activities as authorized

#### FEDERAL MEDIATION AND CONCILIATION SERVICE<sup>1</sup>

##### Formalized proceedings

None.

##### Informal activities

1. Informal mediation efforts
2. Arbitration matters concerning the establishment of procedures for the administration of the National Roster of Arbitration and related activities.

#### FEDERAL POWER COMMISSION

##### Formalized proceedings

"[The authority which this bill would confer upon the Consumer Protection Agency, if improvidently exercised, could

substantially hamper effective regulation by the Commission under both the Federal Power and National Gas Acts by postponing finality of decision in matters of pressing public concern.

"The power to seek judicial review even in the absence of such intervention or participation could impose another layer of regulation upon this Commission and impair its effectiveness to the detriment of the public."

All Commission Proceedings are conducted pursuant to the Administrative Procedure Act [Federal Power and Natural Gas Act proceedings], and are therefore subject to CPA intervention or full participation.

#### FEDERAL RESERVE BOARD

##### Formalized proceedings

##### Rulemaking concerning

1. Advances and Discounts by Federal Reserve Banks
2. Open Market Purchase of Bills of Exchange Trade Acceptances, Bankers' Acceptances
3. Acceptance by Member Banks of Drafts or Bills of Exchange (12 C.F.R. 203, promulgated pursuant to the Federal Reserve Act)
4. Reserves of Member Banks
5. Purchase of Warrants
6. Securities of Member State Banks
7. Securities Credit Transactions (governing borrowers who obtain securities credit; securities credit by persons other than banks, brokers, or dealers; credit by brokers and dealers; and credit by banks for the purpose of purchasing or carrying margin stocks)
8. Membership of State Banking Institutions in the Federal Reserve System
9. Issue and Cancellation of Capital Stock of Federal Reserve Banks
10. Collection of checks and other items by Federal Reserve Banks
11. Corporations engaged in Foreign Banking and Financing under the Federal Reserve Act
12. Interlocking Bank Relationships under the Clayton Act
13. Foreign Activities of National Banks
14. Relations with Foreign Banks and Banks
15. Loans to Executive Officers of Member Banks
16. Minimum Security Devices and Procedures for Federal Reserve Banks and State Member Banks
17. Interest on Deposits
18. Relationships with Dealers in Securities
19. Bank Service Arrangements
20. Loan Guarantees for Defense Production
21. Bank Holding Companies
22. Truth in Lending
23. Regulations Relating to Branches of Federal Reserve Banks

##### Adjudications concerning

24. Suspension of a member bank from the use of credit facilities of the Federal Reserve System
25. Termination of a bank's membership in the System
26. Issuance of a cease-and-desist order under section 11 of the Clayton Act
27. Issuance of a cease-and-desist order or a removal or suspension order under section 8 of the Federal Deposit Insurance Act
28. Applications as to which a hearing is required, or for other reason is ordered by the Board.
29. Proceedings may be ordered by the Board with respect to bank merger applications.
30. Adjudications in individual cases under the Bank Holding Company Act of 1956 (e.g., applications to form a holding company, for a holding company to acquire a bank or a non-bank corporation, or applications by a holding company for a "hardship exemption").

#### Informal activities

1. Decisions in individual applications.
2. Preparation of competitive factor reports pursuant to the Bank Merger Act.
3. Decisions in individual applications by member banks to open branches.
4. Decisions in individual applications regarding the establishment of foreign branches and the investment in foreign banks by member banks.
5. Decisions in individual applications concerning the establishment and activities of Edge Corporations.
6. Enforcing compliance with the Fair Credit Reporting Act.
7. Assessment of penalties for violation of Section 20 of the Banking Act of 1933.

#### INTERNAL REVENUE SERVICE

##### Formalized proceedings

##### Rulemaking concerning

(The great majority of the regulations issued by the Service in connection with the Internal Revenue Code of 1954 are . . . under [the Administrative Procedure Act, and therefore subject to CPA participation under the bill].) Among these proceedings are the following:)

1. Issuance of Interpretations and Rulings.
2. Exception or Exemption request processing, granting or denying.
3. Pay Challenge processing.
4. Complaint investigations.
5. Notice of Violations issuances.
6. Appeals considerations and reconsiderations.
7. Adjudications, concerning—
8. Disciplinary proceedings to revoke, annul or suspend such FAAA permits.
9. Applications for licenses and permits relating to explosives and firearms.
10. Disciplinary proceedings to revoke licenses and permits relating to explosives and firearms.

##### Informal activities

##### Access to tax returns

("[Y]ou may wish to note 26 U.S.C. 7213 which, briefly, prohibits officers or employees of the United States from disclosing [in any matter . . . not provided by law] to any person information revealed on an income tax return. See also 18 U.S.C. 1905." [But these would not prohibit the CPA's access to such information under section 207 of the CPA bill, because this would "provide by law" for such access and the CPA is not a "person" as defined by law.]

1. Private ruling letters to taxpayers
2. Published Revenue Rulings applicable to specific factual situations ("It is arguable that under section 203 of the bill that the CPA could request that published rulings be revoked or modified or even that new rulings be published.")
3. Approval of labeling of distilled spirits, wine, and malt beverages
4. Advertising control activities relating to liquor industry

#### INTERSTATE COMMERCE COMMISSION

##### Formalized proceedings

("[V]irtually all of our proceedings fall within the first category [Formalized Proceedings]. They include—")

1. Complaints and investigations concerning violations of law
2. Issuance of operating certificates, permits and licenses
3. Investigation and suspension of rate proposals
4. All mergers and consolidations
5. Purchasing or leasing of operating rights
6. Abandonment or construction of railroad lines
7. Carrier securities issuance or modification
8. Rail passenger service discontinuance
9. Relief applications from long- and short-haul provisions
10. Bankruptcy Act obligations
11. Pooling agreement approvals

<sup>1</sup>In light of the possible future implications of this proposed legislation, it is respectfully requested that the Service be excluded from the provisions of S. 1177 [the CPA bill].

12. Ratemaking bureaus' approval of agreements
13. All Ex Parte proceedings (e.g., general freight rate increases)
14. Issuance of car service orders
15. Informal complaints on rate matters
16. Rate proposals and their possible suspension
17. Valuation proceedings
18. Requests for special permission for relief from rate filing time requirements
19. Released Rate Applications

#### Informal activities

##### Uncertainty over definition

("The definition of 'agency activity' in section 401(4) of the bill is nebulous and raises some doubt as to its exact applicability.

"Therefore, we are uncertain as to what [ICC] 'activity' would be covered by the bill.

"For instance, an informal forum recently held by us on a study proposal by the Water Transport Association on the transport of feed grains into New England could possibly be construed as an activity falling within that connotation.")

#### NATIONAL LABOR RELATIONS BOARD

##### Formalized proceedings

1. Unfair labor practice proceedings
2. Representation election proceedings
3. All rulemaking under section 6 of the National Labor Relations Act
4. Determination of Jurisdictional disputes
5. [Injunction proceedings come under section 204 of the CPA bill since they are court proceedings in which the CPA may intervene.]

#### Informal activities

Decision on Petitions for Advisory Opinions and Declaratory Orders

#### NATIONAL SCIENCE FOUNDATION

##### Formalized proceedings

None.

#### Informal activities

1. National Science Board meetings
2. Advisory Committee processes for giving the Board advice and assistance

#### OFFICE OF ECONOMIC OPPORTUNITY

##### Formalized proceedings

1. Special Impact program financial assistance termination
2. Community Action program financial assistance termination proceedings
3. Migrant and seasonally employed farm worker program financial assistance termination proceedings

#### Informal activities

1. Appeals to OEO Director by agencies or organizations whose application to a community action agency has been wholly or substantially rejected or has not been acted upon within a reasonable period of time
2. Procedures to assure that financial assistance will not be suspended for failure to comply with terms and conditions (Community Action and Seasonally employed farm worker programs)
3. Procedures to assure that applications for refunding are not denied without reasonable notice and opportunity to show cause why such action should not be taken (Local Incentive programs, Special Emphasis programs, Seasonally employed farm workers)

#### OFFICE OF EMERGENCY PREPAREDNESS

##### Formalized proceedings

"A very large number of activities, even of this single agency, might be affected—and adversely so—by the sweeping sphere of activity of the Consumer Protection Agency under the bill as presently written."

None Listed

#### Informal activities

1. Trade Expansion Act determinations concerning importation of articles the quan-

tity or conditions of which may threaten to impair national security

2. Recommendations and rulings concerning rejections of bids or offers to other federal agencies to furnish materials of foreign origin on national security grounds

3. Policy decisionmaking involving the designation of materials which are strategic or critical to national preparedness

4. Advisory, Planning or coordinative activities of Office

#### PAY BOARD

##### Formalized proceedings

1. All rulemaking under the Administrative Procedure Act concerning the petition or comment of any interested person on the issuance, amendment, or repeal of any ruling or regulation promulgated by the Board.

2. All formal hearings held at the Board's discretion such as, by way of past examples—Longshore Cases (the East Coast, West Coast and Gulf of Mexico disputes)

Aerospace cases

State of Ohio case

New York City case

#### Informal activities

1. Denials and reconsideration of denials of Freedom of Information Act information requests.

2. Executive Compensation plans—approvals of modified and new plans

3. Informal Pay Adjustment adjudications [The Board was of the opinion that the following activities should not be construed to be subject to CPA intrusion because they "are matters of agency prerogative (i.e., not generally subject to judicial review.)" A reading of the bill, however, would indicate that these are so subject.]

4. Criminal and Civil prosecution recommendations to Attorney General

5. Policy recommendation by staff to Board

6. Investigation directions to Internal Revenue Service

7. Issuance of subpoenas

[The Board also was of the opinion that CPA participation in informal activities should be construed as limited to the role of a "third party (i.e., other than the agency and party or parties directly affected)" and that such third party participation should be at the discretion of the Board. The bill, however, would allow CPA participation as of right in such activities to the same extent and party or parties directly affected)" and affected person.]

#### PRICE COMMISSION

##### Formalized proceedings

##### Record hearings concerning

1. Determinations of violations of regulations under Economic Stabilization Act of 1970
2. Determinations of sanctions to be imposed

#### Informal activities

1. Price increase application activities
2. Rent increase application activities
3. Exception petition activities
4. Reconsideration petition activities

SOCIAL REHABILITATION SERVICE (H.E.W.)

##### Formalized proceedings

Conformity hearings to determine whether a state plan, or its administration, complies with federal requirements.

#### Informal activities

1. Rulemaking under the various grant programs.
2. Service meetings with individuals and groups interested in its programs.

#### TARIFF COMMISSION

##### Formalized proceedings and informal activities

[The Tariff Commission was of the opinion that CPA participation in its activities "would apparently take the form of an amicus curiae approach."

The Commission did not offer a list of its

proceedings and activities, mentioning only one activity, antidumping procedures, as an example.

The Commission did express concern over possible "problems" that might be presented for the Commission relating to proposed CPA powers to—

1. Compel discovery of materials in a Commission proceeding.

2. CPA's seeking judicial review of Commission actions, and

3. Whether the Commission could preserve its statutorily-required independence in the face of CPA participation in its activities.]

#### TENNESSEE VALLEY AUTHORITY

##### Formalized proceedings

None.

#### Informal activities

("As to informal activities, it is difficult for us to envisage how far the Consumer Protection Agency might go under such legislation in trying to shape the policies of agencies such as TVA in the sales of consumer products or services to the public. . . .

"The activities about which we are most concerned in this regard are our sales of electric power and fertilizer materials.

"It would seem to us most undesirable for the proposed Consumer Protection Agency whose interests would extend only to those of consumers, to become involved in the TVA Board's actions [concerning power activities].

"Here again, the pricing of [fertilizer] requires a careful weighing of production costs and the objectives of the program which is, and we believe should remain the responsibility of the TVA Board.")

#### TRADE NEGOTIATIONS SPECIAL REPRESENTATIVE (EXECUTIVE OFFICE OF THE PRESIDENT)

##### Formalized proceedings

None.

#### Informal activities

1. Regular Meetings of the Trade Staff Committee to formulate advice to the Special Representative concerning various aspects of the trade agreements program and reports by the Tariff Commission

2. Periodic Hearings of the Trade Information Committee concerning matters germane to the trade agreements program

3. [The Office comments that the "Special Representative for Trade Negotiations administers the reciprocal trade agreements program and directs U.S. participation in trade negotiations with other countries."

It is not clear from the Office's response whether it considers these activities subject to CPA participation under section 203 (b) of the bill.

However, a fair reading of the bill indicates that the CPA could, in its discretion, enter such activities and participate.

#### URBAN MASS TRANSPORTATION ADMINISTRATION (DEPARTMENT OF TRANSPORTATION)

##### Formalized proceedings

(None listed, but comprehensive report promised).

#### Informal activities

Urban Mass Transportation Act Activities, concerning State and local public bodies, relating to—

1. Capital improvement grants and loans.
2. Loans for advance acquisition of land expected to be needed for urban mass transportation systems.

3. Research, development and demonstration projects in all phases of urban mass transportation.

4. Grants for planning of urban mass transportation systems and improvements thereto (technical studies).

5. Grants for university level research and training in urban transportation.

6. Grants to finance university fellowships for personnel in the urban mass transportation field.



CONCLUSION OF MORNING  
BUSINESS

The PRESIDING OFFICER. All time for the transaction of morning business having expired, morning business is closed.

## FOREIGN ASSISTANCE ACT OF 1972

The PRESIDING OFFICER (Mr. HOLLINGS). Under the previous order, the Chair lays before the Senate the unfinished business, which the clerk will state.

The assistant legislative clerk read as follows:

A bill (S. 3390) to amend the Foreign Assistance Act of 1961, and for other purposes.

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

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. WILLIAMS. Mr. President, I send to the desk an amendment.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. WILLIAMS. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and, without objection, the amendment will be printed in the RECORD.

The amendment, ordered to be printed in the RECORD, is as follows:

On page 8, between lines 16 and 17, insert the following new subsection:

(c) Chapter 4 of part II of the Foreign Assistance Act of 1961, as amended by subsection (b) of this section, is further amended by adding at the end thereof the following new section:

"Sec. 535. Assistance to South Vietnamese Children.—(a) It is the sense of the Congress that inadequate provision has been made (1) for the establishment, expansion, and improvement of day care centers, orphanages, hostels, school feeding programs, health and welfare programs and training related to these programs which are designed for the benefit of South Vietnamese children, disadvantaged by hostilities in Vietnam or conditions related to those hostilities, and (2) for the adoption by United States citizens of South Vietnamese children who are orphaned or abandoned, or whose parents or sole surviving parent, as the case may be, has irrevocably relinquished all parental rights.

"(b) The President is therefore authorized to provide assistance, on terms and conditions he considers appropriate, for the purposes described in clauses (1) and (2) of subsection (a) of this section. Of the funds appropriated pursuant to section 532 for fiscal year 1973, \$5,000,000 shall be available until expended solely to carry out this section. Not more than ten per centum of the funds made available to carry out this section may be expended for the purposes re-

ferred to in subsection (a) (2) of this section. Assistance provided under this section shall be furnished, to the maximum extent practicable, under the auspices of and by international agencies or United States voluntary agencies."

Mr. WILLIAMS. Mr. President, I have introduced the amendment on behalf of myself and Senators HUGHES, McGOVERN, HUMPHREY, and JAVITS.

Mr. President, much has been said and will continue to be said about our tragic military involvement in Vietnam.

We know where each of us stands and we know what each of us must do to fulfill our personal and public commitments in respect to this issue.

But the time is long past due when we must turn our attention to other aspects of the war.

The time has come when we must make a commitment to the children of Vietnam.

Although figures indicating the impact of the latest escalation on the civilian population are not available, we know that prior to the escalation, 700,000 Vietnamese children were orphans and nearly half of South Vietnam's population of 18,000,000 is under 15 years of age.

These youngsters have been trapped in the middle of the devastating crossfire of the war and have been a major part of the enormous forced migrations from homes in the country to urban centers.

They have compounded the problems of rapid growth in the cities of Vietnam, together with serious inflation and, more recently, unemployment caused by the loss of jobs in support of American military forces.

And it has been these children, the marginal members of the society, who have suffered most as a result of these social and economic upheavals.

The Agency for International Development has been charged with assisting in the development of social welfare programs in Vietnam aimed at combating these problems.

Its efforts directed toward children have been negligible, because AID's small group of specialists understandably have been compelled to work on the overall refugee problem.

Furthermore since there has been no specific mandate to work on child care problems, these AID professionals have only worked on a part-time basis on children's problems.

But what is worse is that the United States is pursuing a policy of destruction in Vietnam almost to the exclusion of aiding the young and helpless victims of that policy.

I recently read the AID program and project data presentation for fiscal year 1973.

This document shows that a total of only \$983,000 is to be spent for refugees and social welfare.

In response to written questions I posed to Mr. Robert Nooter, Deputy Coordinator for the Bureau of Supporting Assistance for AID, he said that for AID in Vietnam in fiscal year 1973 the current staff includes five American social workers, none of whom devote their full time to child welfare services.

Two of these positions will be phased out by the end of fiscal year 1973 and the personnel level for fiscal year 1974 is now under review by the U.S. Mission.

I understand that the Vietnamese have a serious manpower shortage and lack of capability for working on social welfare problems.

However, I am certain that the social problems could be eased somewhat if the United States stood ready to assist in their solution.

We can no longer pretend that Vietnam and its problems will improve as we withdraw our military troops.

A commitment is needed and deserved so that when the fighting does end a basis for social development and improvement exists.

We have reached the point where we must work with the Vietnamese in resolving the social problems which have resulted from this war.

We have reached the point where we must begin to replace military efforts with significant social welfare and health efforts.

Last September, Senators HUGHES, HATFIELD, and I introduced S. 2497 to create a Vietnam Child Care Agency, directed to provide expert assistance to the Vietnamese Ministry of Social Welfare and grant money to private and public nonprofit organizations which are working on child-care programs.

We have been joined by 14 other Senators and over 40 Congressmen have supported nearly identical legislation in the House.

The Foreign Relations Committee held a day of hearing on this bill last April 5.

It was evident from the various statements that day that, if the United States is in fact concerned about the future and welfare of Vietnam, a commitment must be made to insure that the human problems of the Vietnamese are met and resolved.

Our legislation caused some concern, because it would create a new agency and add to what is already a cumbersome bureaucracy.

I can appreciate these concerns and to avoid them, as well as insure that the United States plays an active role in Vietnam's social problems. The pending amendment to S. 3390, the Foreign Assistance Act, is similar in intention to S. 2497, but would operate through AID rather than create a new agency.

I want to clarify that I understand that the social welfare problems in Vietnam must be solved by the Vietnamese; however, their efforts can be augmented by the U.S. Government.

I am sure that our Government can greatly assist in serving the homeless children of that nation.

The amendment I am proposing would earmark \$5 million in the security supporting assistance sections for Vietnam to provide such assistance.

It is envisioned that the first major function of AID under this expanded mandate would be to work through public or private nonprofit organizations and the Vietnamese Ministry of Social Welfare to improve the care and protection of children orphaned, abandoned, or left in poverty as a result of the war.

The highest priority would be improving and expanding day-care facilities.

These centers provide an environment conducive to healthier family development.

Hopefully, they will help avoid the growing incidence of abandonment which has accompanied the withdrawal of American troops.

The advantages of day care are particularly relevant in Vietnam because of the burden of raising children in that difficult environment.

Well-run day care centers would provide these young people with pre-school education and two meals a day.

It would also give the mother the opportunity to work so that she can support her children.

The few day care programs in effect have met with considerable success.

Since the major purpose of this legislation is to improve the home atmosphere so that fewer children are left to institutions, it is expected that a major emphasis will be to improve existing orphanages instead of building new ones.

Along similar lines, the existing but inadequate hostel program which provides housing for children who support themselves must be expanded and improved so that the thousands of independent children can have a roof over their heads at night.

This amendment also contemplates training Vietnamese to work in day care centers, orphanages, and in the area of child health care—especially prenatal and postnatal care.

In the early stages, when considerable expansion will occur, training of Vietnamese to staff and sustain these programs will be essential.

Furthermore grants can and must be extended to private organizations to establish medical facilities for furnishing medical assistance to such children and to provide educational assistance.

A second approach contemplated by this amendment is directed toward the children who have no family or guardians.

These youngsters are eligible for adoption and for many of them acceptable homes can be found in the United States.

In carrying out this aspect of my amendment the emphasis must necessarily be on facilitating adoption of orphaned or abandoned children who have American fathers.

However, by no means should it exclude efforts to ease adoption procedures for other Vietnamese children who are homeless.

AID's function in this area would be to negotiate with Vietnamese and U.S. Government officials in order to standardize the forms and procedures used in intercountry adoption.

Since the agency is charged with aiding the Vietnamese with their child care problems, it might be in the best position to encourage the Vietnamese Government to ease its requirements for the issuance of exit permits.

Should this occur, adoption would be simplified but they would continue to be handled on a strict case-by-case basis.

It is my hope that eventually the United Nations or another multilateral organization will be able to assume the

child care and protection role of the Agency outlined in this legislation.

To date, UNICEF has spent more than \$2.3 million on training programs and maternal and child health care centers.

Although their limited budget has prevented larger expenditures, UNICEF has taken the vital step of committing itself to the solution of these problems.

With U.S. funding, UNICEF could probably direct the programs to be established and run by AID.

I intend to seek full funding of this \$5 million authorization to establish this program as quickly as possible.

It appears that this modest amount—a fraction of what is spent each day to continue our military efforts in Vietnam—will be initially sufficient.

I understand that the Vietnamese Ministry of Social Welfare has developed a program which could be substantially assisted by the effective implementation of this amendment.

I am reassured that the Vietnamese are looking closely at these problems and developing sound means of resolving them.

However, as has always been the case a shortage of money and trained personnel is blocking progress.

For several years, the ministry has received less than 1 percent of the national budget and most of this money has been directed toward refugees.

Since the children have not had a spokesman, their plight has been neglected for years and top priority has been given to the massive refugee problem.

Now that the Ministry is prepared to direct its limited staff to confront these problems, it is absolutely essential that the United States make a clear commitment to assist them.

Mr. President, my purpose in introducing S. 2497 and now this amendment to S. 3390 has been to enable the Government to correct a most serious shortcoming in Vietnam, that of child care, and to increase the amount of aid committed to solve the human problems of Vietnam.

Mr. President, this amendment and its change of method, but not purpose, has been fully discussed informally, during the debate on this bill, with the chairman of the Foreign Relations Committee, with the very distinguished leader of the debate on this bill, and with the ranking minority member of the committee. It is my impression, from all of these discussions, that this approach is supported by our colleagues of the Foreign Relations Committee and that the purpose of reaching, through this assistance act, the needs of the children of Vietnam is embraced by the members of the committee.

Mr. SPARKMAN, Mr. President, there has been considerable discussion relating to this amendment. I want to commend the distinguished Senator from New Jersey for his efforts to draw attention to the increasing need for assistance to the children of South Vietnam who are the tragic victims of this war.

The pending amendment is evidence of these efforts; it is a modification of his earlier amendment which, in turn, was

drawn from S. 2497, a bill "to provide assistance in improving the welfare of children in South Vietnam and to facilitate the adoption of orphaned or abandoned Vietnamese children." The provisions of this bill were the subject of hearings held before Foreign Relations Committee on April 5 of this year.

Mr. President, I am frank to say that several members of the Committee were troubled by some of the provisions in the bill, many of which were subsequently incorporated in the Senator's earlier amendment. To some of us that amendment appeared to place the United States in the position of assuming primary responsibility for the care of all South Vietnamese children disadvantaged by the war or conditions related to it. Such responsibility properly belongs to the Vietnamese and we would only be compounding the errors of the past if we were to step in at this late date to assume such a role.

The pending amendment eliminates this kind of concern, but recognizes that we all want the United States to give proper assistance to help care for the children of South Vietnam who are the unfortunate victims of this war. In other words, the amendment provides a balanced, moderate response by the United States to this problem. It simply calls upon us to do our fair share and to do it, "to the maximum extent possible, under the auspices of and by international agencies or United States voluntary agencies." This is as it should be.

I may say that I am quite certain that had this amendment not been offered as a part of this bill, the Foreign Relations Committee would have reported out some bill based upon the original legislation introduced by the Senator from New Jersey, but with the kind of modifications which have been made in the present amendment offered by the Senator from New Jersey.

I discussed this matter with the chairman of the committee (Mr. FULBRIGHT), and at that time we were of the same mind that the amendment as offered originally was entirely too broad and required some changes. The Senator from New Jersey has worked, through his staff, with the staff of the Foreign Relations Committee, and the present amendment is the result.

Unfortunately, our colleague from Arkansas (Mr. FULBRIGHT) is not here today, but I have been given to understand by the staff members of the committee, who have talked with him about it at different times, that even though the Senator from Arkansas has not seen this amendment, it is the feeling of the staff, who have worked very closely with him on this matter, that the amendment, as it has been modified, would be acceptable to him. I have also discussed the matter with the senior Senator from Vermont, and the senior minority member of the Foreign Relations Committee, and the amendment is acceptable to him.

Therefore, Mr. President, acting for the committee, I say that I am willing to accept the amendment, and I move its adoption.

Mr. HUGHES, Mr. President, I am proud to join the distinguished Senator from New Jersey (Mr. WILLIAMS) in co-



sponsoring this amendment to provide aid to the children of Vietnam. This legislation is urgent and necessary if the United States is to uphold its true responsibility to the people of Vietnam.

A few weeks ago the world was shocked by the photograph of screaming Vietnamese children, running in agony from a misdirected attack by South Vietnamese planes as napalm seared their clothes and skin. I regret that the *RECORD* cannot reproduce that photograph, for it speaks more forcefully than any words of the horror and suffering of this war.

Children were the chief victims of this attack, just as they have become the forgotten victims of much of this war. The State Department admits that about 90 percent of the patients receiving plastic and reconstructive surgery are children.

Because of their suffering, because of their helplessness, I believe that we have a special responsibility to the children of Vietnam.

The American military presence inside Vietnam is being drastically reduced, though not totally and not as quickly as most of us would prefer. As U.S. forces are being withdrawn, they leave behind many reminders of their involvement—bombed villages and rebuilt villages, devastated farmlands and a few agricultural programs, and perhaps as many as 200,000 children of American fathers. The few small programs we already have in being for reconstruction and rehabilitation bear witness to our determination to alleviate some of the tragic consequences of this long and deadly war.

Too often, I fear, we pay attention only to the weekly death tolls, and then usually only to American deaths, while ignoring the other suffering which the war has brought to Vietnam and which the continued air war still brings. We tend to forget that three times as many people as die are seriously wounded and require hospital care, and that many of these people are permanently maimed or crippled.

We tend also to forget about the women who have lost their homes and husbands and the children who are orphans, or rejected by their relatives because of their mixed racial parentage, and thus must live out a hand-to-mouth existence in the streets. We have no exact figures, but there can be no doubt that thousands of Vietnamese women and children have been physically wounded or emotionally scarred by this war.

To neglect these people now in their time of need would be cruel and inhumane. It would also be contrary to the best instincts and the past history of the American people. Until, and after, the fighting ends, the United States must work to alleviate the consequences of our involvement in that small, war-torn country. We must see to it that peace is not merely the continuation of suffering by other means.

Children deserve our special care and attention not simply because thousands of them have been abandoned by their American fathers, but more basically because they are helpless. Without our aid now, they may never reach adulthood. That this is a major problem in

Vietnam is clear from the fact that over 40 percent of the population is under the age of 14.

The news in the months since this legislation was first introduced in a slightly different form points up the continuing problem. We have seen stories in the newspapers and on television about the street urchins in Saigon, about the orphanages which have been closed by the Vietnamese government, and about the difficulties facing Americans who want to adopt some of these children. A story in the *New York Times* a few months ago discussed some of these problems and cited the case of an American couple who wanted to adopt a young girl named Lanh. The story says:

The couple saw her in the An Lac orphanage in Saigon, but, due to the complicated adoption procedures, they could not take her with them when they left. Lanh died September 16 from malnutrition and inadequate care. Not even the American doctors in an Army hospital in Saigon could save her.

Since the time that Lanh died, the United States has continued to phase out its programs of health care and refugee relief. No funds for civilian health programs are requested for the new fiscal year, and assistance to refugees will have to come entirely from counterpart funds. Despite the continued high rate of civilian casualties, particularly during the current offensive, the United States has been drastically cutting its medical programs and slashing the number of hospital beds allocated to civilian war casualties. Thus, we can do even less to help the people who continue to suffer.

The little girl who was photographed running naked in terror from napalm has suffered from these diminished health services. According to a report by a CBS news reporter, she was first taken to the Saigon children's hospital, which is called a desperate place where there are more patients than beds and not enough doctors and nurses to provide anything but the most primitive care. Only through the intervention of newsmen was she transferred to a center for plastic and reconstructive surgery, where she now is improving.

Even in that center, the number of medical personnel from the West has dropped from 35 to 3. The only surgeon said that there are not enough funds to operate the unit. As the CBS reporter commented:

But the people who run this hospital will not even estimate how many children die every week because they cannot get to this place or because there is no room for them.

This amendment, by specifically authorizing \$5 million for assistance to South Vietnamese children, should force our Government to give this problem the attention it deserves. Otherwise, we may find the programs for children sacrificed in order to finance police training or luxury imports or the other much larger segments of our aid to Vietnam.

The program we propose is quite modest. A 1-day moratorium in our current high-intensity air war would save enough money to fund these life-saving works for over 4 years. Surely this is a

small price to pay to save a generation of children from the scourge of this terrible war.

I ask unanimous consent to include a transcript of the CBS news report on the girl and the hospital which I mentioned earlier.

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

[From the CBS Evening News, June 27, 1972]

**CRONKITE.** Three weeks ago, we showed you a pathetic photograph. It was taken after SVNese planes missed their targets and mistakenly dropped flaming napalm on civilians and their own soldiers.

The little girl in the center was one of those caught in the raid forty miles from Saigon.

She ripped off her burning clothes and with others from her village fled down the road in terror.

Bob Simon has a report tonight telling what has happened to that girl since that awful day.

**BOB SIMON.** Ten years old Samkin Toc (?) will never forget the day it rained fire on her village.

The day SVNese bombers mistakenly dropped napalm on a road where she was playing.

Toc will never forget the flames which would not go out even after her clothing was burned away.

The amazing thing is that she may live to remember it.

Some soldiers took Toc to the Saigon's children's hospital. A desperate place where there are more patients than beds and not enough doctors and nurses to provide anything but the most primitive care.

And Samkin Toc had critical third degree burns with serious complications.

Some newsmen found her there, saw that she was going to die, and discretely lobbied for her transfer to the center for plastic and reconstructive surgery.

Which is a very unique place in Saigon and where Toc is now convalescing.

The center is also called the Barskey (2) Unit because it was founded in 1967 by Dr. Arthur Barskey, one of America's most distinguished plastic surgeons.

It was built with AID funds and private donations. The center gives a priority to children and a special priority to war victims.

Before the offensive began, about twenty percent of the patients were direct war casualties.

This three year old girl was asleep when a communist rocket crashed through the roof of her house.

She still calls out for her mother who is dead.

This ten year old boy was tending water buffalo when something exploded. He doesn't know what it was but it killed his brother and his cousin.

He will stay in the Barskey unit many months. When he leaves he will have a new face.

Many of the children were burned in domestic fires and are not considered war casualties.

But in VN, it is difficult to find anything that is not in some way related to the war.

In VN, high octane jet fuel is sold on the black market and used for cooking which is one reason why there are so many domestic fires.

Toc's father stands by her bedside all day. He cries a good deal of the time, because he knows about VNese hospitals and is afraid his daughter will be forced to leave before she is completely well.

But that's not how it works at this place. Toc has already undergone one operation and faces several more.

Over the years, doctors from seventeen countries have volunteered their services here.

At one point, thirty-five members of the staff, doctors, nurses and technicians, were from the west.

But from the very start, the idea was to teach VNese to do the job. The training program has been successful but there are problems.

After the offensive began, two of the hospital's resident surgeons were recalled to the army.

There are only three western physicians left on the staff. The only surgeon is Dr. Arna Wintal (?) of Finland.

Do you think it will be possible to maintain these medical standards which are so incredibly above VNese medical standards?

Dr. WINTAL. I think it should be possible. But if we are leaving now, then I am afraid that it will gradually go down the hill.

It is even a question of economics. They don't have enough funds to operate this unit here.

The cases we get here are very badly neglected. If they were treated originally here, the result would be much better in a much shorter time.

This unit is just a drop in the sea, but it could do a great work training surgeons to go some other places in VN to teach.

SIMON. Less than ten days after her admission to the hospital, TOC sat up for the first time.

It was painful, it was promising. Watching TOC and her agony, it is difficult to speak the words, she is one of the lucky ones.

But the people who run this hospital will not even estimate how many children die every week because they cannot get to this place or because there is no room for them.

The motto Dr. Barsky chose for his hospital comes from the old testament.

Better to light a candle than curse the darkness.

The PRESIDING OFFICER. The question is on agreeing to the amendment (putting the question).

The amendment was agreed to.

Mr. SPARKMAN. Mr. President, has the amendment been accepted?

The PRESIDING OFFICER. The amendment has been agreed to without objection.

Mr. SPARKMAN. Mr. President, I move to reconsider the vote by which the amendment was adopted.

Mr. ROBERT C. BYRD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### AGNES RECOVERY ACT OF 1972— MESSAGE FROM THE PRESIDENT

The ACTING PRESIDENT pro tempore (Mr. ALLEN) laid before the Senate the following message from the President of the United States:

To the Congress of the United States:  
Tropical Storm Agnes has caused un-

paralleled destruction in many areas of the eastern United States. More than 128,000 homes and businesses have been damaged or destroyed, and whole communities have been dealt a heavy blow. The losses to so many individuals cannot be measured only in terms of destruction of property and belongings; they must also be counted in terms of loss of jobs, disruption of families, personal privation, and anxiety about the future. In the whole history of our Nation, we have not before encountered such massive destruction over so wide-spread an area as a result of natural disaster.

Individuals, private groups and governments have responded magnificently to this calamity in the finest tradition of neighbor helping neighbors. The stamina, the courage and the spirit to fight back and recover are already evident throughout the devastated areas. My statement of July 12, 1972 summarized these impressive efforts. I also pointed out at that time, however, that an unparalleled disaster requires extraordinary measures to help in recovery. I announced my intention to recommend to the Congress supplementary and massive measures aimed at short and long-term recovery. I herewith transmit those recommendations, and the proposed legislation to carry them out.

My proposals are in three parts. First, I propose the Agnes Recovery Act of 1972. This measure deals with disaster loans for homeowners, farmers and businessmen. Because of the unprecedented scope of the destruction, unprecedented measures to deal with it are required. Under the provisions of this proposal, disaster loans for Agnes victims would be changed from present law in the following ways:

- The maximum amount of principal which can be cancelled or forgiven would be increased from \$2,500 to \$5,000 on loans made by the Small Business Administration or the Farmers Home Administration.
- The forgiveness feature would be applicable to the first dollar of a loan rather than after the repayment of the first \$500 of principal as is now the case.
- The interest rate on the loans would be dropped to 1 percent instead of its current rate of 5½ percent.

This liberalized assistance to individual homeowners and small businessmen can mean the difference between recovery and bankruptcy or ruin. The situation is urgent. Individual people are now making decisions on whether to rebuild or not. While my proposal would apply retroactively to all victims of Agnes, it is important to them to know now the terms of assistance which will be available to them.

Therefore, I call on the Congress to respond to this emergency by acting on the Agnes Recovery Act so that it can become law within one week.

Second, I recommend supplemental appropriations totaling \$1,569,800,000 for this emergency, the largest single request of its kind in our history. The vast majority of these funds would be used for disaster loans, with \$1.3 billion for the

Small Business Administration and \$1.8 million for the Farmers Home Administration. The SBA funds would be used to provide loans for homeowners and small businessmen in disaster areas whose property has been damaged or destroyed. The FHA funds would provide sufficient personnel to process expeditiously loan requests in rural areas, for which adequate loan funds now exist. Also included in my supplemental request are:

- An additional \$200 million for the President's Disaster Relief Fund, to speed repair and reconstruction of public facilities and to provide temporary housing, food and unemployment compensation.
- \$40 million for the Economic Development Administration, \$16 million for the Appalachian Regional Commission and \$12 million for the Corps of Engineers, all to assist in the recovery of damaged communities.

The funds for the Corps of Engineers would go toward flood control projects in the Susquehanna River Basin.

Third, I recommend that the existing authorization for appropriations for highway emergency relief be increased by \$200 million. Current authority limits amounts to \$50 million per year, which is clearly not adequate to cope with a disaster of this magnitude.

I urge that the Congress also act promptly on these second and third proposals.

The Federal Government must act quickly and decisively to do its part in providing relief and aiding recovery in a cooperative effort with the States and communities struck by Agnes. We can do no less. I am confident that the Congress will share this view.

RICHARD NIXON.

THE WHITE HOUSE, July 17, 1972.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that a message received today from the President of the United States on disaster relief resulting from the tropical storm Agnes be referred jointly to the Committee on Public Works, the Committee on Banking, Housing and Urban Affairs, and the Committee on Agriculture and Forestry.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### ORDER OF BUSINESS

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that when the unfinished business, S. 3390, is laid aside today and the Chair lays before the Senate the so-called minimum wage bill, the unfinished business remain in a temporarily laid-aside status until the close of business today.

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

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SPARKMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.



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

#### FOREIGN ASSISTANCE ACT OF 1972

The Senate continued with the consideration of the bill (S. 3390) to amend the Foreign Assistance Act of 1961, and for other purposes.

Mr. HARRY F. BYRD, JR. Mr. President, if the Senator from Alabama will yield, I would like to get an understanding of the full cost of our foreign aid program.

Mr. SPARKMAN. Let me be clear. The Senator is asking for the cost of all of our foreign aid programs and not just the cost of this particular measure now under consideration.

Mr. HARRY F. BYRD, JR. The request for information does go beyond the text of this bill.

Mr. SPARKMAN. That is what I meant.

Mr. HARRY F. BYRD, JR. As best I can determine, the total figures are incorporated in the committee report. I am frank to say I do not have the full understanding of these figures and I want to try to more fully understand the total cost of our foreign assistance program.

To begin with, I note in the committee report that foreign assistance will be extended to 22 Latin American nations, to 16 Near East and South Asian nations, to 13 Coast Asian and Pacific nations to seven European nations, and to 38 African nations. If my understanding in that regard is accurate, it means that in the current fiscal year, fiscal year 1973, the United States will be extending military and/or economic aid to 96 different countries.

Mr. SPARKMAN. The Senator is correct.

Mr. HARRY F. BYRD, JR. I think there are 133 nations now that are members of the United Nations. I do not know why we have left out the others. We are taking care of the military and/or economic assistance to 96 nations. I do not propound that to the able and distinguished Senator from Alabama as a question. I wish to make an observation. I know that the Senator from Alabama in many respects agrees with my view on this matter: this is a lot of countries with which to be involved in connection with military and/or economic aid.

Now, to get to my question.

Mr. SPARKMAN. If the Senator will allow me to interject at this point, it must be remembered that these tables include countries which receive Public Law 480 assistance.

Mr. HARRY F. BYRD, JR. Yes.

Mr. SPARKMAN. In fact, I daresay that more countries receive this type of aid than any other.

Mr. HARRY F. BYRD, JR. The Public Law 480 total is, in round figures, \$1 billion.

Now, to get to the total cost of our foreign assistance program. Here again I am looking at table 4 of the committee report, and as I understand these figures, the total military and economic aid for fiscal year 1973 will be \$8.4 billion, and

that figure compare with the fiscal year 1972 figure of \$7.4 billion. I deduce from that, and I assume accurately, that the foreign assistance program for this fiscal year will be \$1 billion greater than it was for the past fiscal year.

Mr. SPARKMAN. I think that takes a little explanation, too. The larger figure that the Senator read of \$8.4 billion is the amount that has been requested by the President. The 1972 figure of \$7.4 billion does not reflect what the President requested. Rather it reflects what Congress appropriated.

While I do not have available now what the President requested last year, I am certain Congress appropriated less than the President requested, and I am quite sure that the same thing will be true this year. So actually it is not a true comparison to use one figure against the other because one is a request figure and the other is an appropriation figure, or what was done with the previous request.

Mr. HARRY F. BYRD, JR. The more accurate way to express it would be to say the amount requested for foreign military and/or economic assistance for fiscal year 1973 is \$1 billion more than was appropriated.

Mr. SPARKMAN. It is \$1 billion more than Congress appropriated last year. But we do not know what Congress is going to appropriate this year. But chances are we will have somewhat the same situation—that Congress will not appropriate as much as the President requested.

By the way, I may add that this is true—and it is something most people do not understand or accept—with reference to practically all appropriations. Congress very frequently appropriates less money than the President requests.

Mr. HARRY F. BYRD, JR. I think that the presidents—I use that word in the plural—requests have been too great, and I think that while Congress has reduced, in some cases, the requested appropriation of funds, Congress itself has gone too far in appropriating tax dollars. I think it has gone too far in regard to military and economic assistance to foreign nations. I seriously question whether, with the condition of the Federal Treasury today, with accumulated deficits, with smashing deficits, we should be appropriating somewhere around \$8 billion of tax funds to be sent to foreign nations.

I hope the Congress, as the able Senator from Alabama indicated a moment ago, will reduce the figures submitted by the administration. I think the figures are too high.

I personally am going to vote against the entire bill, but I think somewhere along the line we have got to start putting a brake on these great expenditures of public funds. This is one bill where the opportunity is before us to supply that brake. I hope substantial reductions will be made in these appropriations.

A moment ago there was mention of deficits. For the fiscal year ending 1970 the Federal funds deficit was \$30 billion. For the fiscal year that just ended, it ran over \$30 billion. I predict that for the current fiscal year the Federal funds deficit will exceed \$40 billion.

So the Government is running tremendous deficits. That is why I strongly question whether we should appropriate the vast sums of money we are appropriating, and have been appropriating, for foreign assistance programs.

Consider the extent of these programs. Ninety-six different countries are the recipients of U.S. aid, when that aid can only come from taxes from the pockets of the hardworking wage earners of this country, and also at a time when the Government is running unbelievably high deficits.

My main interest in discussing this matter today and in getting an analysis of the figures from the distinguished Senator from Alabama is to emphasize that the bill we are considering does not take into consideration all the foreign assistance programs the Federal Government has. Just as the able Senator from Alabama pointed out, the bill before us is of a smaller nature and a less inclusive nature than the total figures represent, but the total amount of funds appropriated last year was \$7.4 billion. The request this year is \$8.4 billion.

Even if the Congress cuts that amount by \$1 billion—and I think it should be cut by more than \$1 billion—it will still be more than \$7 billion in foreign aid for 1 year.

Of course, since World War II this country has given, in foreign aid, some \$120 billion to \$130 billion, plus about \$60 billion that has been paid in interest on that money, because all of that money has been borrowed. The Government has been running deficits almost every year, with very few exceptions, since World War II.

I thank the Senator from Alabama.

Mr. SPARKMAN. Mr. President, if the Senator will yield to me for just a moment, I would like to point out one other thing. Of course, the Senator realizes that the pending measure is only a part of the regular aid program over which this committee has jurisdiction. The economic aid program was authorized for 2 years last year, and does not come up this year. Of course, the tables the Senator has been reading from show all forms of aid.

Mr. HARRY F. BYRD, JR. Yes.

Mr. SPARKMAN. The President has requested \$8.4 billion in all forms of aid, as against what Congress allowed last year, after cutting the President's request by, I would guess offhand, about \$1 billion. But let me call attention to the fact that the bill before us, the one the Foreign Relations Committee reported, carried an original request of \$2.3 billion. The committee reported that bill out with a cut of \$550 million. In other words, the committee cut it 25 percent.

Mr. HARRY F. BYRD, JR. Good.

Mr. SPARKMAN. I believe if other committees would follow the example of the Foreign Relations Committee, we would come closer to getting what both the Senator from Virginia and I want, and that is a balanced budget.

Talking about unbalanced budgets, of course we have had a good many unbalanced budgets, but the Senator knows that during the last 2 fiscal years, and

for the present fiscal year, the President purposely planned large deficits under the concept of a full employment budget, the idea being that spending that money would put people to work, cut down unemployment, step up production, and help reduce inflation. We know that all of these problems have not been solved. Nevertheless, it was a planned budget deficit—with which I have never been able to agree, and I think it is only right that we should point out, in the case of this particular program the President has requested, that the committee cut it by 25 percent.

Mr. HARRY F. BYRD, JR. As one Senator, I am pleased that the committee did cut the request by 25 percent. I must say I do not agree with planned deficits, either. I think the huge deficits of the Federal Government are the major cause of the inflation we are having today. Until we are able to put the Government's financial house in order, I doubt very seriously if we will be able to get inflation under control. As a matter of fact, I am convinced it will be impossible until we do that.

In regard to the actual amounts appropriated for titles I and II—and I believe that is what the bill before us today deals with, titles I and II—in this particular bill, we are dealing with only two categories of the total program.

Mr. SPARKMAN. The Senator understands, of course, that the pending bill is devoted almost exclusively to military assistance and related programs.

Mr. HARRY F. BYRD, JR. Yes.

Mr. SPARKMAN. That is all this bill deals with.

Mr. HARRY F. BYRD, JR. Yes.

Mr. SPARKMAN. And as I said a few minutes ago, the regular economic aid part is operating on a 2-year authorization which was enacted into law last year. The Appropriations Committee alone deals this year with that portion of the Foreign Assistance Act.

Mr. HARRY F. BYRD, JR. Yes. The point I was going to suggest is that it is difficult to compare titles I and II of the authorization bill with titles I and II of the appropriation bill. The two do not cover, in each case, the same precise programs. That is why I was focusing attention, because it is so difficult to single out titles I and II in the authorization bill and compare that with titles I and II in the appropriation bill.

Mr. SPARKMAN. They are not the same.

Mr. HARRY F. BYRD, JR. That is correct. That is why I was focusing attention on the total amount rather than on the figures that appear in this particular bill. But in any case, the total amount for this past fiscal year, for all of the foreign military and/or economic assistance, totalled \$7.4 billion, and the request for fiscal 1973, our current fiscal year, is \$8.4 billion.

I shall certainly support the Appropriations Committee and the Committee on Foreign Relations in any endeavors that either committee might make to reduce this tremendous amount of foreign assistance. I think it is important that we do that at this particular time because

of the very bad financial condition of our Government.

I thank the able and distinguished Senator from Alabama.

Mr. SPARKMAN. May I make just one additional point? Of course, the Senator realizes, as I mentioned earlier, that other committees are involved. As a matter of fact, the Senator serves on the Armed Services Committee.

Mr. HARRY F. BYRD, JR. I have voted to reduce that, too.

Mr. SPARKMAN. The Armed Services Committee handles a good part of this. Military assistance to Vietnam and Laos, for example is handled by the Armed Services Committee, not by Foreign Relations.

Mr. HARRY F. BYRD, JR. That is correct. There are at least three committees involved. There are more than that, I guess, when you consider the Atomic Energy Committee.

Mr. SPARKMAN. Yes. Public Law 480 is handled by Agriculture.

Mr. HARRY F. BYRD, JR. There are a number of committees involved.

Mr. SPARKMAN. Of course, the Public Law 480 program, as the Senator knows, is one of the most popular programs we have ever had. It is not now handled by the committee but if I remember correctly, it originated a good many years ago as part of the regular foreign aid program. The Agriculture Committee has since assumed jurisdiction over it and has handled it for a good many years.

Although I am not absolutely clear on the details of the origin of Public Law 480 and the committee's role in it, I do know that this program enjoys immense popularity.

Mr. HARRY F. BYRD, JR. The Public Law 480 program is about 15 percent of the total that has been requested.

But regardless, before I forget it, I want to commend the committee for putting together this table 4 of the committee report, because it shows very graphically—and the Senator can correct me here, but this is the first time I recall that all of the countries have been put down side by side, one report indicating exactly where these vast sums of money are going, to which countries they are going.

As I mentioned earlier, there are 96 different countries involved, and I think it is certainly helpful, at least to this Senator and I would think to most Senators, to have this table which accompanies the committee report.

Mr. SPARKMAN. May I say that we prepared a similar table last year. That was the first year we pulled all of this information together. And of course the Senator knows that for a time the names of the countries, for some programs, at least, were not available for publication.

Mr. HARRY F. BYRD, JR. Yes.

Mr. SPARKMAN. But in the last two years we have been able to list practically all of them. Our committee thought it would be helpful, even though a casual glance at this table, if a person does not read it carefully, might have the impression that we are reporting out a bill here for \$7 billion or \$8 billion. Of course, that is not the case at all. What

we are doing with the table is putting together all of the various aid programs, whether they come to our committee or not, in order to give as complete a picture as possible.

Mr. HARRY F. BYRD, JR. I think the committee is rendering a service in that regard, in putting together the total program, because I think it is important that we keep in mind the total amounts of money that we are appropriating, and as I say, the total requested this year for foreign assistance will be \$8.4 billion, not the figure carried in the bill under consideration by the Senate today. That figure is much less, but the total figure being sought for foreign assistance is \$8.4 billion, as compared with the appropriation last year of \$7.4 billion.

Mr. SPARKMAN. And that includes all military assistance, as we mentioned a while ago.

Mr. HARRY F. BYRD, JR. Oh, yes, it includes that.

Mr. SPARKMAN. In addition, it includes Public Law 480, economic aid, Peace Corps, and all the others. They are all included in these tables.

I thank the Senator very much.

#### FAIR LABOR STANDARDS AMENDMENTS OF 1972

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending business be temporarily laid aside, and that the Senate proceed to the consideration of S. 1861, so that it may become temporarily the pending business before the Senate.

The PRESIDING OFFICER. The bill will be stated by title.

The assistant legislative clerk read as follows:

A bill (S. 1861) to amend the Fair Labor Standards Act of 1938, as amended, to extend its protection to additional employees, to raise the minimum wage to \$2.25 an hour, to provide for an 8-hour work day, and for other purposes.

The PRESIDING OFFICER. Without objection, the Senate will proceed to its immediate consideration.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Labor and Public Welfare with an amendment to strike out all after the enacting clause and insert:

That this act may be cited as the "Fair Labor Standards Amendments of 1972".

#### DEFINITIONS AND APPLICABILITY TO PUERTO RICO AND THE VIRGIN ISLANDS

SEC. 2. (a) Section 3(d) of the Fair Labor Standards Act of 1938, as amended, is amended to read as follows:

"(d) 'Employer' includes any person acting directly or indirectly in the interest of an employer in relation to an employee, including the United States and any State or political subdivision of a State, but shall not include any labor organization (other than when acting as an employer), or anyone acting in the capacity of officer or agent of such labor organization."

(b) Section 3(e) of such Act is amended to read as follows:

"(e) 'Employee' means any individual employed by an employer, including any individual employed in domestic service (other than a babysitter), and in the case of any individual employed by the United States



means any individual employed (1) as a civilian in the military departments as defined in section 102 of title 5, United States Code, (2) in executive agencies (other than the General Accounting Office) as defined in section 105 of title 5, United States Code (including employees who are paid from nonappropriated funds), (3) in the United States Postal Service and the Postal Rate Commission, (4) in those units of the government of the District of Columbia having positions in the competitive service, (5) in those units of the legislative and judicial branches of the Federal Government having positions in the competitive service, and (6) in the Library of Congress, and in the case of any individual employed by any State or a political subdivision of any State means any employee holding a position comparable to one of the positions enumerated for individuals employed by the United States, except that such term shall not, for the purposes of section 3(u) include any individual employed by an employer engaged in agriculture if such individual is the parent, spouse, child, or other member of the employer's immediate family."

(c) Section 3(h) of such Act is amended to read as follows:

"(h) 'Industry' means a trade, business, industry, or other activity, or branch or group thereof, in which individuals are gainfully employed."

(d) The last sentence of section 3(m) is amended to read as follows: "In determining the wage of a tipped employee, the amount paid such employee by his employer shall be deemed to be increased on account of tips by an amount determined by the employer, but not by an amount in excess of 40 per centum of the applicable minimum wage rate, except that the amount of the increase on account of tips determined by the employer may not exceed the value of tips actually received by the employee. The previous sentence shall not apply unless (1) the employer has informed each of his tipped employees of the provisions of this section, and (2) all tips received by any such employees have been retained by such tipped employees."

(e) (1) The first sentence of section 3(r) of such Act is amended by inserting after the word "whether", the words "public or private or conducted for profit or not for profit, or whether".

(2) The second sentence of such subsection is amended to read as follows: "For purposes of this subsection, the activities performed by any person or persons in connection with the activities of the Government of the United States or any State or political subdivision shall be deemed to be activities performed for a business purpose."

(f) (1) The first sentence of section 3(s) of such Act is amended (A) by inserting after the words "means an enterprise", the parenthetical clause "(whether public or private or operated for profit or not for profit and including activities of the Government of the United States or of any State or political subdivision of any State)", (B) by striking the word "employees" the first two times it appears in such sentence, and inserting in lieu thereof the words "any employee".

(2) Clause (1) of the first sentence of section 3(s) of such Act is amended to read as follows:

"(1) is an enterprise whose annual gross volume of sales made or business done is—  
"(A) not less than \$225,000 (exclusive of excise taxes at the retail level which are separately stated) during the first year from the effective date of the Fair Labor Standards Amendments of 1972;

"(B) not less than \$200,000 (exclusive of excise taxes at the retail level which are separately stated) during the second year from such date;

"(C) not less than \$175,000 (exclusive of excise taxes at the retail level which are separately stated) during the third year from such date;

"(D) not less than \$150,000 (exclusive of excise taxes at the retail level which are separately stated) thereafter;"

(3) The last sentence of section 3(s) of such Act is amended to read as follows: "Any establishment which has as its only regular employee the owner thereof or the parent, spouse, child, or other member of the immediate family of such owner shall not be considered to be an enterprise engaged in commerce or in the production of goods for commerce or a part of such an enterprise."

(g) Section 5 of such Act is amended by adding at the end thereof the following new subsection:

"(e) The provisions of this section and section 8 shall not apply with respect to the minimum wage rate of any employee in Puerto Rico or the Virgin Islands employed (1) by an establishment which is a hotel, motel, or restaurant, (2) by any other detail or service establishment if such employee is employed primarily in connection with the preparation or offering of food or beverages for human consumption, either on the premises, or by such services as catering, banquet, box lunch, or curb or counter service, to the public, to employees, or to members or guests of members of clubs, or (3) by any employer which is a State or a political subdivision of any State. The minimum wage rate of such an employee shall be determined in accordance with sections 6, 13, and 14 of this Act."

#### EMPLOYMENT OF ILLEGAL ALIENS

SEC. 3. Section 4 of the Fair Labor Standards Act of 1938 is amended by adding the following new subsections after subsection (e):

"(f) Any employer subject to this Act, including any person acting as an agent of such employer, who knowingly employs any alien who is in the United States in violation of law or in an immigration status in which such employment is not authorized, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding \$1,000 or by imprisonment not exceeding one year, or both, for each alien with respect to whom any violation of this subsection occurs.

"(g) Any contract subject to the Act of March 3, 1931 (40 U.S.C. 276a-276a-5, known as the Davis-Bacon Act), the Act of June 30, 1936 (41 U.S.C. 35-45, known as the Walsh-Healey Act), or the Service Contract Act of 1965 (41 U.S.C. 351-357) shall contain, in addition to the provisions required by such Act, a provision by which the contractor agrees not to knowingly employ in the performance of such contract any alien who is in the United States in violation of law or in an immigration status in which such employment is not authorized. Any violation of such contract provision will be subject to the penalties provided in such Act, as well as in this Act.

"(h) Neither the Secretary nor the Attorney General shall, by rule or regulation, grant any general exemption to, or waiver of, this program, with respect to any class of employers or employees."

#### MINIMUM WAGES

SEC. 4. (a) Section 6(a)(1) of the Fair Labor Standards Act of 1938, as amended, is amended to read as follows:

"(1) (A) not less than \$2.00 an hour during the first year from the effective date of the Fair Labor Standards Amendments of 1972, and

"(B) not less than \$2.20 an hour thereafter."

(b) Section 6(a)(5) of such Act is amended to read as follows:

"(5) if such employee is employed in agriculture, not less than \$1.60 an hour during the first year from the effective date of the

Fair Labor Standards Amendments of 1972, not less than \$1.80 an hour during the second year from such date, not less than \$2.00 an hour during the third year from such date, and not less than \$2.20 an hour thereafter."

(c) Section 6(b) of such Act is amended—  
(1) by inserting after the words "Fair Labor Standards Amendments of 1966," the words "or the Fair Labor Standards Amendments of 1972,";

(2) by striking out paragraphs (1) through (5) thereof and inserting in lieu thereof the following:

"(1) not less than \$1.80 an hour during the first year from the effective date of the Fair Labor Standards Amendments of 1972;

"(2) not less than \$2.00 an hour during the second year from such date; and

"(3) not less than \$2.20 an hour thereafter."

(d) (1) Section 6(c) is amended by striking out paragraphs (2), (3), and (4) and inserting in lieu thereof the following:

"(2) In the case of any such employee who is covered by such a wage order to whom the rate or rates prescribed by subsection (a) or (b) would otherwise apply the following rates shall apply:

"(A) During the first year from the effective date of the Fair Labor Standards Amendments of 1972, for any employee whose highest rate is less than \$0.80 an hour, such rate shall not be less than \$1.00 an hour.

"(B) During the first year from the effective date of the Fair Labor Standards Amendments of 1972, for any employee whose highest rate is \$0.80 an hour or more, such rate shall be the highest rate or rates in effect on or before such date under any wage order covering such employee, increased by \$0.20.

"(C) During the second year from the effective date of the Fair Labor Standards Amendments of 1972, and in each year thereafter, the highest rate or rates (including any increase prescribed by this paragraph) in effect on or before such date, under any wage order covering such employee, increased by \$0.20 in each such year.

"(D) Whenever the rates prescribed by subparagraph (C) would otherwise equal or exceed the rates prescribed in section 6(a), the provisions of such section shall apply thereafter.

"(3) (A) In the case of any such employee to whom this subsection was made applicable by the Fair Labor Standards Amendments of 1972, the Secretary shall, as soon as practicable after the date of enactment of such amendments, appoint a special industry committee in accordance with section 5. Such industry committee shall recommend a minimum wage rate of \$1.60, unless there is substantial documentary evidence, including pertinent unabridged profit and loss statements and balance sheets for a representative period of years, in the record which establishes that the industry, or a predominant portion thereof, is unable to pay that wage. In no event shall any industry committee recommend a minimum wage rate less than the rate prescribed in paragraph 2(A) of this subsection. Any rate recommended by the special industry committee within 60 days after the effective date of the Fair Labor Standards Amendments of 1972 shall be effective with respect to such employee upon the effective date of the wage order issued pursuant to such recommendation, but not before sixty days after the effective date of the Fair Labor Standards Amendments of 1972.

"(B) Upon the issuance of the wage order required by subparagraph (A) of this paragraph, the provisions of paragraph (2) shall apply.

"(4) In the case of any employee employed in agriculture who is covered by a wage order issued by the Secretary pursuant to the recommendations of a special industry committee appointed pursuant to section 5 and whose hourly wage is increased above the

wage rate prescribed by such wage order by a subsidy (or income supplement) paid, in whole or in part, by the government of Puerto Rico, the following rates shall apply:

"(A) The rate or rates applicable under the most recent such wage order issued by the Secretary, increased by (1) the amount by which such employee's hourly wage is increased above such rate or rates by the subsidy (or other income supplement), and (ii) \$0.20.

"(B) Beginning one year after the effective date of the Fair Labor Standards Amendments of 1972, the provisions of subparagraphs 2(C) and 2(D) of this subsection shall apply."

(2) Section 5 of such Act is amended by adding at the end thereof the following new subsection (f).

"(f) The provisions of this section and section 8 shall not operate to permit a wage order rate lower than that which would result under the provisions of section 6(c)."

(e) Section 6(e) is amended to read as follows:

"(e) Notwithstanding the provisions of section 13 of this Act (except subsections (a) (1) and (f) thereof), every employer providing any contract services under a contract with the United States or any subcontract thereunder shall pay to each of his employees whose rate of pay is not governed by the Service Contract Act of 1965 (41 U.S.C. 351-357) or to whom subsection (a) of this section is not applicable, wages at rates not less than the rates provided for in such subsection."

(f) Section 6 of such Act is amended by adding at the end thereof the following new subsection:

"(f) Every employer who in any workweek employs any employee in domestic service in a household shall pay such employee wages at a rate not less than the wage rate in effect under subsection (b) of this section, unless such employee's compensation for such service would not, as determined by the Secretary, constitute 'wages' under section 209 of the Social Security Act."

#### MAXIMUM HOURS

SEC. 5. (a) Section 7 of the Fair Labor Standards Act of 1938, as amended, is amended by striking out subsections (a), (c), and (d) and inserting in lieu thereof the following new subsection (a):

"(a) No employer shall employ any of his employees who in any workweek is engaged in commerce or in the production of goods for commerce, or is employed in an enterprise engaged in commerce or in the production of goods for commerce, for a workweek longer than forty hours, unless such employee receives compensation for his employment in excess of the hours above specified at a rate not less than one and one-half times the regular rate at which he is employed."

(b) (1) Subsections (e), (f), (g), (h), (i), and (j) of section 7 of such Act, are redesignated as subsections (c), (d), (e), (f), (g), and (h), respectively.

(2) Subsection (e) (as redesignated by paragraph (1)) of section 7 of such Act is amended by striking out "(e)" in the text of such subsection (e) and inserting in lieu thereof "(c)".

(3) Subsection (f) (as redesignated by paragraph (1)) of section 7 of such Act is amended by striking out "(e)" in the text of such subsection (f) and inserting in lieu thereof "(c)".

(c) Section 7 of such Act is amended by adding at the end thereof the following new subsections:

"(1) No State or political subdivision of a State shall be deemed to have violated subsection (a) with regard to any employee engaged in fire protection or law enforcement activities (including security personnel in correctional institutions) if, pursuant to an agreement or understanding arrived at be-

tween the employer and the employee before performance of the work, a work period of twenty-eight consecutive days is accepted in lieu of the workweek of seven consecutive days for purposes of overtime computation and if the employee receives compensation at a rate not less than one and one-half times the regular rate at which he is employed for his employment in excess of—

"(1) one hundred and ninety-two hours in each such twenty-eight day period during the first from the effective date of the Fair Labor Standards Amendments of 1972;

"(2) one hundred and eighty-four hours in each such twenty-eight day period during the second year from such date;

"(3) one hundred and seventy-six hours in each such twenty-eight day period during the third year from such date;

"(4) one hundred and sixty-eight hours in each such twenty-eight day period during the fourth year from such date;

"(5) one hundred and sixty hours in each such twenty-eight day period thereafter.

"(j) In the case of an employee of an employer engaged in the business of operating a street, suburban or interurban electric railway, or local trolley or motorbus carrier (regardless of whether or not such railway or carrier is public or private or operated for profit or not for profit) in determining the hours of employment of such an employee to which the rate prescribed by subsection (a) applies there shall be excluded the hours such employee was employed in charter activities by such employer if (1) the employee's employment in such activities was pursuant to an agreement or understanding with his employer arrived at before engaging in such employment, and (2) if employment in such activities is not part of such employee's regular employment.

#### PROOF OF AGE REQUIREMENT

SEC. 6. Section 12 of the Fair Labor Standards Act of 1938, as amended, is amended by adding at the end thereof the following new subsection:

"(d) In order to carry out the objectives of this section, the Secretary may by regulation require employers to obtain from any employee proof of age."

#### EXEMPTIONS

SEC. 7. (a) (1) Section 13(a) of the Fair Labor Standards Act of 1938, as amended, is amended by striking out "sections 6 and 7" and inserting in lieu thereof the following: "section 6 (other than section 6(d) in the case of paragraph (1) of this subsection) and section 7".

(2) Section 13(a)(1) of such Act is amended by striking out everything after the words "Administrative Procedure Act" and before "; or".

(3) Section 13(a)(2) of such Act is amended to read as follows:

"(2) any employee employed by any retail or service establishment (except an establishment or employee engaged in laundering, cleaning, or repairing clothing or fabrics or an establishment engaged in the operation of a hospital, institution, or school described in section 3(s)(4)), if more than 50 per centum of such establishment's annual dollar volume of sales of goods or services is made within the State in which the establishment is located, and such establishment is not in an enterprise described in section 3(s). A retail or service establishment means an establishment 75 per centum of whose annual dollar volume of sales of goods or services (or of both) is not for resale and is recognized as retail sales or services in the particular industry; or".

(4) Sections 13(a)(4), and 13(a)(11) of such Act, relating to employees employed by retail and service establishments, are hereby repealed.

(5) Section 13(a)(6) of such Act, relating to employees employed in agriculture, is amended (A) by striking out clause (C)

thereof, (B) by striking out in clause (D) thereof "(other than an employee described in clause (C) of this subsection)", and (C) by redesignating clauses (D) and (E) thereof as clauses (C) and (D), respectively.

(6) Section 13(a)(9) of such Act, relating to employees employed by motion picture theater establishments, is hereby repealed.

(7) Section 13(a)(13) of such Act, relating to employees of logging and sawmill operations, is hereby repealed.

(8) Section 13(a)(14) of such Act, relating to agricultural employees, engaged in the harvesting and processing of shade-grown tobacco, is hereby repealed.

(9) Sections 13(a)(5), 13(a)(6), 13(a)(7), 13(a)(8), 13(a)(10), and 13(a)(12), are redesignated as sections 13(a)(4), 13(a)(5), 13(a)(6), 13(a)(7), 13(a)(8), and 13(a)(9), respectively.

(10) Section 13(a)(9) (as redesignated by the preceding paragraph) is amended by striking out the semicolon and the word "or" and inserting in lieu thereof a period.

(b) (1) Section 13(b)(2) of such Act, relating to railroad and pipeline employees, is amended by inserting the words "engaged in the operation of a common carrier by rail and" following the word "employer".

(2) Section 13(b)(4) of such Act, relating to fish and seafood processing employees, is hereby repealed.

(3) (A) Effective sixty days after the date of enactment of the Fair Labor Standards Amendments of 1972, section 13(b)(7) of such Act, relating to employees of street, suburban or interurban electric railways, or local trolley or motorbus carriers, is amended by striking out "if the rates and services of such railway or carrier are subject to regulation by a State or local agency" and inserting in lieu thereof the following: "(regardless of whether or not such railway or carrier is public or private or operated for profit or not for profit), and if such employee receives compensation for employment in excess of forty-eight hours in any workweek at a rate not less than one and one-half times the regular rate at which he is employed".

(B) Effective one year after such date, such paragraph is amended by striking out "forty-eight hours" and inserting in lieu thereof "forty-four hours".

(C) Effective two years after such date, such paragraph is repealed.

(4) Section 13(b)(8) of such Act, relating to employees employed by hotels, motels, restaurants, or nursing homes, is amended to read as follows:

"(8) (A) any employee who is employed by an establishment which is a hotel, motel, or restaurant and receives compensation at a rate not less than one and one-half times the regular rate at which he is employed for his employment in excess of (1) forty-eight hours in any workweek during the first year from the effective date of the Fair Labor Standards Amendments of 1972, (ii) forty-six hours in any workweek thereafter; or (B) any employee who is employed by an establishment which is an institution (other than a hospital) primarily engaged in the care of the sick, the aged, or the mentally ill or defective who reside on the premises, and receives compensation at a rate not less than one and one-half times the regular rate at which he is employed for his employment in excess of (1) forty-eight hours in any workweek during the first year from the effective date of the Fair Labor Standards Amendments of 1972, (ii) forty-six hours in any workweek during the second year from the effective date of the Fair Labor Standards Amendments of 1972, and (iii) forty-four hours in any workweek thereafter."

(5) Section 13(b)(10) of such Act, relating to employees employed as salesmen, partmen, or mechanics by automobile, trailer, truck, farm implement, or aircraft dealers, is amended to read as follows:

"(10) any salesman, partman, or mechanic



primarily engaged in selling or servicing farm implements or any salesman primarily engaged in selling automobiles, trailers, or trucks if employed by a nonmanufacturing establishment primarily engaged in the business of selling such vehicles to ultimate purchasers;"

(6) Section 13(b)(15) of such Act is amended to read as follows:

"(15) any employee engaged in the processing of maple sap into sugar (other than refined sugar) or syrup; or"

(7) (A) Effective sixty days after the date of enactment of the Fair Labor Standards Amendments of 1972, section 13(b)(18) of such Act, relating to employees of catering establishments, is amended by inserting immediately before the semicolon the following: "and if such employee receives compensation for employment in excess of forty-eight hours" and inserting in lieu thereof less than one and one-half times the regular rate at which he is employed."

(B) Effective one year after such date such paragraph is amended by striking out "forty-eight hours" and inserting in lieu thereof "forty-four hours".

(C) Effective two years after such date such paragraph is repealed.

(8) (A) Effective one year after the effective date of the Fair Labor Standards Amendments of 1972, section 13(b)(19) of such Act, relating to employees of bowling establishments, is amended by striking out "forty-eight hours" and inserting in lieu thereof "forty-four hours".

(B) Effective one year after such date such paragraph is repealed.

(9) Sections 13(b)(5), 13(b)(6), 13(b)(7), 13(b)(8), 13(b)(9), 13(b)(10), 13(b)(11), 13(b)(12), 13(b)(13), 13(b)(14), 13(b)(15), 13(b)(16), 13(b)(17), 13(b)(18), and 13(b)(19), are redesignated as sections 13(b)(4), 13(b)(5), 13(b)(6), 13(b)(7), 13(b)(8), 13(b)(9), 13(b)(10), 13(b)(11), 13(b)(12), 13(b)(13), 13(b)(14), 13(b)(15), 13(b)(16), 13(b)(17), and 13(b)(18), respectively.

(10) Section 13(b)(18) (as redesignated by the preceding paragraph) is amended by striking out the period and inserting in lieu thereof a semicolon and the word "or".

(11) Section 13(b) of such Act is amended by adding at the end thereof the following new paragraphs:

"(19) any employee who in any workweek is employed in domestic service in a household; or

"(20) any employee employed in planting or tending trees, cruising, surveying, or felling timber, or in preparing or transporting logs or other forestry products to the mill, processing plant, railroad, or other transportation terminal, if the number of employees employed by his employer in such forestry or lumbering operation does not exceed eight; or

"(21) any employee employed by an owner of an apartment building or by a management agent on behalf of the owner: *Provided*, That (A) such employee resides in that apartment building and (B) the gross annual rentals of such building are less than the annual gross volume of sales for an enterprise specified in section 3(s) of this Act; or

"(22) any employee who is employed with his spouse by a nonprofit educational institution to serve as the parents of children—

"(A) who are orphans or one of those natural parents is deceased, and

"(B) who are enrolled in such institution and reside in residential facilities of the institution.

While such children are in residence at such institution, if such employee and his spouse resides in such facilities, receive, without cost, board and lodging from such institution, and are together compensated, on a cash basis, at an annual rate of not less than \$10,000; or

"(23) any employee of an employer primarily engaged in the wholesale business of

drycleaning clothing or fabrics who customarily works irregular hours in performing pickup or delivery services directly for establishments offering drycleaning services to the public, and if more than one-half of his or her annual compensation represents commissions based on the performance of such services."

(c) Section 13(c)(1) of such Act is amended to read as follows:

"(c)(1) Except as provided in paragraph (2) the provisions of section 12 relating to child labor shall not apply to any employee employed in agriculture outside of school hours for the school district where such employee is living while he is so employed, if such employee—

"(A) is employed by his parent, or by a person standing in the place of his parent, on a farm owned or operated by such parent or person, or

"(B) is fourteen years of age or older, or

"(C) is twelve years of age or older, and (1) such employment is with the written consent of his parent or person standing in place of his parent, or (2) his parent or person standing in place of his parent is employed on the same farm."

(d) Section 13(d) is amended to read as follows:

"(d)(1)(A) The provisions of sections 6, 7, and 12 shall not apply with respect to any employee engaged in the delivery of newspapers to the consumers, and (B) the provisions of section 12 shall not apply with respect to any such employee when engaged in the delivery to households or consumers of shopping news (including shopping guides, handbills, or other type of advertising material) published by any weekly, semiweekly, or daily newspaper.

"(2) The provisions of sections 6, 7, and 12 shall not apply with respect to any homemaker engaged in the making of wreaths composed principally of natural holly, pine, cedar, or other evergreens (including the harvesting of the evergreens or other forest products used in making such wreaths)".

LEARNERS, APPRENTICES, STUDENTS, AND HANDICAPPED WORKERS

SEC. 8. Section 14(b) of the Fair Labor Standards Act of 1938, as amended, is amended (1) by inserting following the word "establishments" each time it appears, the words "or educational institutions" and by inserting following the word "establishment" each time it appears, the words "or an educational institution", (2) by inserting following the words "Fair Labor Standards Amendments of 1966," the words "and the Fair Labor Standards Amendments of 1972", and (3) by inserting, following the words "prior to such", the word "applicable".

#### PENALTIES

SEC. 9. The first two sentences of section 16(c) of the Fair Labor Standards Act of 1938, as amended, are amended to read as follows:

"The Secretary is authorized to supervise the payment of the unpaid minimum wages or the unpaid overtime compensation owing to any employee or employees under section 6 or 7 of this Act, and the agreement of any employee to accept such payment shall upon payment in full constitute a waiver by such employee of any right he may have under subsection (b) of this section to such unpaid minimum wages or unpaid overtime compensation and an additional equal amount as liquidated damages. The Secretary may bring an action in any court of competent jurisdiction to recover the amount of the unpaid minimum wages or overtime compensation and an equal amount as liquidated damages."

#### CIVIL PENALTY FOR CERTAIN CHILD LABOR VIOLATIONS

SEC. 10. Section 16 of the Fair Labor Standards Act of 1938, as amended, is amend-

ed by adding at the end thereof the following new subsection:

"(e) Any person who violates the provisions of section 12, relating to child labor, or any regulation issued under that section, shall be subject to a civil penalty of not to exceed \$1,000 for each such violation. Any such civil penalty may be compromised by the Secretary. In determining the amount of such penalty, or the amount agreed upon in compromise, the appropriateness of such penalty to the size of the business of the person charged and the gravity of the violation shall be considered. The amount of such penalty, when finally determined, or the amount agreed upon in compromise, may be deducted from any sums owing by the United States to the person charged."

#### RELATION TO OTHER LAWS

SEC. 11. Section 18(b) of the Fair Labor Standards Act of 1938, as amended, is amended (1) by striking out "6(a)(1)" and inserting in lieu thereof "6(a)", and (2) by striking out "7(a)(1)" and inserting in lieu thereof "7(a)".

#### CONFORMING AMENDMENTS TO OTHER LAWS

SEC. 12. Section 12(a)(2) of the Emergency Employment Act of 1971 (42 U.S.C. (4871) is amended by striking out "section 6(a)(1)" and inserting in lieu thereof "section 6".

#### NONDISCRIMINATION ON ACCOUNT OF AGE IN GOVERNMENT EMPLOYMENT

SEC. 13. (a)(1) The second sentence of section 11(b) of the Age Discrimination in Employment Act of 1967 is amended to read as follows: "The term also means (1) any agent of such a person, and (2) a State or political subdivision of a State and any agency or instrumentality of a State or a political subdivision of a State, but such term does not include the United States, or a corporation wholly owned by the Government of the United States."

(2) Section 11(c) of such Act is amended by striking out "or any agency of a State or political subdivision of a State, except that such terms shall include the United States Employment Service and the systems of State and local employment services receiving Federal assistance."

(b)(1) The Age Discrimination in Employment Act of 1967 is amended by redesignating sections 15 and 16, and all references thereto, as section 16 and section 17, respectively.

(2) The Age Discrimination in Employment Act of 1967 is further amended by adding immediately after section 14 the following new section:

#### "NONDISCRIMINATION ON ACCOUNT OF AGE IN FEDERAL GOVERNMENT EMPLOYMENT"

"Sec. 15. (a) All personnel actions affecting employees or applicants for employment (except with regard to aliens employed outside the limits of the United States) in military departments as defined in section 102 of title 5, United States Code, in executive agencies (other than the General Accounting Office) as defined in section 105 of title 5, United States Code (including employees and applicants for employment who are paid from nonappropriated funds), in the United States Postal Service and the Postal Rate Commission, of the Government of the District of Columbia having positions in the competitive service, and in those units of the legislative and judicial branches of the Federal Government having positions in the competitive service, and in the Library of Congress shall be made free from any discrimination based on age.

"(b) Except as otherwise provided in this subsection, the Civil Service Commission is authorized to enforce the provisions of subsection (a) through appropriate remedies, including reinstatement or hiring of employees with or without backpay, as will effectuate the policies of this section. The Civil Service Commission shall issue such

rules, regulations, orders, and instructions as it deems necessary and appropriate to carry out its responsibilities under this section. The Civil Service Commission shall—

"(1) be responsible for the review and evaluation of the operation of all agency programs designed to carry out the policy of this section, periodically obtaining and publishing (on at least a semiannual basis) progress reports from each such department, agency, or unit; and

"(2) consult with and solicit the recommendations of interested individuals, groups, and organizations relating to nondiscrimination in employment on account of age. The head of each such department, agency, or unit shall comply with such rules, regulations, orders, and instructions which shall include a provision that an employee or applicant for employment shall be notified of any final action taken or any complaint of discrimination filed by him thereunder. Reasonable exemptions to the provisions of this section may be established by the Commission but only when the Commission has established a maximum age requirement on the basis of a determination that age is a bona fide occupational qualification necessary to the performance of the duties of the position. With respect to employment in the Library of Congress, authorities granted in this subsection to the Civil Service Commission shall be exercised by the Librarian of Congress.

"(c) Any persons aggrieved may bring a civil action in any court of competent jurisdiction for such legal or equitable relief as will effectuate the purposes of this Act.

"(d) When the individual has not filed a complaint concerning age discrimination with the Commission, no civil action may be commenced by any individual under this section until the individual has given the Commission not less than thirty days' notice of an intent to file such action. Such notice shall be filed within one hundred and eighty days after the alleged unlawful practice occurred. Upon receiving a notice of intent to sue, the Commission shall promptly notify all persons named therein as prospective defendants in the action and take any appropriate action to assure the elimination of any unlawful practice.

"(e) Nothing contained in this section shall relieve any Government agency or official of the responsibility to assure nondiscrimination on account of age in employment as required under any provision of Federal law."

#### EFFECTIVE DATE

SEC. 14. This Act shall become effective upon the expiration of sixty days after the date of its enactment.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. MANSFIELD. Mr. President, will the distinguished chairman of the committee, the manager of the bill, yield briefly?

Mr. WILLIAMS. I yield.

ORDER FOR THE SENATE TO MEET AT 10 A.M. ON SATURDAY, JULY 22, 1972

Mr. MANSFIELD. Mr. President, in view of the extremely heavy schedule which confronts the Senate for the next

5 weeks, I ask unanimous consent that, in addition to meeting at 10 a.m. on Tuesday, Wednesday, Thursday, and Friday, the Senate meet at 10 a.m. on Saturday next.

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

#### FAIR LABOR STANDARDS AMENDMENTS OF 1972

The Senate continued with the consideration of the bill (S. 1861) to amend the Fair Labor Standards Act of 1938, as amended, to extend its protection to additional employees, to raise the minimum wage to \$2.25 an hour, to provide for an 8-hour workday, and for other purposes.

#### PRIVILEGE OF THE FLOOR

Mr. WILLIAMS. Mr. President, I ask unanimous consent that during the consideration of S. 1861, the following staff members of the Committee on Labor and Public Welfare be entitled to the privilege of the floor: Gerald Feder, Laurence Beck, Eugene Mittleman, Martin Klein, and Charles Woodruff.

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

Mr. WILLIAMS. Mr. President, today the Senate begins consideration of S. 1861, a bill to raise the minimum wage and extend the coverage of the Fair Labor Standards Act of 1938 to an additional 8.4 million employees.

The focus for our legislative concern during these deliberations is the working poor of America.

For the most part, this legislation does not affect those workers to whom organization and skills have brought a fair share of the fruits of our society.

Rather, it is designed to benefit that segment of our working population that is, for the most part, unorganized, less skilled, and toiling in poverty.

The purpose of this bill, as amended by the committee, is to incorporate into the Fair Labor Standards Act a sufficient breadth of coverage and a minimum wage level which will bring the act closer than at any time in its 33-year history to meeting its basic, stated objective—the elimination of "labor conditions detrimental to the maintenance of the minimum standard of living necessary for the health, efficiency and general well-being of workers."

The bill seeks to achieve this purpose by extending the law beyond the 45.4 million currently covered employees to 8.4 million additional workers employed in retail and service industries, Federal, State, and local government activities, on farms and as domestics in private homes; and, by increasing the minimum wage in steps to \$2.20 an hour.

The present minimum wage of \$1.60 an hour for nonfarm employment and \$1.30 for farmworkers was set by the Congress in 1966.

At that time it was heralded as a wage rate which would move the working poor above the poverty threshold.

However, economic developments in the last several years have drastically curtailed the purchasing power of the minimum wage.

Between 1966, when Congress increased the Federal minimum wage from

\$1.25 to \$1.60 an hour, and April 1972, the consumer price index rose 27 percent.

Between February 1, 1968, the date the \$1.60 rate actually became effective for most workers, and last month, the consumer price index rose 21.4 percent.

It is clear that a substantial increase in the minimum wage is necessary merely to restore the purchasing power of low-wage workers to the levels established by Congress in 1966.

We are dealing, in this legislation, with working men and women who have seen the cost of living rise dramatically at a time when their wages are settled by law.

That law has not been reviewed in almost 6 years.

During those years millions of workers mired at the minimum rate have been without even the cost of living relief frequently found in negotiated contracts and in the salary increases voted by Congress for Federal workers.

It is now time for Congress once again to fulfill its responsibility as the bargaining agent for the Nation's low-wage workers and to ensure that these hard-working Americans rise out of the depths of poverty.

Who are these workers?

They are millions of men and women, many of whom support their families on \$64 a week.

Even at \$2.20 an hour, it comes to less than \$400 a month and \$4,400 a year.

The present bill is an attempt to ensure that millions of low-wage workers throughout the Nation—workers whom this act is specifically designed to protect—will regain the ground they have lost because of the inflation which we have experienced in recent years.

Congress has previously recognized in the Economic Stabilization Act Amendments of 1971 that these low-wage workers should not be subject to the wage controls currently applicable to other workers:

The Cost of Living Council, in an attempt to codify this policy, decontrolled all wages below \$1.90.

I might add that the 5.5 percent raise allowed under wage guidelines for other workers would permit a minimum rate immediately of a little over \$2 an hour.

Mr. President, for the record I note the recent court decision holding that the \$1.90 level set by the Cost of Living Council is not consistent with congressional intent in excluding the working poor from economic controls. While I agree with this judgment, I am merely noting that even using the Council's figures would not lead to a conflict with the provisions of the committee bill.

I believe that the Congress in passing the Economic Stabilization Amendments of 1971 and the Cost of Living Council in implementing these amendments have recognized that a successful anti-inflation program does not depend on keeping the income of millions of American workers below officially established poverty levels.

To the contrary, by raising the minimum wage rate, extending minimum wage protection to millions of low-wage workers who do not currently enjoy such



protection, and by eliminating overtime exemptions where they have been shown to be unwarranted, the economy will be stimulated through the injection of additional consumer spending and the creation of a substantial number of additional jobs.

To those who foresee dire economic consequences resulting from an increased minimum wage and expanded coverage, I commend to you the lessons of history.

Each time Congress has considered minimum-wage increases and expansions of coverage under the law, opponents of such action have raised the specter of economic doom.

Congress was warned on each of those occasions that the legislation would cause spiraling inflation and increased unemployment.

Yet, a close examination of the economic data shatters this illusion of doom. The simple fact is that the prophecies have proven false.

Every "economic effects" study by the Department of Labor, under both Democratic and Republican administrations, demonstrates this fact.

In the words of the most recent report by Secretary Hodgson:

On balance, the wage increases granted to 1.6 million workers to meet the \$1.60 minimum wage standard had no discernible adverse effect on overall employment levels, and relatively little impact on overall wage or price trends.

Minimum wage increases simply do not result in increased unemployment.

On the contrary, as shown on the chart at page 8 of the committee report, subsequent to the 1949, 1961, and 1967-68 minimum-wage increases, unemployment actually decreased, and in the case of the 1956 minimum-wage increase, unemployment remained stable.

I have every reason to believe that our economy will adjust with similar ease to the provisions of S. 1861.

Perhaps in a few weeks, the Senate will be considering welfare reform.

Without analyzing the merits of specific proposals, it is elementary to me that reduction of welfare costs can only come about when all who are working and all who seek work receive a living wage, a wage that realistically reflects the cost of living and the value of a person's labor.

The present minimum wage of \$1.60 yields to a full-time working head of a family of four only \$3,200 per year, almost \$800 less than the poverty level and levels that working-poor family eligible for welfare.

In addition, millions of workers are outside the scope of the act and many are earning even less than \$3,200 per year.

Thus, the standards incorporated in the present law both in terms of scope of coverage and the level of the minimum wage now fall far short of insuring that every person in this country who works full time, year-round will be able to provide his or her family with the basic necessities of life without reliance upon welfare.

I ask all of my colleagues to consider whether a job paying less than poverty wages is much of an incentive to work.

It seems to me that obviously it is not.

I am persuaded that only a reasonable minimum wage, in keeping with the continued rise in the cost of living, can end the welfare cycle.

I believe that an individual, working fulltime ought not to be forced to rely on welfare to provide an above-poverty level existence for his or her family.

Under the provisions of H.R. 1, as passed by the other body and urged upon us by the administration, a minimum wage of \$2.08 is necessary for a full-time working head of a family of four to earn enough to escape eligibility for public assistance, and the indignity that accompanies such eligibility.

In approving an ultimate-stage increase of \$2.20, the committee acted to make the sight of a full-time worker on welfare a thing of the past.

Of equal importance, the practice of governmental subsidization of wages through welfare payments to the working poor will be at an end, at a tremendous saving to the taxpayers and with a significant boost to the morale and the dignity of the working poor of this country.

In my view, it is unwise to talk of welfare reform until we have adopted a measure which will ensure a living wage for a broad spectrum of low-wage workers.

For the worker, it is unnecessarily demeaning to be on the public dole while working full time.

For the taxpayers of this country, it is unnecessarily costly to subsidize the wages of working people in this way.

Let those who benefit from productive labor pay a fair price for it.

S. 1861 takes a major step in this direction.

Anything less is insufficient to meet the need.

For the man or woman who works, let there be a decent minimum wage.

For those who cannot, let us develop a meaningful public assistance program.

But let us not establish a below-poverty minimum wage and then accuse the working poor of being welfare cheaters.

Two further factors support the approach taken in S. 1861.

American workers have traditionally shared, through increased wages and fringe benefits, in rising productivity.

Between 1966 and 1972, productivity rose 10 percent and experts from the Government and the business community have projected an average yearly increase of about 3 percent for the decade that lies ahead.

The committee believes that low-wage workers should share in the benefits of increased productivity, just as other workers do, and has therefore taken this into account in establishing the \$2.20 ultimate rate in the bill.

Moreover, the minimum wage rate enacted by Congress has traditionally reflected not only increases in the cost of living and increases in productivity, but has also reflected increases in the standard of living enjoyed by most Americans.

In 1968 the ratio of the minimum wage rate to the average manufacturing rate was 55 percent.

Based on the present average manufacturing wage of \$3.77 an hour, maintenance of that ratio would justify an immediate increase in the present minimum wage rate to \$2.07.

I might also note that average hourly earnings have increased for all American workers by 34 percent since the last minimum wage increase, again, arguing for an increase of the size called for by S. 1861.

Beyond the statistical and practical aspects of S. 1861, there are the equally important moral factors that cannot be overlooked by the Senate.

In this country of plenty, there are still people living in poverty.

On January 20, 1937, President Roosevelt, in his second inaugural address, said:

I see one-third of a Nation ill-housed, ill-clad, ill-nourished \* \* \* the test of our progress is not whether we add more to the abundance of those who have much; it is whether we provide enough for those who have too little.

Since that time we have made substantial progress in eliminating poverty in America.

But we have not done nearly enough.

Today 26 million Americans—13 percent of our population—are living in poverty.

Indeed, the number of people living in poverty increased between 1969 and 1970, the first such increase since these kinds of records have been kept.

And, Mr. President, just last week the Census Bureau reported another slight increase for 1971.

These are totally unacceptable figures for a country with the wealth and bounty of ours.

S. 1861 is an attempt to address this problem through the dignity of the work ethic upon which Americans have traditionally placed a high value.

This bill embodies that tradition.

Passage will represent a congressional determination that all who are willing and able to work should be governed by certain minimum standards, the very least of which ought to be a living wage.

If S. 1861 fails, Congress will have turned its back on the millions of working Americans living in poverty.

We will be saying that their poverty is their problem, rather than the problem of the Nation as a whole.

We will be saying that there is no appropriate minimum value that can be placed on a man's labor.

If we do this, we are, in effect, saying that our traditional work ethic has little or no value.

If this is so, our working poor are left with a hand-to-mouth existence supported primarily by public assistance.

I, for one, cannot accept this grim reality for our future.

S. 1861 was introduced over a year ago and has undergone extensive hearings and careful consideration by the Labor Subcommittee and the full Labor and Public Welfare Committee.

The reporting of S. 1861 was endorsed by a 14 to 3 vote, receiving bipartisan support.

It is a chance for America to redeem a measure of its vision.

I commend it to the Senate in the fervent hope that we can restore a measure of dignity to the working poor of this Nation.

Mr. President, I think it would be helpful for Members of the Senate to have a more complete description of the pending bill.

S. 1861 provides for a wide range of amendments to the Fair Labor Standards Act of 1938. Included are a raise in the minimum rate, expansion of coverage to an additional 8.4 million workers, and various child labor provisions.

The bill provides for a statutory minimum wage of \$2.20 an hour for all covered workers but establishes different time schedules for achieving this standard for various categories of employment, to insure ease of adjustment. Fundamental to the committee's deliberations was the notion of parity—that all workers should be treated alike for purposes of minimum wage. However, mindful of the historical development of the Fair Labor Standards Act and in line with the need to mitigate the initial impact of expanded coverage, the committee provided for staged increases in the minimum wage depending upon when specific workers were first brought under the act. All mainland nonfarm workers covered prior to 1966 will attain a \$2.20 minimum wage 1 year after enactment. An additional step is provided for nonfarm workers newly covered under the 1966 and 1972 amendments. They will reach parity with other workers at the \$2.20 rate 2 years after enactment. Farmworkers will achieve parity at the \$2.20 rate 4 years following enactment. In addition, special provision is made for achieving minimum wage parity for workers in Puerto Rico and the Virgin Islands.

On the effective date—60 days after enactment—the bill requires that—a. employees in activities covered prior to the 1966 amendments—and Federal Government employees covered by the 1966 amendments, other than employees of the Canal Zone—will be paid at least \$2 an hour, b. nonfarm employees in activities covered by the 1966 and the 1972 amendments will be paid \$1.80 an hour—including Federal Government employees in the Canal Zone—and c. farmworkers will be paid at least \$1.60 an hour.

The implementation of the first stage of the proposed 1972 amendments will mean that 6.1 million workers, or less than 12 percent of the almost 54 million covered workers—including workers covered for the first time by the 1972 amendments—are to receive wage increases on the effective date. The annual wage bill will be increased by only 0.8 of 1 percent—or \$2.8 billion—in order to comply with the statute.

One year from the effective date, the bill requires that a. employees in pre-1966 coverage activities and employees of the Federal Government—other than Canal Zone employees—will be paid at least \$2.20 an hour, b. employees covered by the 1966 and 1972 amendments—except farmworkers—will be paid at least \$2 an hour, and c. farmworkers will be paid at least \$1.80 an hour.

The second stage of the proposed 1972 amendments will mean wage increases

for about 8.4 million workers and will require an increase in the annual wage bill of only .7 of 1 percent—or \$2.4 billion—1 year after the effective date.

Two years from the effective date, the bill requires that the statutory minimum wage of \$2.20 an hour apply to all employees—except farmworkers—covered by the act including employees in 1966 and 1972 coverage activities. Farmworkers are required to be paid at least \$2 an hour.

This stage of the proposed 1972 amendments will require wage increases for more than 5.6 million workers and an increase in the annual wage bill of .5 of 1 percent—or \$1.8 billion.

Three years from the effective date the bill requires that a minimum wage of \$2.20 apply to farmworkers.

This stage will require increases for approximately 400,000 workers and an annual wage bill increase of .04 of 1 percent.

With regard to overtime, S. 1861 makes no change in the basic overtime provisions of the act. The FLSA requires time-and-a-half the regular rate of pay for all hours worked over 40 in any workweek.

A major feature of S. 1861 is the expansion of coverage of the FLSA to an additional 8.4 million workers. The law currently covers 45.4 million employees. The bill would expand this by covering domestics for the first time and further covering government employees, and employees of retail and service establishments. In order to ensure ease of adjustments to new coverage, S. 1861 contains provisions designed to meet genuine problems that such expanded coverage could entail. For example, coverage of police and firemen for overtime purposes is stretched out over a 5-year period and domestics are entirely exempt from the overtime provisions of the act.

The present law contains a series of exemptions from the minimum wage and overtime provisions. S. 1861 repeals two of these exemptions—for movie theater employees and shade grown tobacco employees—and changes the logging exemption to only an overtime exemption.

The present law also contains a series of overtime exemptions. S. 1861 repeals some outright—for agricultural processing, seafood processing, oil pipeline employees, cotton ginning employees, employees in sugar cane or sugar beet processing, partsmen and mechanics in auto, truck, and trailer dealerships, and all employees in aircraft dealerships. In addition, catering, bowling and local transit employee exemptions are repealed in stages, and new overtime limits are set for employees of hotels, motels, restaurants, and nursing homes.

S. 1861 provides overtime exemptions for domestics, resident employees in small apartment buildings, houseparents of orphans in certain private nonprofit educational institutions, and driver-salesmen in dry cleaning establishments who earn more than half their salary in commissions.

The present law covers approximately half of the agricultural employees in this country for the minimum wage, but all of these workers are on only 3 percent

of the Nation's farms, those employing more than 500 man-days of labor during the peak quarter.

The committee bill retains the basic provisions of the act with respect to agriculture, including the 500 man-day test for purposes of determining which farms are covered under the minimum wage provisions of the act. It also retains the overtime exemption for agricultural workers in section 13(b)(12). However, the bill redefines a man-day of hired labor to include local seasonal hand harvest labor and extends minimum wage protection to such labor. These provisions will increase coverage by about 75,000 to 150,000 farmworkers or about 7 to 10 percent. Over 90 percent of the Nation's farms will remain uncovered. The small family farm remains exempt.

I think that should be underscored. There was some uncertainty on the part of many Members in this body. While there are numerous small farms, they are not covered at all. There is a total exemption for both minimum wage and overtime work.

One element of the committee bill that bears special attention is the strengthening of the FLSA's child labor provisions. The bill prohibits labor in agriculture by children under 12, except on farms owned or operated by their parents. Children 12 and 13 may only work on farms with their parents' consent. In addition, S. 1861 provides for a civil penalty for any violation of the child labor provisions of the FLSA and authorizes the Secretary of Labor to issue regulations requiring employers to obtain proof of age from any employee possibly working in violation of the child labor laws.

These are the major provisions of the committee bill. However, a variety of other aspects of the bill bear noting.

S. 1861 provides for ultimate minimum wage parity for the workers of Puerto Rico and the Virgin Islands through a phasing process taking up to 7 years. Canal Zone employees, already covered, were staged in at \$1.80 the first year, \$2 the second year and \$2.20 thereafter. Provision is made to apply the equal pay provisions of the FLSA to executive, administrative or professional employees, and outside salesmen. The tip credit for employers of tipped employees was retained by the committee, but lowered to 40 percent. A child labor exemption was provided for newsboys delivering advertising material published by the newspaper, by which they are employed, in order to equalize treatment among various types of newspapers. Also, the students certificate program was expanded to make students employed by educational institutions eligible for the same types of certificates currently available to retail and service establishments.

In the area of enforcement, S. 1861 allows the Secretary of Labor to bring suit to recover unpaid minimum wage or overtime compensation and an equal amount of liquidated damages without the current requirements of a written request by the employee and that the suit involve only issues finally settled by the courts.



Finally, S. 1861 seeks to deal with two special problems—employment of illegal aliens and age discrimination in government. With regard to illegals, the committee bill provides for a criminal penalty for employers who knowingly hire aliens in violation of immigration laws. S. 1861 also contains an amendment to extend coverage of the Age Discrimination in Employment Act of 1967 to Federal, State, and local government employees.

The provisions of S. 1861, as reported, are the product of over a year's work by the committee. Long and careful study has gone into this piece of legislation.

The Subcommittee on Labor began public hearings on bills to amend the Fair Labor Standards Act of 1938 on May 26, 1971. Hearings continued throughout last summer for 17 days, concluding on September 30, 1971. Testimony was received from over 100 witnesses, including Secretary of Labor James D. Hodgson and other witnesses from Government, labor, industry, and other interested groups. In addition, several hundred statements, letters, and additional pieces of written information were submitted and included in the official hearing record. The committee also had before it the hearings on the bill reported out by the House Committee on Education and Labor together with that committee's report dated November 17, 1971. In the later stages of the committee's deliberations, the committee was able to consider S. 1861 in light of the House debates and with knowledge of the provisions in the House minimum wage bill, H.R. 7130, which was passed by the House on May 11, 1972.

On April 11, 1972, the subcommittee concluded 5 days of consideration of S. 1861 in executive session and reported the bill to the full committee. After 90 days of executive sessions, the Committee on Labor and Public Welfare ordered the bill reported to the Senate floor on May 24, 1972.

It is now time for the Senate to act favorably on S. 1861. The low wage workers of this country have watched and waited as the legislative process worked its will upon their financial future. We must now affirm their faith in that process by proceeding to approve the provisions of S. 1861, hopefully as reported, in order to insure that working Americans are accorded the dignity of a living wage.

Mr. President, there is another provision of the bill that affects retail and service employees that should be further explained at this point. Under the present law there is no coverage if the annual gross volume of sales is below \$250,000, except for specifically listed establishments—enterprises in the group of laundering, cleaning, repairing clothes and fabrics.

The new bill would extend the Fair Labor Standards Act to employees of retail and service enterprises with annual receipts of \$150,000 to \$250,000 in four steps. In addition, employees of all stores of chains with \$150,000 or more in annual receipts would be covered in the same four step process. On the effective date, the act would apply to employees of retail and service enterprises with

\$225,000 in annual receipts. At the end of a year the receipts test would be \$200,000; at the end of 2 years, \$175,000; and \$150,000 at the end of the third year, and thereafter.

This was fully heard in committee and fully discussed in the subcommittee and in the full committee. I know that for many reasons there was a feeling that the small independent retail establishment would be hard pressed to meet this test for coverage.

I know the Senator from Vermont (Mr. STAFFORD), a most valued member of our committee, was eloquent in his expression of concern for the establishments that would be newly reached with this test.

I see the Senator from Vermont in the Chamber and I would like to ask him a question so that we could clarify this point for the Senate as he clarified his concern at both the subcommittee and the full committee level. I wonder if the Senator could state in answer to my question his position at that time in committee.

Mr. STAFFORD. Mr. President, if the distinguished chairman of the committee will yield, I wish to state that I felt right along that we should retain the \$250,000 minimum exemption for small business.

I will say to my distinguished chairman that it is my intention to call up an amendment to that effect, which I have at the desk, at the appropriate time, when I am recognized by the Presiding Officer.

Mr. WILLIAMS. Mr. President, I yield the floor.

Mr. TAFT and Mr. STAFFORD addressed the Chair.

The PRESIDING OFFICER. Does the Senator from New Jersey yield for the purpose of allowing the Senator from Vermont to offer an amendment?

Mr. WILLIAMS. I yield the floor.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Berry, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 15417) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1973, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. FLOOD, Mr. NATCHER, Mr. SMITH of Iowa, Mr. HULL, Mr. CASEY of Texas, Mr. PATTERSON, Mr. MAHON, Mr. MICHEL, Mr. SHRIVER, Mr. CONTE, Mr. ROBINSON of Virginia, and Mr. Bow were appointed managers on the part of the House at the conference.

The message also announced that the House had passed a bill (H.R. 15869) to extend for 90 days the time for commencing actions on behalf of an Indian tribe, band or group, in which it requested the concurrence of the Senate.

#### FAIR LABOR STANDARDS AMENDMENTS OF 1972

The Senate continued with the consideration of the bill (S. 1861) to amend

the Fair Labor Standards Act of 1938, as amended, to extend its protection to additional employees, to raise the minimum wage to \$2.25 an hour, to provide for an 8-hour workday, and for other purposes.

The PRESIDING OFFICER. The Senator from Ohio is recognized.

Mr. TAFT. Mr. President, on behalf of myself and Senator DOMINICK I call up amendment No. 1204, and ask that it be stated and considered immediately.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read the amendment (No. 1204), in the nature of a substitute, as follows:

#### INCREASE IN MINIMUM WAGE Nonagricultural Employees

SEC. 2. (a) Section 6(a)(1) of the Fair Labor Standards Act of 1938, as amended, is amended to read as follows:

"(1) not less than \$1.80 an hour during the first year from the effective date of the Fair Labor Standards Amendments of 1972, and not less than \$2.00 an hour thereafter, except as otherwise provided in this section;"

(b) Section 6(b) of such Act is amended by striking out paragraphs (1) through (5) thereof and inserting in lieu thereof the following:

"(1) not less than \$1.70 an hour during the first year from the effective date of the Fair Labor Standards Amendments of 1972;

"(2) not less than \$1.80 an hour during the second year from such effective date; and

"(3) not less than \$2.00 an hour thereafter."

#### AGRICULTURAL EMPLOYEES

SEC. 3. Paragraph (5) of section 6(a) is amended to read as follows:

"(5) If such employee is employed in agriculture, not less than \$1.50 an hour during the first year from the effective date of the Fair Labor Standards Amendments of 1972 and not less than \$1.70 an hour thereafter."

#### EMPLOYEES IN PUERTO RICO AND THE VIRGIN ISLANDS

SEC. 4. Section 6(c) of such Act is amended by substituting the following new paragraphs 2(A) and 2(B):

"(A) The rate or rates applicable under the most recent wage order issued by the Secretary prior to the effective date of the Fair Labor Standards Amendments of 1972 increased by 12.5 per centum unless such rate or rates are superseded by the rate or rates prescribed in a wage order issued by the Secretary pursuant to the recommendations of a review committee appointed under paragraph (C). Such rate or rates shall become effective sixty days after the effective date of the Fair Labor Standards Amendments of 1972, or one year from the effective date of the most recent wage order applicable to such employee theretofore issued by the Secretary pursuant to the recommendations of a special industry committee appointed under section 5, whichever is later.

"(B) Effective one year after the applicable effective date under paragraph (A), the rate or rates prescribed by paragraph (A), increased by an amount equal to 12.5 per centum of the rate or rates applicable under the most recent wage order issued by the Secretary prior to the effective date of the Fair Labor Standards Amendments of 1972 unless such rate or rates are superseded by the rate or rates prescribed in a wage order issued by the Secretary pursuant to the recommendation of a review committee appointed under paragraph (C)."

#### EMPLOYEES IN THE CANAL ZONE

SEC. 5. Section 6(a) of such Act is amended by adding the following new paragraph:

"(6) if such employee is employed in the Canal Zone not less than \$1.60 an hour."

# EXPANDING EMPLOYMENT OPPORTUNITIES FOR YOUTHS

## Special Minimum Wages for Employees Under 18 and Students

SEC. 6. Section 14(b) of the Fair Labor Standards Act of 1938, as amended, is amended to read as follows:

"(b) (1) Notwithstanding the minimum wage rates required by section 6(a) (1) or 6(b), any employer may, in compliance with applicable child labor laws, employ any employee—

"(A) to whom such rates would apply but for this subsection, and

"(B) who is (1) under the age of 18 or (II) a full-time student under the age of 21, at a wage rate which is not less than 80 per centum of the otherwise applicable minimum wage rate prescribed by such section or \$1.60 per hour, whichever is higher.

"(2) Notwithstanding the minimum wage rates required by section 6(a) (5), any employer may, in compliance with applicable child labor laws, employ in agriculture any employee—

"(A) to whom such rates would apply but for this subsection, and

"(B) who is (1) under the age of 18 or (II) a full-time student under the age of 21, at a wage rate which is not less than 80 per centum of the otherwise applicable minimum wage rate prescribed by such section or \$1.30 per hour, whichever is higher.

"(3) The special minimum wage for such employees in Puerto Rico, the Virgin Islands, and American Samoa shall be 80 per centum of the industry wage order rate otherwise applicable to them: *Provided*, That in no case shall such special minimum wage be less than that provided for under a wage order issued prior to the effective date of the Fair Labor Standards Amendments of 1972.

"(4) The Secretary shall by regulation prescribe standards and requirements to insure that this subsection will not create a substantial probability of reducing the full-time employment opportunities of persons other than those to whom the minimum wage rate authorized by this subsection is applicable."

### MISCELLANEOUS

## Equal Pay for Executive, Administrative or Professional Employees

SEC. 7. Section 13(a) of the Fair Labor Standards Act of 1938, as amended, is amended by inserting after "section 6" the following: "(other than section 6(d) in the case of paragraph (1) of this subsection)."

### Child Labor in Agriculture

SEC. 8. Section 13(c) (1) of such Act is amended to read as follows:

"(c) (1) Except as provided in paragraph (2) the provisions of section 12 relating to child labor shall not apply to any employee employed in agriculture outside of school hours for the school district where such employee is living while he is so employed, if such employee—

"(A) is employed by his parent, or by a person standing in the place of his parent, on a farm owned or operated by such parent or person; or

"(B) is employed on the same farm at which his parent or person standing in place of his parent is employed; or

"(C) is twelve years of age or older, and such employment is with the written consent of his parent or person standing in place of his parent; or

"(D) is fourteen years of age or older."

### Resident Employees at Apartment Buildings

SEC. 9. Section 3(s) of such Act is amended by adding at the end thereof the following new paragraph:

"In determining whether an apartment building, the gross annual rentals of which are less than \$250,000, is part of an 'enterprise engaged in commerce or in the production of goods for commerce' within the meaning of this subsection, the fact that

the owner of such building has retained a management agent to perform management services in connection with the operation of such building shall be disregarded."

### INJUNCTIVE AND OTHER EQUITABLE RELIEF

SEC. 10. Section 17 of such Act is amended to read as follows:

### "INJUNCTIVE AND OTHER EQUITABLE RELIEF"

"SEC. 17. The district courts, together with the United States Court for the District of the Canal Zone, the District Court of the Virgin Islands, and the District Court of Guam shall have jurisdiction, for cause shown, to restrain violations of section 15, including in the case of violations of section 15(a) (2) the restraint of any withholding of payment of minimum wages or overtime compensation found by the court to be due to employees under this Act (except sums which employees are barred from recovering, at the time of the commencement of the action to restrain the violations, by virtue of the provisions of section 6 of the Portal-to-Portal Act of 1947). In any claim under this section arising out of willful violation of the Act, the district courts may, in addition to restraining the withholding of payments as authorized above, award as further equitable relief an amount not to exceed the minimum wages or overtime compensation found to be due."

### TECHNICAL AMENDMENTS

SEC. 11. (a) Section 6(c) (2) (C) of such Act is amended by substituting "1972" for "1966".

(b) Section 6(c) (3) of such Act is repealed and section 6(c) (4) is renumbered 6(c) (3).

(c) Section 7(a) (2) of such Act is repealed and section 7(a) (1) is renumbered 7(a).

(d) Section 14(c) of such Act is repealed and section 14(d) is renumbered 14(c).

(e) Section 18(b) is amended by striking out "section 6(b)", and inserting in lieu thereof "section 6(a) (6)", and by striking out "section 7(a) (1)" and inserting in lieu thereof "section 7(a)."

### EFFECTIVE DATE

SEC. 12. Except as otherwise provided in this Act, the amendments made by this Act shall take effect sixty days after enactment. On and after the date of enactment of this Act, the Secretary is authorized to promulgate necessary rules, regulations, or orders with regard to the amendments made by this Act.

MR. TAFT. Mr. President, I bring this amendment up at this time not in any way in derogation of the amendment proposed to be offered by the distinguished junior Senator from the State of Vermont, because I find myself very much in agreement with his position in regard to the attempted change in the retail business exemption. I favor his apparent position of retaining the \$250,000 retail exemption, and I gather there may be some willingness on the part of the chairman of the committee to accept the amendment. I call up, however, an amendment offered by myself and Senators DOMINICK, BEALL, PACKWOOD, and BUCKLEY at this time because it is an amendment in the nature of a substitute and takes a different approach to implementing changes in the Fair Labor Standards Act.

I want to take occasion, in offering substitute amendment No. 1204, to talk generally not only upon the contents of this amendment but also upon the entire background and philosophy of this bill as it was debated in the Committee on

Labor and Public Welfare over the past 2 months.

Mr. President, we all desire to see the elimination of substandard and exploitive wage practices. But at a time when millions of American workers are out of work, unemployment must remain a primary concern. At a time when low income families are hard pressed by inflation, this too must remain a deep concern. Unfortunately, the committee bill, as before us has developed an approach which seems likely to make job opportunities more difficult for the poor, for the young, and for those who have found it difficult to enter the mainstream of the American economy.

An excessive increase in the minimum wage can help create inflationary pressures on our economy at the very time when we are attempting to curb the inflationary spiral. While an increase in wage levels for those in the lowest paid categories might not of itself have a major inflationary effect, an increase in the minimum wage seems bound to have a ripple effect throughout the economy which will have a substantial economic impact.

Moreover, to broaden coverage at this time would have a like effect and also increase costs through red tape, reporting and increased Federal interference into State, local, and household affairs.

Unfortunately, the consideration of the bill has not been careful. The committee's efforts have been so far-reaching and misguided that VISTA workers, clerics, prisoners working in prison industries, and similar cases, were blanketed into coverage until moments before the bill was ordered reported. The committee has taken such a broad brush approach that it seems likely to frustrate the hope for any moderate increase in the minimum wage for those now covered.

The committee bill increases nonagricultural employees currently subject to the \$1.60 an hour minimum to \$1.80 an hour 60 days after enactment and to \$2.20 an hour 1 year thereafter. Nonagricultural employees added to coverage in 1966, and those added to coverage in the current committee bill, would be raised to \$1.80 an hour 60 days after enactment, \$2 an hour 1 year after, and \$2.20 an hour the following year. These increases amount to a 37.5-percent increase in 26 months. The minimum wage for agricultural employees under the committee bill is raised from the current \$1.30 an hour level to \$1.60 an hour 60 days after enactment, \$1.80 an hour 1 year later, \$2 an hour 2 years later, and \$2.20 an hour the following year. This is a 69.2-percent increase in 38 months.

The committee bill also extends coverage of the FLSA to 3.4 million workers and to 344,000 new business establishments. The total additional wage costs would be in excess of \$7.2 billion not including increments in fringe benefits and the added upward push of labor costs generally due to the ripple effect. In light of the relatively high unemployment and inflationary pressures on the economy, the committee's action in this area is economically irresponsible, inflationary, and in direct opposition to the goals of the economic stabilization program.



I believe a far more realistic and far more equitable approach is contained in the substitute proposal that has been offered by myself and Senators DOMINICK, BEALL, PACKWOOD, and BUCKLEY.

The substitute increases the minimum wage for nonagricultural employees covered prior to 1966 to \$1.80 an hour 60 days after enactment, and to \$2 an hour a year later. The minimum wage for nonagricultural workers covered by the 1966 amendments to \$1.70 an hour on enactment, \$1.80 an hour a year thereafter, and \$2 an hour the following year. The minimum wage for agricultural employees under the substitute would be increased to \$1.50 an hour 60 days after enactment, and to \$1.70 an hour a year thereafter.

Proponents of the committee bill cite the added cost of living as the primary necessity for a \$2.20 minimum wage, but an increase in the minimum wage helps the low-wage worker only to the extent that it is not dissipated in higher prices and does not result in unemployment. Additionally, inflationary impacts of increases in the minimum wage are minimized only to the extent that minimum wage increases are absorbed by profits. However, corporate profits, after taxes, were only 4.2 percent of the GNP in 1970. Profits have also been declining, being lower absolutely in 1970 than in any year since 1964, and lower as a share on GNP than in any year since 1938.

Proponents of the committee approach argue that inflation can be avoided and profits maintained if productivity is increased. This euphoric view, that is, that minimum wage increases accelerate productivity gains, is at variance with past trends in low-wage industries. The gain in productivity, output per man-hour in the private nonfarm economy, was only 3.8 percent between 1967 and 1970, far below the long-term trend. Low productivity has been particularly true of low-wage trade and services, whose productivity gains lag substantially behind those of the economy as a whole, although these are the industries most directly affected and therefore the most stimulated by wage increases. The same industries have borne the brunt of adjustment to higher minimum wages repeatedly, and it seems improbable that they would be able continually to compensate through increases in productivity. Low-wage industries generally are characterized by low-profit rates, small size of firm, little investment in research and development, and small likelihood of rapid advance in productivity.

Mr. President, there is nearly universal agreement that an excessive increase in the minimum wage can result in large scale unemployment of labor and a high rate of business failure. This is especially true for small retail business. Numerous before-and-after studies of low-wage manufacturing industries, of low-wage firms within industries, and of industries in low-wage regions, have provided evidence that raising the minimum wage has reduced employment. The most convincing evidence is the comparison of high impact—low-wage—and low-impact—relatively high wage—establishments in the same industry. The most

thorough attempt to evaluate the impact of increases instituted by minimum wage legislation was conducted by the New York State Department of Labor. The New York survey found that the employers affected by the increased wage rates took a variety of actions to adjust to the higher costs. Weekly payroll savings were achieved by reduced hours, layoffs, and nonreplacement of voluntary workers.

It is interesting to note a recent article appearing in the Southern Economic Journal entitled, "State Minimum Wage Laws as a Cause of Unemployment." The authors found unemployment rates higher in States with minimum wage laws than in States without them, and found an increase in the differential whenever States raised their minimum wages.

In light of the impressive economic arguments against increasing the minimum wage, proponents still argue, however, that a large increase in the minimum wage is necessary to reduce poverty. Family income, however, depends on the number of wage earners in the family and on the number of hours they work per year, more than on the hourly wage rate. A large proportion of the poor would receive no possible benefits from a higher minimum wage and extended coverage because they have no family member employed. Most of the other poor families do not have a full time year-round earner; that is the major reason they are poor. Only 21.6 percent of the heads of households of poor families worked full time for the full year, 47.8 percent of this category did not work at all, and only 37.5 percent of the income of families with a total money income of less than \$4,000 consisted of wages and salaries. Thus, many of the beneficiaries of a higher minimum wage are not the truly poor; they are individuals without dependents or members of families with other wage earners; many are secondary wage earners. Further, a higher minimum wage hurts those workers it is intended to help by pricing marginal workers out of the labor market by reducing the rate of new jobs created for low-skill, low-productivity workers whose contribution to output may be lower than the rate of pay a higher minimum would be required to justify.

Congress should seriously consider the advice of Prof. James Tobin, a former member of the Council of Economic Advisers under President Kennedy, who wrote:

People who lack the capacity to earn a decent living should be helped, but they will not be helped by minimum wage laws, trade union pressures or other devices which seek to compel employers to pay more than their work is worth. The likely outcome of such regulations is that the intended beneficiaries are not employed at all.

In addition to all the previously mentioned problems, the committee bill places an added burden in the form of higher prices on the Nation's consumer. Congressman JOHN ANDERSON of Illinois brought this point of concern to the attention of the House of Representatives on May 11 during the floor debate of minimum wage legislation. Congressman ANDERSON stated:

I am somewhat amazed at the very people who rail about high prices, who talk about the ineffectiveness of phase II. Now, they want to slice the very heart out of an attempt to restrain the cost-push that has been ravaging the economy of this country.

Let me remind you that this is not only the new age of so-called populism. This is the new age of consumerism. The consumers are unhappy about the high price of food, about the threatened increase in the price of shoes and clothing and all of the other market basket items.

The committee bill additionally would have disastrous effects on our Nation's small businesses, place increased financial burdens on mass transit systems in this country, and create greater obstacles for youth to obtain employment opportunities.

The committee bill in sum certainly provides a bleak outlook for many of the Nation's working poor as they will face: higher prices for food, products, and services, possible curtailment or abandonment of services, including the closing of the neighborhood grocery and the loss of their only way to work—the bus. But most important, they even face the potential loss of their jobs. I suppose, however, that the ex-workers could say that if they had jobs they would have received a \$2.20 minimum.

We have advocated in our substitute certain changes in the bill that I think would correct many of the problems that I have mentioned in the last few minutes. The amendment we propose as a substitute would eliminate a number of categories and areas that we feel have an inflationary impact or are not properly covered. Let me discuss a few of these areas.

One of the requirements of the bill is the coverage of domestic employees. I think this is a very questionable provision. Granted some of the domestic employees in this country are underpaid and do need additional assistance. I believe however, the way to go about that is to examine the income of the families involved, and act positively on such proposals as the welfare reform bill. It seems unfair to unload upon the American housewife the burden of red tape and bookkeeping of complying with the Fair Labor Standards Act. All of us know, I think, as a matter of judicial or at least of congressional notice, there is a great deal of tax avoidance regarding the employment of domestics.

There is also a real question in my mind regarding the inclusion of every housewife in America who happens to hire a domestic employee under the committee bill, and the exclusion of small businesses with revenues or sales under \$150,000 or \$250,000 a year, as the law presently stands. This seems to me to make no sense at all.

Also, as I pointed out in the minority views on page 98, there is a very serious question as to whether this is a constitutional approach to the problem. I should like to quote in part from the minority views in this regard. The minority views state:

Quite apart from this practical consideration, we believe that an extension of coverage to domestic help is beyond the power

of Congress under the commerce clause. If domestic employees who make beds, dust, and wash windows in a private residence are engaged in interstate commerce, there is nothing left of intrastate activities. If someone who vacuums your carpet is engaged in interstate commerce or is considered to have a substantial impact on interstate commerce, then the commerce clause has been magnified to include every aspect of American life. We do not believe that this was the intent of the drafters of our Constitution, nor do we believe that it is a workable proposition supported by case law.

The basic argument of those who favor this expansive interpretation of the commerce clause seems to be that the number of domestic employees is so large that they collectively have a very significant impact on the national economy. It is argued that domestic help have an impact of more than \$1 billion per year on our national economy, and that they use cleaning fluids purchased through the channels of interstate commerce.

A legal precedent here is the fact that the medical profession, which has a far greater impact on our nation's economy, has been held to be beyond the constitutional power of Congress under the commerce clause. If the practice of medicine, which involves more than \$14 billion per year, is beyond the sweep of the commerce clause, certainly domestic helpers and housekeepers, having a much lesser impact, should be similarly excluded.

The case involved is *United States v. Oregon State Medical Society*, 95 F. Supp. 103, which was affirmed by the U.S. Supreme Court in 343 U.S. 326, in 1952.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. TAFT. I am glad to yield to the distinguished Senator from Colorado.

Mr. DOMINICK. Mr. President, I want to start off by saying that I am glad that the Senator from Ohio has called up our joint amendment. I think it is going to be helpful in order to focus on the issues with which we are dealing. It is much more than just the rate structure itself, although that, obviously, is part of it.

In the process about which the Senator is talking now, which is the committee bill, which would cover domestics, it struck me that when we were discussing this matter in committee—and I want to ask the Senator's feeling on this—that one of the great problems is that if a housewife has a cleaning woman or a laundress or wants her windows washed, or whatever it may be, she is going to have to keep the records and be able to report to the Labor Department on that and what they have done. Is that correct?

Mr. TAFT. The Senator is correct.

Mr. DOMINICK. So that housewives then would be faced with keeping even more records than they now are called upon to keep, to be able to satisfy what someone has conceived to be a good idea, without consulting any of the housewives, so far as I can see. Is that correct?

Mr. TAFT. That is true. I do not recall any testimony by housewives before us, asking that they be awarded this privilege.

Mr. DOMINICK. I certainly did not hear any while I was participating in the discussion.

I am looking forward to listening to the remainder of the Senator's speech. I have a fairly extensive discussion, with

which I may proceed when he has finished, depending upon what the time interval is at that point, or I may save it until tomorrow, whichever is more convenient.

Mr. TAFT. I thank the Senator for his comments.

Before moving from the discussion of the domestic employment, I would like a question of the effect of the committee bill on the employment of domestics.

What concerns me most is the employment of many who might not otherwise be employed. Domestic service, as a realistic matter, is marginal employment for many who might not otherwise be able to secure employment at all. Imposition of additional burdens of record-keeping and imposition of requirements making every housewife keep up to date on the regulations, rulings, and instructions with regard to employment of domestic employees is going to force unemployment of many domestics.

I have a hard time seeing that the minimal effect given by imposing a minimum wage under these circumstances would compensate for the disadvantages I have mentioned.

I also believe serious consideration should be given to the extension of coverage for State, county, and local government employees. Here, again, I think there is a very serious constitutional question. I question the propriety of the Federal Government telling local and State governments how much they have to pay and what practices they have to engage in with respect to overtime pay and the like. Many discussions were held in committee regarding safety employees, and a compromise was adopted permitting gradual inclusion of this class of employees in the Fair Labor Standards Act.

But there are many other officials, under certain circumstances who must work extra hours and provide the additional services.

For example, if there is an emergency crisis in a particular area because of a greater disaster do you require overtime for all hours worked?

To me, this is a very questionable provision. It is particularly questionable because of the nature of our revenue system in this country. State and local governments face a growing shortage of funds and resources. To place additional financial burdens on State and local governments certainly is not the way to improve their plight.

A revenue-sharing bill has been sent to Congress by the President to give State and local government the additional resources they need. Hopefully the Senate will affirmatively act on this measure and reject the committee's proposal which is in effect revenue sharing in reverse.

I invite attention to the minority views on page 99 in the committee report which state:

In addition, this bill overlooks the differential between metropolitan and non-metropolitan areas. In March of 1970, only 7.9 percent of local government non-supervisory employees . . . were paid less than \$2 per hour.

We are not talking about a great number of employees. With the rapid unionization of municipal employees in certain areas the 7.9 percent figure will undoubtedly be reduced. But when we talk about the nonmetropolitan areas, where the requirements, standards and needs are different, we are talking not of a percentage of 7.9 percent but of 22.6 percent.

So the governments that are going to take it in the neck under these requirements are the smallest, the ones least able to afford the additional financial pressures that will be placed upon them under the committee bill.

The minority views in the committee report on pages 100 to 102, show the regional affects of the committee bill.

The next exemption I would like to talk about is the transit exemption. In our substitute the transit exemption is retained. Under the committee bill it is repealed. If there is any industry in this country that has been hurt by the tremendous increase in costs, by changes in population patterns, and the like, it is the transit industry. Yet the committee seeks to impose additional burdens on an industry that has been in real trouble and is almost bankrupt. There are several pages in the committee report on transit companies throughout the country that have gone out of business, or been transferred to public ownership. Tremendous cutbacks of public service are likely to occur by the transit industry if we pass this provision of the committee bill.

The minority views in the committee report state as follows:

The Committee completely ignores the economic realities of our nation's mass transit system. Since 1954, 268 transit systems in this country have failed financially. The operating deficit for the American transit industry was \$332 million in 1970, \$427 million in 1971, and is projected to exceed one-half billion dollars this year. This estimate does not include the \$30 million in additional costs imposed on the transit industry by the provisions of S. 1861.

One of the purposes, suggested for increasing the minimum wage is in the reduction of poverty. I believe this is a commendable purpose but who are we talking about in the transit industry? What kind of situation are we talking about basically? The fact is, in many instances we are talking about collective bargaining agreements that have been satisfactorily arrived at between employers and employees often imposing requirements far stricter than would be required by the provisions of this bill. We are not talking about poverty as the average annual wage of transit employees in the United States in 1971 was \$10,014. This is not a poverty family.

The committee bill also will have a severe effect on the transit industry's charter business. The committee bill states that there would be an exemption where work was voluntary. It is easy to see that this work is not likely to be voluntary if this provision is put in the bill. Drivers need not volunteer and then the overtime provisions would apply.

Mr. WILLIAMS. Mr. President, will the Senator from Ohio yield?

Mr. TAFT. I yield.



Mr. WILLIAMS. I am sure the Senator knows that this voluntary provision was put in at the request of the transit companies, does he not?

Mr. TAFT. I am sure that they would prefer to have it in rather than a complete removal of their exemption as was the original committee position.

Mr. WILLIAMS. They came to my office from all over the country and pleaded for that.

Mr. TAFT. We have had recent discussions with the companies involved. My information apparently is not in agreement with the information of the distinguished chairman. We find that in the opinion of many of the representatives of the companies to whom we have talked and the American Transit Association that they feel the effect will be exactly as I have just indicated, that is, that there will be no volunteers involved, and the overtime provision will be applicable.

Mr. WILLIAMS. Their former president, Carmack Cochran, came to me and said that it was vitally needed, and he persuaded me, and I recommended that it be put in the committee bill.

Mr. TAFT. We were authorized, as late as yesterday—

Mr. WILLIAMS. Could the Senator be specific? Was it Carmack Cochran?

Mr. TAFT. It was not Carmack Cochran, but it was a representative of the American Transit Association—

Mr. WILLIAMS. Who?

Mr. TAFT. That they strongly support this provision of the Taft-Dominick substitute—

Mr. WILLIAMS. Just tell me who it is. I should like to do a little homework tonight and—

Mr. TAFT. I would prefer not to name the individuals. It would be preferable to provide a letter to the chairman tomorrow, and in later debate on this measure—

Mr. WILLIAMS. It would be easy to tell me now who it was from the American Transit Association, who gave the Senator this information.

Mr. TAFT. We will be glad to provide that to the chairman and provide it in a letter, which would be far more appropriate.

Mr. WILLIAMS. When will that be? I should like to do some homework tonight. If I am in error and the transit people do not want this in, then I would be the first to make a big fight for the original provision.

Mr. TAFT. The Senator does not understand my point. The transit companies would prefer the current form of S. 1861 as compared to the original draft. But as to whether it will practically work, they share the opinion that I have just expressed.

Mr. WILLIAMS. But, who was it? I should like to know, so that I can check it out.

Mr. TAFT. I will be glad to provide the chairman with—

Mr. WILLIAMS. We want to get some action on this bill and get these things decided without having to wait for a letter that might arrive the day after tomorrow.

Mr. TAFT. I will see that it is provided as quickly as possible.

Mr. WILLIAMS. I will back up the statement that I made about Carmack Cochran's views as he expressed them to me. I will have a letter placed in the RECORD of this debate.

Mr. TAFT. Is the chairman saying he will provide a letter from a representative of the American Transit Association saying they would prefer S. 1861 as reported over our substitute proposal?

Mr. WILLIAMS. If Mr. Cochran will repeat in a letter what he said to me, that it was essential they have this provision in the operation of the charter service—

Mr. TAFT. I do not disagree with the chairman in what he has just stated. It is absolutely essential that they have it. However, I still believe it will seriously handicap—

Mr. WILLIAMS. They have it exactly that way.

Mr. TAFT. They have it on a voluntary basis only.

Mr. WILLIAMS. That is what they said they want.

Mr. TAFT. As I suggested previously I doubt about the availability of volunteers—

Mr. WILLIAMS. That is where we differ. They explained to me that they had no problem getting volunteers.

Mr. TAFT. I cannot say that I share the information or the views of the Senator in this regard.

Mr. President, perhaps the most vital and most important of all of the provisions of the substitute is the "Youth Differential." We have many serious problems in America today that are deeply related to youth unemployment.

I would like briefly to go over the "Youth Differential" provisions contained in the substitute.

Current law establishes wage rates for youths at no less than 85 percent of the statutory minimum. This applies to full-time students working part-time in retail or service establishments and agriculture and student-learners in vocational training programs.

The committee bill is similar to existing law except that educational institutions would be able to employ full-time students on a part-time basis at 85 percent of the minimum wage. Our substitute would replace the existing complicated certificate system with a new system designed to reduce youth unemployment. The new system would be applicable to all youths under 18 and full-time students under 21. Youths employed in nonagricultural work would receive \$1.60 or 80 percent of a \$2 applicable minimum rate. Youths employed in agricultural work would receive \$1.30 or 80 percent of the applicable minimum rate. In each instance, the higher figure of the two alternatives would prevail. Additionally, the Secretary of Labor would be required to adopt regulations to insure that adults would not be displaced from employment opportunities by the lower rates.

I think we all know that at the present time the burden of an increased minimum wage falls heaviest on those least able to justify their employment, and particularly the young. The ratio of teen-

age to adult unemployment rates has tended to rise—especially in metropolitan areas—while the proportion of the total labor force in the 16-to-19 age group has also been rising. The ratio of teenage unemployment to total unemployment has also risen every time the minimum has been increased. Statistics also indicate that young blacks suffer the most from minimum wage increases. Prior to 1956 nonwhite and white male teenage unemployment rates were approximately the same. In 1956 the \$1 minimum wage went into effect and the nonwhite teenage rate became almost 50 percent greater than that for white male teenagers. In 1965 the minimum wage was raised to \$1.25, and the unemployment rate in the nonwhite group soared in 1966 to a level 100 percent greater. In February 1967, the \$1.40 minimum wage was set and the nonwhite unemployment figure became 120 percent greater.

As for the first quarter of 1971 nonwhite teenage unemployment was 31.8 percent compared to 15.7 percent for white youth.

I think that we have all become aware that every time this has occurred, we have harmed and harmed very seriously a situation that is currently at almost a crisis level.

Many training programs and assistance programs have been undertaken. The committee bill now proposes to go in almost exactly the opposite direction and likely will close up many youth employment opportunities that would otherwise exist.

Mr. President, in this regard I would like to read from a letter from William L. Warner, vocational director of the Stillwater School District.

The letter reads:

I wish to express my support of the substitute minimum wage bill allowing a wage differential for working youths. The differential would have great advantages for students who are seeking vocational training, who do not have work experience in their background, a chance for job opportunities. . . . The wage differential would give the students an 'edge' in obtaining jobs for attaining their vocational objective. At the present time the teacher-coordinators of each of the programs have some difficulty in placing all the students who want employment.

Mr. President, these are some of the areas which the substitute attempts to correct. As we discuss the bill further, I will elaborate at greater length. At this time I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

Mr. DOMINICK. Mr. President, I want to take this opportunity to congratulate the Senator from Ohio on pointing out what I think are some of the extremely pertinent issues that must be considered by the Senate as a whole. While there are not many of us present on the floor at this time, it is my hope that during the time between the closing of debate tonight and the opening of debate on tomorrow, many of the Senators will have a chance not only to read the statement of the Senator from Ohio, but also to review the differences it emphasizes between our proposed substitute and the committee bill. This is a very important

issue which demands our careful attention.

Subject to the will of the chairman of the committee, it is my thought that I will enlarge a little on what the Senator from Ohio has said and we can then perhaps go over until tomorrow. I know that the Senator from New Jersey is checking this with the leadership at this time.

Mr. President, I must confess that although I participated in the discussion of the pending bill, and although the committee as a whole and the chairman of the committee did take a number of amendments which were offered by me and by the Senator from Ohio, and which are now part of the committee bill, we simply did not take enough time to make this bill acceptable as far as I am concerned. So it seems to me that it would be helpful as far as the record is concerned if I were to go further and explain the major provisions of the amendment which the Senator from Ohio and I have introduced, with the sponsorship of Mr. Packwood and Mr. Beall.

Mr. President, I am opposed to S. 1861 as reported. I would like to summarize my reasons for opposing it, and then take a moment to explain the major provisions of the amendment in the nature of a substitute which Senator Taft and I have introduced.

I agree that an increase in minimum wage rates at this time can be justified on the ground that inflation has eroded the levels established in 1966, when the Fair Labor Standards Act was last amended. But in establishing new rates, I think we should recognize that excessive increases would have substantial inflationary and unemployment effects, and that the very people we are trying to help would suffer the most. The same is true with regard to extensions of coverage.

The importance of carefully weighing these potential adverse effects cannot be over-emphasized at a time when we are struggling to control inflation and to reduce unemployment. Extraordinary measures have been taken, and the economy is showing encouraging progress. I do not think any member of Congress wants to share responsibility for legislation which would jeopardize continued recovery.

This is not a partisan issue. During hearings of the Joint Economic Committee earlier this year, Henry Wallich, a member of the Council of Economic Advisors during the Eisenhower administration, said:

I would think this is the last moment at which one would stress a measure raising the minimum wage.

Arthur Okun, CEA chairman under President Johnson, flatly stated:

I think this would be a good year not to take up the minimum wage.

The 1969 annual report of President Johnson's Council of Economic Advisors warned about the unemployment effects of excessive minimum wage increases:

Although increases in the minimum wage are likely to be reflected in higher prices, society should be willing to pay the cost if this is the best way to help low-wage workers. Yet excessively rapid and general increases

in the minimum can hurt these workers by curtailing their employment opportunities.

Since 1956, the federal minimum has gone up about in line with average hourly compensation, while coverage has progressively expanded to cover low-wage industries. In considering the future rate of increase for minimum wages, careful scrutiny should be made of the possibility of adverse employment effects. The benefits of higher minimums should be weighed against alternative ways of helping low-wage workers.

In short, current economic conditions demand that restraint be exercised in making changes in the minimum wage law.

#### EXCESSIVE WAGE INCREASES

I am convinced that S. 1861, as reported, does not exercise proper restraint, and if enacted would retard the economy's recovery. It provides for excessive wage increases and extensions of coverage which would exert strong inflationary and unemployment pressures on the economy. The impact of large increases in labor costs would fall heaviest on small businessmen and farmers. The unemployment effects would be felt most by marginal workers holding jobs which would be eliminated first by employers looking for ways to absorb increased labor costs. Consumers would be forced to pay higher prices for virtually all products.

Under the committee bill, the minimum wage for workers covered by the Fair Labor Standards Act prior to 1966 would go from \$1.60 an hour to \$2.60 days after enactment, and to \$2.20 a year later. This amounts to a 25 percent increase within 60 days, and a 37.5 percent increase within 14 months. Workers first covered by the committee bill would receive the same increase within a little over 2 years. The minimum rate for farm employees would go from \$1.30 to \$2.20 within a little over 3 years—a 69.2-percent increase.

These wage increases, combined with the extended coverage to 8.4 million additional employees would result in an increase of \$7.2 billion in the Nation's annual wage bill. This estimate includes only the direct cost of raising wages to the higher minimum rates. It does not include increased overtime costs resulting from the higher minimum rates. Nor does it include the ripple effect costs of raising wages which are above the minimum rates in order to maintain existing wage differentials after the higher rates go into effect.

These precipitous increases in wage costs over such a short time will be difficult for many employers—particularly small businesses—to absorb. The 1966 amendments extended minimum wage and overtime coverage to 649,000 smaller firms. The minimum rate for employees of these firms went from \$1 an hour in 1966 to \$1.60 on February 1, 1971—a 60 percent increase. The committee bill would further raise the minimum rate for these employees to \$2.20 in a little over 2 years—an increase of 37.5 percent, affecting about 3.5 million employees at a cost of \$2.7 billion. The total increase since 1966 for these small firms would amount to 120 percent.

Mr. President, that is a fairly substan-

tial jump. In fact, it is about as inflationary or, alternatively, as quick a way to create bankruptcy as anything I can think of for small firms.

The retail and service industries, which encompass most small businesses, would be particularly acutely affected, since they are highly labor intensive. Labor costs average more than 60 percent of operating costs in the retail industry. These industries hire a large proportion of the labor force's unskilled and marginal workers. About 50 percent of employees of retail firms earn less than \$2 an hour; 65 percent earn less than \$2.20. About 40 percent of employees of service firms earn less than \$2; 51.7 percent earn less than \$2.20. Since profit margins are too low in these industries—retail firms average 2 percent—to absorb the radical wage increases mandated by the committee bill, employers would be forced to raise prices, reduce employment, or a combination of both. Many marginal jobs could be expected to be eliminated. Some may have no alternative but to go out of business. There were 10,321 small business failures last year, 4,428—or 43 percent—of which were retail firms. Moreover, under economic stabilization guidelines, retail firms cannot raise prices to pass through increased operating costs—including labor costs.

The farm economy would also be seriously affected. A 69.2-percent increase in minimum wage rates over 3 years could only accelerate the already too rapid decline of farm employment in this country. At a time when per capita farm income is 25 percent lower than nonfarm income, and virtually everyone is lamenting the fact that small independent farms are being supplanted with big corporate farms, I do not think it would make sense to require them to absorb an additional \$174 million in annual wage costs.

Mr. President, I was in Colorado during the recess and I had occasion to visit several farm areas of the State. I do not know how many people came up to me, without regard to political affiliation, and said, "Senator, what are you going to do about our farm situation? We cannot get labor. At any price we cannot get labor. We do not know when an occupational safety inspector will come out and fine us because they say we are running our machinery in an unsatisfactory manner. How are we going to take care of the problems of producing the food if we cannot get labor? Every time we turn around not only do we get penalized by the Government but also we have to fill out so many forms every time we want to do anything that we have to be Philadelphia lawyers or accountants to take care of them all."

Mr. President, it is time that we start to think about the producers of this country as well as the consumers, because if we do not have production we will not have consumers. One of the assets we have in our free enterprise system is our great agricultural industry which up to this time has been able to feed not only the American people but also a great proportion of the rest of the world.



If we are going to put them out of work so their incomes cannot possibly meet the situation we are going to seriously jeopardize one of the great strengths of America.

The wage increases recommended in the committee bill would seriously threaten the success of the economic stabilization program. The combined effect of the direct costs of raising minimum rates and the indirect "ripple effect" costs would exert enormous inflationary pressures on the entire economy, making the 5.5-percent wage guideline and the 2.5-percent price guideline difficult, if not impossible, to enforce.

These guidelines are based on long-term productivity growth rates of about 3 percent annually. It is worth noting that while the average annual increase in output per man-hour for the post-war period 1947-65 was 3.5 percent, it dropped to 2 percent for the 5-year period 1966-70, the slowest growth in productivity for any 5-year period since the war. Certainly, no one can argue that the wage increases in the committee bill are related to productivity, or that they would in any way enhance productivity. Wage increases, which are not related to increases in productivity, are, of course, reflected in higher prices, and ultimately in trade deficits due to the inability of American-produced goods to compete in the world market. The excessive increases recommended in the committee bill, with resultant "ripple effect" increases in wages above minimum levels, would worsen our trade situation. I do not think it is mere coincidence that our recent trade and related monetary problems followed substantial minimum wage increases and extensions of coverage in 1966. While average hourly earnings have increased 34 percent since 1966, overall productivity has increased only 10 percent. The Consumer Price Index has risen almost 28 percent over the same period.

This concern was articulated recently by Mr. Harvey M. Meyerhoff, who argues persuasively against excessive increases in minimum wage rates at this time. I ask unanimous consent, Mr. President, that his letter to me, and a copy of a Sun editorial, entitled, "A Poor Time To Inflate Wages," be inserted in the RECORD at this point.

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

BALTIMORE, Md.,  
May 16, 1972.

HON. PETER H. DOMINICK,  
Senate Office Building,  
Washington, D.C.

DEAR SENATOR DOMINICK: The enclosed editorial which appeared in the Baltimore Sun clearly spells out the danger in enactment of new minimum wage legislation. However, it does not go far enough, in my judgment, in presenting the basic objections to legislating wage levels of any kind at this time and place in our country's history.

1. Apparently those who are considering this legislation fail to recognize that an increase at the lowest rung of the employment ladder always increases wage costs at every other rung in "the ladder." This may not be apparent, or even understood, by those considering this legislation but this does, in fact, occur. When an increase is given at the lowest level of employment for no reason other

than one of a requirement by law, all others in the employment progression have not accepted in the past (and will not accept) the explanation that, "We are required by law to increase pay at the lowest level but at your level increases will continue to be based only upon productivity, seniority, etc." It simply doesn't happen that way.

2. As a result of the wage increase progression described above, a wage-price push occurs because the wage increase was not related to productivity, technology, or any other market factor. Consequently, our posture, both in the domestic and foreign markets, has worsened. On the domestic side imports obtain an immediate price edge which can only be offset by restrictive tariffs, restriction on imports or devaluation of the dollar. On the export side, our products become immediately overpriced in the foreign market and this disparity can be changed again only by devaluation or favored legislation of one kind or another.

3. The basic causes (the Great Depression among them) which made initial minimum wage legislation desirable years ago, have long since disappeared. A far better solution in this area today lies in various income tax proposals, changes in welfare legislation and other reforms which do not strike at the heart of the free and open economic system which is extant in this country today.

The Bill passed by the House will soon come to the Senate for conference. Your conferees should take this opportunity to shelve this legislation during this session of the Congress. Should this not occur they should be alternatively instructed to accept the House Bill in terms of coverage, dates for increases, and other substantive issues.

Sincerely yours,

HARVEY M. MEYERHOFF.

[From the Baltimore Sun, May 12, 1972]

#### A POOR TIME TO INFLATE WAGES

It says something about the temper and wisdom of majority forces in the Congress that they pick a time of stubborn and painfully high unemployment-cum-inflation to push a 25 per cent boost in mandated minimum wage. Neither on the liberal nor the conservative side of the permanent economic debate can they find much doctrinal comfort. Lord Keynes warned that employers wouldn't employ unless they saw a fair chance of getting value back—as they figured value—from the wage money they put out. And he assumed, without thinking it necessary to explicate, the primordial fact of economic life never more persuasively put than by Calvin Coolidge: "For a man to have a job, some one has to hire him."

Now let us consider the effect of a 40-cent-an-hour jump in mandated minimum wage—upward from the present \$1.60—on a man unemployed whenever in future such an act went into effect. The Congress would be making it 25 per cent less likely than before that such a man would find a job: this it would do by commanding the employer to pay 40 cents more than he had already concluded he could not pay. The impact on that part of the labor force where unemployment is, and may remain, highest, would be particularly marked. Right now 17 per cent of teen-agers in the labor market are out of work. The figure for black teen-agers is nearer 30 per cent.

On the broad economic advisability of raising wages by law across the whole economy, other questions arise. Right now Phase II policy holds increases to 5.5 per cent, which the Congress is asked to exceed by several times. No doubt adjustments to emergency policy could be worked into new permanent legislation. Perhaps there could be special rules and rates for teen-agers, if not to promote, at least not to discourage their employment. But short of a parallel guarantee of matching productivity boosts, statutory wage increases pump inflation into price

levels at any time, and more so when inflation is already rife. Wiser legislators realize it is rife now.

#### QUORUM CALL

Mr. DOMINICK. Mr. President, I suggest the absence of a quorum for a few minutes.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. JACKSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### EXTENSION OF TIME FOR COMMENCING ACTIONS ON BEHALF OF CERTAIN INDIANS

Mr. JACKSON. I ask that the Chair lay before the Senate a message from the House of Representatives on H.R. 15869.

The PRESIDING OFFICER (Mr. Brock) laid before the Senate H.R. 15869, a bill to extend for 90 days the time for commencing actions on behalf of an Indian tribe, band, or group, which was read twice by its title.

Mr. JACKSON. I ask unanimous consent that the Senate proceed to the immediate consideration of the bill.

The PRESIDING OFFICER. Without objection, the Senate will proceed to its immediate consideration.

Mr. JACKSON. Mr. President, the purpose of this measure is to extend for a period of 90 days the Federal statute of limitations on actions for money damages and actions relating to allotted trust or restricted Indian lands brought by the United States on its own behalf and in carrying out its trust responsibilities to American Indians. The purpose of the extension is to grant an additional 90 days to allow the United States as trustee for the Indian tribes an opportunity to bring suit in cases which would otherwise be barred by the statute of limitations which expires at 12 p.m., July 18, 1972.

Earlier this afternoon the House of Representatives acted favorably on this measure. I am informed by the White House that preparations have been made to transmit the official papers to California for the President's signature before midnight tomorrow night.

The administration's legislative report on this measure was transmitted to the Congress on June 26, 1972. Because the Congress was in recess there was no opportunity for legislative action by the Interior and Insular Affairs Subcommittee on Indian Affairs. I ask unanimous consent that the Department of Interior's report together with the text of the bill they propose be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. JACKSON. I further ask unanimous consent that the text of the House-passed bill and an article from the July 14, 1972, Wall Street Journal be printed at the conclusion of my remarks.

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

(See exhibits 2 and 3.)

Mr. JACKSON. Mr. President, may I just add that, this bill being of an emergency nature, we have not had time to take it up in either the subcommittee or the full committee, but it has been cleared by the other side of the aisle.

#### EXHIBIT 1

##### DEPARTMENT OF THE INTERIOR.

Washington, D.C., June 25, 1972.

Hon. HENRY M. JACKSON,  
Chairman, Committee on Interior and Insular Affairs, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This is in response to your request for the views of this Department on S. 3377, a bill "To extend the time for commencing actions on behalf of an Indian tribe, band, or group."

We recommend enactment of the attached substitute bill in lieu of S. 3377, and we urge your immediate action thereon for the reasons described below.

The Act of July 18, 1966, 28 U.S.C. 2415, imposed a statute of limitations on tort or contract suits brought by the United States on its own behalf and in carrying out its trust responsibility to Indians. The statute generally allows six years from the date the action first accrues, with certain exceptions and provisions for tolling the time. Subsection g of section 2415 provides that any right of action subject to the provisions of section 2415 which accrued prior to the date of enactment of section 2415 will be deemed to accrue on the date of enactment. All Indian claims subject to section 2415 which accrued prior to the date of its enactment, and these include some very complicated and substantial claims for damages, will therefore be barred from litigation after July 18, 1972, unless the statute is extended by legislation.

S. 3377 would amend 28 U.S.C. 2415 to provide an additional period of time within which action may be instituted by the United States for or on behalf of a recognized tribe, band, or group of Indians for money damages founded upon any contract express or implied in law or fact, and for tort or trespass.

Indians are quite concerned that the present statutory limitation might bar them from recovering damages for many wrongs they have suffered. The Bureau of Indian Affairs and the Solicitor's Office of this Department have not been able to perform the necessary work to identify all of these wrongs and then develop the factual information necessary to get litigation filed. Even with the help of attorneys employed by the various tribes, there are, no doubt, many causes of action which have not been identified. This inability to prosecute the present claims of Indians will work a hardship on tribes all over the country and may result in a considerable loss to Indians through no fault of their own, losses which Indians can ill afford because of their low position on the economic scale.

We believe it is particularly important not to let these unidentified claims lapse because we are on the verge of making substantial progress in discharging our trust responsibilities with regard to Indian resources. Recently, the Bureau of Indian Affairs established a new unit, the Indian Water Rights Office, which will have as its principal duties the assertion and protection of water rights of Indians. Efforts have also been made to obtain additional funds and personnel for investigation and determination of boundary conflicts. In addition, the Administration has proposed the creation of an independent Trust Counsel Authority to represent the resource rights of Indians free of any governmental conflicts of interest. It would be most unfortunate for many Indian claims to

be barred by the statute of limitations at a time when the means for discovering and prosecuting such claims are in the process for being markedly improved.

However, S. 3377 would do more than merely "save" those claims that would be barred on July 18, 1972. It would establish an eleven-year statute of limitations for all Indian claims arising under 28 U.S.C. 2415. We do not believe such special treatment of Indians is warranted across the board and would suggest narrowing the effect of the extension of the statute to those claims which would otherwise be barred on July 18, 1972. We submit herewith a substitute draft bill to accomplish this more limited purpose. In addition, we note that the statute which S. 3377 would amend does not differentiate between the claims of Indian tribes or groups and those of individual Indians. Yet both of the amendments contained in S. 3377 would be limited in applicability to "a recognized tribe, band, or group of American Indians." We see no reason not to extend the statute of limitations as well on behalf of individual Indians whose land is held in trust or restricted status. Therefore we have added the phrase "or on behalf of an individual Indian whose land is held in trust or restricted status" to both amending sections of the substitute draft bill.

The Office of Management and Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely yours,

HARRISON LOESCH,  
Assistant Secretary of the Interior.

#### S. 3377

A bill to extend the time for commencing actions on behalf of an Indian tribe, band, or group

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 28 of the United States Code, section 2415, is amended as follows:

(a) The period at the end of subsection (a) shall be changed to a colon, and the following provision shall be added thereto: "Provided further, That an action for money damages [which accrued on the date of enactment of this Act in accordance with subsection g] brought by the United States for or on behalf of a recognized tribe, band, or group of American Indians, [or on behalf of an individual Indian whose land is held in trust or restricted status,] shall not be barred unless the complaint is filed more than [eleven] years after the right of action accrued [or more than two years after a final decision has been rendered in applicable administrative proceedings required by contract or by law, whichever is later]."

(b) The words "including trust or restricted Indian lands" appearing after "lands of the United States" shall be deleted from the proviso in subsection (b), the period at the end of the subsection shall be changed to a comma, and the following words shall be added thereto: "except that such actions for or on behalf of a recognized tribe, band, or group of American Indians, including actions relating to allotted trust or restricted Indian lands, [or on behalf of an individual Indian whose land is held in trust or restricted status which accrued on the date of enactment of this Act in accordance with subsection g] may be brought within eleven years after the right of action accrues."

#### EXHIBIT 2

H.R. 15869

A bill to extend for ninety days the time for commencing actions on behalf of an Indian tribe, band or group

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title

28 of the United States Code, section 2415 is amended as follows:

(a) The period at the end of subsection (a) shall be changed to a colon, and the following provision shall be added thereto:

"Provided further, That an action for money damages brought by the United States for or on behalf of a recognized tribe, band or group of American Indians shall not be barred unless the complaint is filed more than six years and ninety days after the right of action accrued."

(b) The words, "including trust or restricted Indian lands" appearing after "lands of the United States" shall be deleted from the proviso in subsection (b), the period at the end of the subsection shall be changed to a comma, and the following words shall be added thereto: "except that such actions for or on behalf of a recognized tribe, band or group of American Indians, including actions relating to allotted trust or restricted Indian lands, may be brought within six years and ninety days after the right of action accrues."

#### EXHIBIT 3

[From the Wall Street Journal, July 14, 1972]

IMPENDING DEADLINE MAY COST U.S. INDIANS CLAIMS SETTLEMENTS—LAW LETS FEDERAL GOVERNMENT HANDLE LAWSUITS FOR TRIBES; LIMITATION EXPIRES MONDAY

(By David Gumpert)

Many American Indian tribes, apparently caught off guard by the expiration Monday of an obscure statute of limitations, could lose thousands and possibly millions of dollars in potential financial claims.

The tribes will lose out because after Monday they will be unable to pursue certain such claims. The situation could be reversed, but only if Congress acts by midnight Monday night to extend the statute of limitations.

Indian representatives themselves have been taken by surprise. "We weren't aware the thing was on the books," says Franklin Ducheneaux, legislative consultant for the National Congress of American Indians in Washington. "This was a sleeper to me," laments Dick LaCourse, director of news operations for the American Indian Press Association, who says he only learned of the law a few days ago.

Passed in 1966, the law has permitted the federal government to file claims for financial damages on behalf of Indian tribes against third parties, such as states and private companies.

The expiration next week wouldn't affect Indian claims against the federal government to establish land title or water rights, nor would it prohibit the federal government from suing third parties over such things as Indians' land title. It also wouldn't prevent the government from seeking to recover financial damages for up to six years past.

#### SOMETIMES, SIZABLE INTEREST

But the expiration would prevent the government from seeking payment for damages more than six years old. Interest accrued in such cases can be substantial, since Indian cases sometimes go back 100 years or more. Whether Indians could file their own suits for financial damages going back more than six years is unclear, says a legal official in the Department of the Interior. The issue will probably have to be settled in the courts.

The advantage in having the federal government file the suits is to save the Indians the often considerable legal expenses involved and often considerable legal expenses involved and to allow suits against states. Such suits aren't permitted by private parties in some states.

Just how many potential claims would be barred with the expiration of the statute of limitations isn't known, but it's probably substantial, say observers of Indian affairs. "I



would say there are probably 100 (cases) or maybe more" that will be lost because of the expiration of the statute, says Art Gajarsa, a Washington lawyer who has handled Indian cases.

Over the past few weeks, Indian tribes that have become aware of the statute have scrambled to submit last-minute claims to the Interior Department for consideration as suits. The department estimates it has received about 35 claims in the last three or four weeks, of which it's recommended that about 25 be taken to court by the Justice Department. In the past, the department has received only about one such claim a week, says an Interior Department spokesman.

The claims aren't for peanuts, either. Two Maine Indian tribes have sought in recent weeks to get the federal government to seek \$150 million in damages each from the state of Maine. They want the money mostly to pay for vast chunks of land they contend Maine illegally took from them in the 18th and 19th centuries.

#### CLASS ACTION CONSIDERED

Lawyers who handle Indian cases contend the federal government has been unreasonably reluctant to take on some Indian cases. They note, for instance, that in the Maine cases one tribe had to go to federal court to force the government to bring suit, since the Interior Department had initially refused to approve filing the case.

Mr. Gajarsa says he's considering bringing a class-action suit against the government if the statute expires, claiming that the government has been lax in bringing cases to court and in telling Indians about the statute. He contends the Interior Department "sat on its proverbial rear end."

An Interior Department spokesman says the department "has always considered every case." He adds that he would "find it hard to believe that the tribes' lawyers didn't know" about the statute.

The issue could become moot if Congress acts Monday to approve bills in the Senate and House that would extend the deadline for five more years or else approves a temporary extension until the bills can be considered more carefully. Neither house of Congress has held hearings on the extension, however.

Although the Nixon administration has given its support to an extension of the statute, observers say, the chances of getting Congress to act quickly enough are remote.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H.R. 15869) was ordered to a third reading, read the third time, and passed.

#### QUORUM CALL

The PRESIDING OFFICER. What is the will of the Senate?

Mr. WILLIAMS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### ORDER FOR RECOGNITION OF SENATOR STEVENS TOMMOROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that on tomorrow,

after the two leaders have been recognized under the standing order, the distinguished Senator from Alaska (Mr. STEVENS) be recognized for not to exceed 15 minutes.

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

#### TRANSACTION OF ROUTINE MORNING BUSINESS TOMORROW

Mr. ROBERT C. BYRD. I ask unanimous consent that at the conclusion of the remarks by the distinguished Senator from Alaska (Mr. STEVENS) tomorrow, there be a period for transaction of routine morning business of not to exceed 15 minutes, with statements therein limited to 3 minutes, at the conclusion of which the Chair lay before the Senate the unfinished business.

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

#### ORDER TO HOLD H.R. 15635 AT THE DESK

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that, upon its receipt by the Senate, the message from the House of Representatives on H.R. 15635, the juvenile delinquency bill, be held at the desk.

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

#### QUORUM CALL

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### PROGRAM

Mr. ROBERT C. BYRD. Mr. President, the program for tomorrow is as follows:

The Senate will convene at 10 a.m. After the two leaders have been recognized under the standing order, the distinguished Senator from Alaska (Mr. STEVENS) will be recognized for not to exceed 15 minutes, after which there will be a period for the transaction of routine morning business for not to exceed 15 minutes, with statements therein limited to 3 minutes.

At the conclusion of routine morning business, the Chair will lay before the Senate the unfinished business, S. 3390, a bill to amend the Foreign Assistance Act, and amendments are expected to be called up. It is my understanding that the distinguished Senator from California may call up an amendment, and the distinguished Senator from Massachusetts (Mr. KENNEDY) may call up one or two amendments. The distinguished Senator from Nevada (Mr. CANNON), as I understand it, is also prepared to call up his amendment in the early afternoon. So it is quite possible that

rollcall votes will occur on the Foreign Assistance Act on tomorrow.

At some point during the afternoon of tomorrow, the leadership will call up the second-track measure, the so-called minimum wage bill, and debate will resume thereon, with amendments thereto in order.

#### ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. ROBERT C. BYRD. Mr. President, if there be no further business to come before the Senate, I move that the Senate stand in adjournment, under the order, until 10 a.m. tomorrow.

The motion was agreed to; and at 4:54 p.m. the Senate adjourned until tomorrow, Tuesday, July 18, 1972, at 10 a.m.

#### NOMINATIONS

Executive nominations received by the Senate July 17, 1972:

##### DEPARTMENT OF THE TREASURY

Frederic W. Hickman, of Illinois, to be an Assistant Secretary of the Treasury, vice Edwin S. Cohen.

##### DEPARTMENT OF JUSTICE

Roger C. Cramton, of Michigan, to be an Assistant Attorney General, vice Ralph E. Erickson, elevated.

##### SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

H. Carl Moultrie, of the District of Columbia, to be an associate judge, Superior Court of the District of Columbia, for the term of years prescribed by Public Law 91-358, approved July 29, 1970, and vice John J. Malloy, retired.

##### ATOMIC ENERGY COMMISSION

Dixy Lee Ray, of Washington, to be a member of the Atomic Energy Commission for a term of 5 years expiring June 30, 1977, vice Wilfrid E. Johnson, term expired.

##### EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Colston A. Lewis, of Virginia, to be a member of the Equal Employment Opportunity Commission for the term expiring July 1, 1977 (reappointment).

##### NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE

The following-named persons to be members of the National Commission on Libraries and Information Science for terms expiring July 19, 1977 (reappointments):

Harold C. Crotty, of Michigan.

Martin Goland, of Texas.

Louis A. Lerner, of Illinois.

##### U.S. ADVISORY COMMISSION ON INFORMATION

George H. Gallup, of New Jersey, to be a member of the U.S. Advisory Commission on Information for the term expiring January 27, 1975, vice William Buckley, resigned.

##### U.S. NAVY

Vice Adm. Maurice F. Weisner, U.S. Navy, for appointment as Vice Chief of Naval Operations in the Department of the Navy pursuant to title 10, United States Code, section 5085.

Vice Adm. Maurice F. Weisner, U.S. Navy, having been designated for commands and other duties of great importance and responsibility determined by the President to be within the contemplation of title 10, United States Code, section 5231, for appointment to the grade of admiral while so serving.

Rear Adm. William D. Houser, U.S. Navy, having been designated for commands and other duties determined by the President to be within the contemplation of title 10,

United States Code, section 5231, for appointment to the grade of vice admiral while so serving.

The following named officers of the Navy for permanent promotion to the grade of rear admiral:

## LINE

George G. Halvorsen  
John D. H. Kane, Jr.  
Edward L. Feightner  
John M. Thomas  
Brian McCauley  
Thomas E. Bass III  
Billy D. Holder  
Richard E. Henning  
William H. Shawcross  
Robert P. Coogan  
Ralph S. Wentworth, Jr.  
Daniel J. Murphy  
John S. Christiansen  
Richard E. Fowler, Jr.  
William M. A. Greene  
Julian S. Lake  
Joe Williams, Jr.  
Joe P. Moorer  
Walter N. Dietzen, Jr.  
Harvey E. Lyon  
Emmett H. Tidd  
Robert O. Welandar  
Robert Y. Kaufman  
Stansfield Turner  
William R. St. George  
Thomas B. Hayward  
John J. Shanahan, Jr.  
John G. Finneran

## CIVIL ENGINEER CORPS

Albert R. Marschall

## U.S. MARINE CORPS

Lt. Gen. William K. Jones, U.S. Marine Corps, when retired, to be placed on the retired list in the grade of lieutenant general in accordance with the provisions of title 10, United States Code, section 5233.

In accordance with the provisions of title 10, United States Code, section 5232, Maj. Gen. Louis H. Wilson, Jr., U.S. Marine Corps, having been designated for commands and other duties determined by the President to be within the contemplation of said section, for appointment to the grade of lieutenant general while so serving.

## IN THE AIR FORCE

The following named Air National Guard of the United States officers for promotion in the Reserve of the Air Force, under the appropriate provisions of section 593(a), title 10, United States Code, as amended.

## Major to lieutenant colonel

## LINE OF THE AIR FORCE

Carroll N. Anderson, xxx-xx-xxxx  
James A. Bishop, xxx-xx-xxxx  
Paul J. Bittorf, xxx-xx-xxxx  
Philip E. Brickson, xxx-xx-xxxx  
Richard H. Clothier, xxx-xx-xxxx  
Donald J. David, xxx-xx-xxxx  
Jaime Escanellas, xxx-xx-xxxx  
Ronald W. Exley, xxx-xx-xxxx  
Leroy E. Fechtelkottter, xxx-xx-xxxx  
Louis A. Fritsche, xxx-xx-xxxx  
Philip W. Gallion, xxx-xx-xxxx  
Thomas G. Haggard, xxx-xx-xxxx  
Kenneth J. Leland, xxx-xx-xxxx  
Sidney R. Mann, xxx-xx-xxxx  
Harry A. Martin, xxx-xx-xxxx  
John D. Montzingo, xxx-xx-xxxx  
Charles T. Moore, xxx-xx-xxxx  
Juan Moya, xxx-xx-xxxx  
Milton C. Polrier, xxx-xx-xxxx  
Chester J. Preisser, Jr., xxx-xx-xxxx  
Charles R. Ray, xxx-xx-xxxx  
Ray C. Sahlstrom, xxx-xx-xxxx  
George B. Schwahn, xxx-xx-xxxx  
Wilbert T. Stewart, xxx-xx-xxxx  
Eugene L. Stringer, xxx-xx-xxxx  
Nels Thomsen, Jr., xxx-xx-xxxx  
Gaines M. Timberlake, xxx-xx-xxxx  
Donald G. Troyer, xxx-xx-xxxx  
Howard R. Vaughan, xxx-xx-xxxx

James J. White, xxx-xx-xxxx  
Donald J. Kerr, xxx-xx-xxxx

## IN THE ARMY

The following named persons for appointment in the Regular Army of the United States, in the grades specified, under the provisions of title 10, United States Code, sections 3283 through 3294 and 3311:

To be colonel, Regular Army, and colonel, Army of the United States

Livingstone, Bruce L., xxx-xx-xxxx

## To be major

Randles, Jack C., xxx-xx-xxxx

## To be captain

Bogges, Samuel D., xxx-xx-xxxx  
Bunte, Ralph M., xxx-xx-xxxx  
Burton, Robert L., xxx-xx-xxxx  
Calkin, Ellery E., Jr., xxx-xx-xxxx  
Cannon, Kathleen M., xxx-xx-xxxx  
Chaney, Kenneth P., xxx-xx-xxxx  
Clark, Jon R., xxx-xx-xxxx  
Coleman, Obe D., xxx-xx-xxxx  
Collman, Richard H., xxx-xx-xxxx  
Cook, Sanford D., xxx-xx-xxxx  
Daniel, Clyde J., xxx-xx-xxxx  
Deaven, Marie R., xxx-xx-xxxx  
Dower, James P., xxx-xx-xxxx  
Fay, James R., xxx-xx-xxxx  
Galle, Joseph E., xxx-xx-xxxx  
Cruschus, Gerhard F., xxx-xx-xxxx  
Hollis, Anthony W. L., xxx-xx-xxxx  
Jones, Bernard F., xxx-xx-xxxx  
Jones, Donald A., xxx-xx-xxxx  
Keller, Wendell A., xxx-xx-xxxx  
Kelly, Lawrence R., Jr., xxx-xx-xxxx  
Kozel, Eugene W., xxx-xx-xxxx  
Kyser, Kay A., xxx-xx-xxxx  
Lacey, Floyd E., Sr., xxx-xx-xxxx  
Lancaster, Lynn A., xxx-xx-xxxx  
Linn, Jeffrey B., xxx-xx-xxxx  
Lucidi, Richard N., xxx-xx-xxxx  
Mason, Gary R., xxx-xx-xxxx  
McCartney, John W., xxx-xx-xxxx  
McSwain, Donald W., xxx-xx-xxxx  
Monagan, Charles F., xxx-xx-xxxx  
Morrissey, Robert L., xxx-xx-xxxx  
Nixon, George A., xxx-xx-xxxx  
O'Brien, Maurice J., xxx-xx-xxxx  
Pavlicek, John H., xxx-xx-xxxx  
Phillips, Angeles, xxx-xx-xxxx  
Pollard, James C., xxx-xx-xxxx  
Powers, Jimmy E., xxx-xx-xxxx  
Pruitt, Charlie D., xxx-xx-xxxx  
Reumann, Albert D., xxx-xx-xxxx  
Romans, Michael H., xxx-xx-xxxx  
Swift, Ivan C., xxx-xx-xxxx  
Walckner, Edward, xxx-xx-xxxx

## To be first lieutenant

Adams, Robert S., xxx-xx-xxxx  
Alexander, Leslie L., xxx-xx-xxxx  
Alton, Ronnie D., xxx-xx-xxxx  
Arnold, James R., xxx-xx-xxxx  
Barrett, William J., xxx-xx-xxxx  
Baskin, Robert W., Jr., xxx-xx-xxxx  
Beers, Richard P., xxx-xx-xxxx  
Bewley, William M., xxx-xx-xxxx  
Birdseye, Helen B., xxx-xx-xxxx  
Biskey, Valerie E., xxx-xx-xxxx  
Bradley, Jerry W., xxx-xx-xxxx  
Bregard, Richard W., xxx-xx-xxxx  
Bristow, William D., Jr., xxx-xx-xxxx  
Brown, Frederic C., Jr., xxx-xx-xxxx  
Brown, James B., xxx-xx-xxxx  
Brown, Kenneth L., xxx-xx-xxxx  
Buckley, Geoffrey J., xxx-xx-xxxx  
Bushway, Geoffrey C., xxx-xx-xxxx  
Canfield, William J., xxx-xx-xxxx  
Cardell, Larry E., xxx-xx-xxxx  
Carrales, Carlos C., xxx-xx-xxxx  
Chancellor, Darrell M., xxx-xx-xxxx  
Clements, Willis L., xxx-xx-xxxx  
Cody, Jerry B., xxx-xx-xxxx  
Collins, John P., xxx-xx-xxxx  
Crabbe, James D., xxx-xx-xxxx  
Davis, Louis R., xxx-xx-xxxx  
Davis, Michael S., xxx-xx-xxxx  
Deason, Emory N., xxx-xx-xxxx  
Deiseling, Leon F., xxx-xx-xxxx

Divita, Carl L., xxx-xx-xxxx  
Ecuyer, Lawrence J., xxx-xx-xxxx  
Edwards, Thomas E., xxx-xx-xxxx  
Ernst, Carl F., xxx-xx-xxxx  
Evans, Rosalie K., xxx-xx-xxxx  
Evans, William C., xxx-xx-xxxx  
Ewart, Loel A., xxx-xx-xxxx  
Fagan, James F., xxx-xx-xxxx  
Faircloth, Harry L., xxx-xx-xxxx  
Feighny, Michael L., xxx-xx-xxxx  
Felleter, Vincent J., xxx-xx-xxxx  
Ferguson, James S., xxx-xx-xxxx  
Ferguson, Luke B., xxx-xx-xxxx  
Flowers, Vicki L., xxx-xx-xxxx  
Forbes, Robert G., xxx-xx-xxxx  
Fontenot, Russell J., xxx-xx-xxxx  
Fox, Charlotte A., xxx-xx-xxxx  
Freeman, Robert L., xxx-xx-xxxx  
Furrow Larry D., xxx-xx-xxxx  
Gallego, Karen F., xxx-xx-xxxx  
Ganong, Stephen L., xxx-xx-xxxx  
Gearhart, Sharon K., xxx-xx-xxxx  
Geiger, George J., xxx-xx-xxxx  
Gillette, John E., xxx-xx-xxxx  
Grazier, Edward H., xxx-xx-xxxx  
Green, Ronald D., xxx-xx-xxxx  
Greer, Earl D., xxx-xx-xxxx  
Guerra, William M., xxx-xx-xxxx  
Gunnell, Kenneth M., Jr., xxx-xx-xxxx  
Hall, John T., xxx-xx-xxxx  
Hanes, Hal D., xxx-xx-xxxx  
Harms, George E., III, xxx-xx-xxxx  
Hart, John J. D., xxx-xx-xxxx  
Hartley, Charles R., xxx-xx-xxxx  
Harvard, Albert F., xxx-xx-xxxx  
Hatcher, Phil L., xxx-xx-xxxx  
Hawkins, Mary F., xxx-xx-xxxx  
Hey, George D., xxx-xx-xxxx  
Hicks, David H., xxx-xx-xxxx  
Hodgin, Jimmy R., xxx-xx-xxxx  
Holzwarth, Donald R., xxx-xx-xxxx  
Hopkins, John S., xxx-xx-xxxx  
Horne, Richard C., IV, xxx-xx-xxxx  
Johnson, Gregory T., xxx-xx-xxxx  
Keenan, John J., Jr., xxx-xx-xxxx  
Kelleher, Daniel M., xxx-xx-xxxx  
Kennedy, Terris E., xxx-xx-xxxx  
King, James C., xxx-xx-xxxx  
Koons, James S., xxx-xx-xxxx  
Lancaster, Randall J., xxx-xx-xxxx  
Laudenslager, Charles W., Sr., xxx-xx-xxxx  
Maddox, William L., Jr., xxx-xx-xxxx  
Martens, James R., xxx-xx-xxxx  
Marx, Lowell E., xxx-xx-xxxx  
McCants, Omer L., xxx-xx-xxxx  
McLaughlin, Gary D., xxx-xx-xxxx  
McLaughlin, John C., xxx-xx-xxxx  
Moody, James L., xxx-xx-xxxx  
Morlock, Frank J., xxx-xx-xxxx  
Nevilles, Willie C., xxx-xx-xxxx  
O'Brien, James D., xxx-xx-xxxx  
O'Malley, William D., Jr., xxx-xx-xxxx  
Orde, Claudia B., xxx-xx-xxxx  
Page, Edward C., xxx-xx-xxxx  
Pavletich, Douglas P., xxx-xx-xxxx  
Payne, Lawrence W., xxx-xx-xxxx  
Pennington, Ellis L., xxx-xx-xxxx  
Petrosky, Daniel J., xxx-xx-xxxx  
Plyler, Glenn B., xxx-xx-xxxx  
Pulliam, James M., xxx-xx-xxxx  
Pullman, Clarence L., xxx-xx-xxxx  
Raether, James G., xxx-xx-xxxx  
Reed, Ronald E., xxx-xx-xxxx  
Rexrode, Janet S., xxx-xx-xxxx  
Rice, Bennie Jr., xxx-xx-xxxx  
Rikil, Patricia A., xxx-xx-xxxx  
Robinson, Robert L., xxx-xx-xxxx  
Robison, Kenneth M., xxx-xx-xxxx  
Rogers, Thomas C., xxx-xx-xxxx  
Rollings, Jo Ann, xxx-xx-xxxx  
Roney, Robert J., xxx-xx-xxxx  
Roper, Everette L., Jr., xxx-xx-xxxx  
Rose, Steven, xxx-xx-xxxx  
Russell, Gladys H., xxx-xx-xxxx  
Rybicki, David N., xxx-xx-xxxx  
Salter, Ned W., xxx-xx-xxxx  
Schmidt, Kendall A., xxx-xx-xxxx  
Scott, James G., xxx-xx-xxxx  
Seibel, Ralph E., xxx-xx-xxxx  
Shryock, Robert W., xxx-xx-xxxx  
Simpkins, Jimmie C., xxx-xx-xxxx



Simpson, John R., xxx-xx-xxxx  
 Slaton, James L., xxx-xx-xxxx  
 Smith, George E., xxx-xx-xxxx  
 Smith, Gordon R., xxx-xx-xxxx  
 Smith, Mary E., xxx-xx-xxxx  
 Stenzel, Leroy G., Jr., xxx-xx-xxxx  
 Strleper, Sarah S., xxx-xx-xxxx  
 Sullivan, Walter R., xxx-xx-xxxx  
 Sweeney, Robert T., xxx-xx-xxxx  
 Sylvester, Marilyn J., xxx-xx-xxxx  
 Taylor, Samuel A., Jr., xxx-xx-xxxx  
 Taylor, Warren B., xxx-xx-xxxx  
 Taylor, Warren P., xxx-xx-xxxx  
 Thompson, Charles F., xxx-xx-xxxx  
 Toliver, Donald D., xxx-xx-xxxx  
 Trotter, William A., xxx-xx-xxxx  
 Valentine, Frank J., Jr., xxx-xx-xxxx  
 Vinten, Dean J., xxx-xx-xxxx  
 Walz, Daniel J., xxx-xx-xxxx  
 Wampole, Harry S., xxx-xx-xxxx  
 Ward, Mack C., Jr., xxx-xx-xxxx  
 Waterbury, Warren T., xxx-xx-xxxx  
 Webb, Hershel B., xxx-xx-xxxx  
 Wheelless, Douglas C., xxx-xx-xxxx  
 Whitehead, Erwin E., xxx-xx-xxxx  
 Wilson, Charles A. II, xxx-xx-xxxx  
 Wooten, Ralph G., xxx-xx-xxxx  
 Yon, Terry A., xxx-xx-xxxx  
 Young, Lewis W., xxx-xx-xxxx

#### To be second Lieutenant

Alberg, Walter S., xxx-xx-xxxx  
 Arndt, Richard J., xxx-xx-xxxx  
 Ballard, Bryant L., xxx-xx-xxxx  
 Bassett, Sally A., xxx-xx-xxxx  
 Beard, Robert D., xxx-xx-xxxx  
 Beck, Ronald G., xxx-xx-xxxx  
 Billot, Joseph P., xxx-xx-xxxx  
 Bowen, David R., xxx-xx-xxxx  
 Brown, William M., xxx-xx-xxxx  
 Byrne, Catherine B., xxx-xx-xxxx  
 Cannella, Susan L., xxx-xx-xxxx  
 Caputo, Robert S., xxx-xx-xxxx  
 Carter, John P. II, xxx-xx-xxxx

Casarande, Thomas S., xxx-xx-xxxx  
 Cervenak, Edward S., xxx-xx-xxxx  
 Colson, Stephen L., xxx-xx-xxxx  
 Cook, William J. III, xxx-xx-xxxx  
 Corker, Harold T., xxx-xx-xxxx  
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 Doberenz, Raymond O., xxx-xx-xxxx  
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 Evans, Stanley L., xxx-xx-xxxx  
 Farris, Marcia O., xxx-xx-xxxx  
 Fox, Robert D., xxx-xx-xxxx  
 Gafford, William R., xxx-xx-xxxx  
 Gaylord, Thomas A., xxx-xx-xxxx  
 Hall, Wayne M., xxx-xx-xxxx  
 Henderson, Robert J., xxx-xx-xxxx  
 James, Dennis E. D., xxx-xx-xxxx  
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 Johnson, Anne T., xxx-xx-xxxx  
 Jones, George A., xxx-xx-xxxx  
 Jones, Glennie M., xxx-xx-xxxx  
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 Kleve, Frederic W., Jr., xxx-xx-xxxx  
 Knight, Michael C., xxx-xx-xxxx  
 Kornacki, Robert J., xxx-xx-xxxx  
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 Lamond, Gregory S., xxx-xx-xxxx  
 Langmesser, James E., xxx-xx-xxxx  
 Larson, Jon F., xxx-xx-xxxx  
 Lemieux, Rene E., xxx-xx-xxxx  
 Letcher, Keith W., xxx-xx-xxxx  
 Majkowski, Jesse W., xxx-xx-xxxx  
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 McMullen, Patricia L., xxx-xx-xxxx  
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Peyton, Dale E., xxx-xx-xxxx  
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 Polk, Elmer J., xxx-xx-xxxx  
 Ramsay, William T., Jr., xxx-xx-xxxx  
 Reidinger, Philip A., xxx-xx-xxxx  
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 Ridout, Robert A., xxx-xx-xxxx  
 Ritter, Paul D., xxx-xx-xxxx  
 Rudd, James W., xxx-xx-xxxx  
 Russell, Richard D., xxx-xx-xxxx  
 Schraeder, Raymond E., xxx-xx-xxxx  
 Scott, James E., xxx-xx-xxxx  
 Shaffner, Barry L., xxx-xx-xxxx  
 Shank, Joyce G., xxx-xx-xxxx  
 Sisson, Philip W., xxx-xx-xxxx  
 Smallman, William R., xxx-xx-xxxx  
 Smith, Michael C., xxx-xx-xxxx  
 Smith, Stephen F., xxx-xx-xxxx  
 Smith, Vernon E., xxx-xx-xxxx  
 Sparks, William L., xxx-xx-xxxx  
 Springer, Dwight S., xxx-xx-xxxx  
 Stearns, Bryan F., xxx-xx-xxxx  
 Strazzini, Edward M., xxx-xx-xxxx  
 Texer, John A., xxx-xx-xxxx  
 Timmerberg, James R., xxx-xx-xxxx  
 Tucker, Calvin M., Jr., xxx-xx-xxxx  
 Vaira, Karen P., xxx-xx-xxxx  
 Wagner, Jeannine M., xxx-xx-xxxx  
 Wagstaff, Larry J., xxx-xx-xxxx  
 Wathen, James A., xxx-xx-xxxx  
 Wessel, Jerry W., xxx-xx-xxxx  
 Willard, Robert T., xxx-xx-xxxx  
 Winn, Dennis H., xxx-xx-xxxx  
 Zuelke, Lorene E., xxx-xx-xxxx

The following-named scholarship students for appointment in the Regular Army of the United States in the grade of second lieutenant, under provisions of title 10, United States Code, sections 2107, 3283, 3284, 3286, 3287, 3288, and 3290:

Flanery, Colbert L., Jr., xxx-xx-xxxx  
 Leib, Jack R., xxx-xx-xxxx  
 Titus, Keith R., xxx-xx-xxxx

## HOUSE OF REPRESENTATIVES—Monday, July 17, 1972

The House met at 12 o'clock noon.  
 The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

*Be strong and of good courage, for it is the Lord your God who goes with you.—Deuteronomy 31: 6.*

Eternal God, our Father, whose love will not let go and whose light follows us all our days, help us to begin this week conscious of Thy presence and ready to work diligently for the welfare of our Nation.

Give to our people a determination to strive for unity, a desire to live with good will and a dedication to seek the highest good of our country.

Deliver us from differences which divide us, from meanness which leads to misery, from criticisms which corrode our relationships, and from a pettiness which reveals a poverty of spirit.

Guide us in the way we should go with the royalty of an inward happiness, the realization of a radiant faith, and the readiness to labor to keep our Nation great and strong and good.

In the spirit of Christ we pray. 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 PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Leonard, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and joint resolutions of the House of the following titles:

On June 30, 1972:

H.R. 632. An act for the relief of the village of River Forest, Ill.;  
 H.R. 1974. An act for the relief of Mrs. Gloria Vazquez Herrera;  
 H.R. 2052. An act for the relief of Luz Maria Cruz Aleman Phillips;  
 H.R. 2076. An act for the relief of Vladimir Rodriguez LaHera;  
 H.R. 3227. An act for the relief of S. Sgt. J. C. Bell, Jr., U.S. Air Force;  
 H.R. 4050. An act for the relief of Maria Manuela Amaral;  
 H.R. 4083. An act for the relief of Thomas William Greene and Jill A. Greene;  
 H.R. 6201. An act for the relief of Lesley Earle Byran;  
 H.R. 6666. An act for the relief of Maj. Michael M. Mills, U.S. Air Force;  
 H.R. 6820. An act for the relief of John W. Shafer, Jr.;  
 H.R. 6907. An act for the relief of Matyas Hunyadi;  
 H.R. 7088. An act to provide for the establishment of the Tincum National Environmental Center in the Commonwealth of Pennsylvania, and for other purposes;  
 H.R. 7641. An act for the relief of Chung Chi Lee;  
 H.R. 9552. An act to amend the cruise legislation of the Merchant Marine Act, 1936;

H.R. 9580. An act to authorize the Commissioner of the District of Columbia to enter into agreements with the Commonwealth of Virginia and the State of Maryland concerning fees for the operation of certain motor vehicles, and the enforcement of traffic laws;

H.R. 10595. An act to restore to the Custis-Lee Mansion located in the Arlington National Cemetery, Arlington, Va., its original historical name, followed by the explanatory memorial phrase, so that it shall be known as Arlington House, the Robert E. Lee Memorial;

H.R. 12143. An act to provide for the establishment of the San Francisco Bay National Wildlife Refuge;

H.R. 14423. An act to amend the Rural Electrification Act of 1936, as amended, to enhance the ability of the rural telephone bank to obtain funds for the supplementary financing program on favorable terms and conditions;

H.R. 15587. An act to provide for a 6-month extension of the emergency unemployment compensation program; and

H.J. Res. 812. Joint resolution to authorize the Secretary of the Interior to participate in the planning and design of a national memorial to Franklin Delano Roosevelt, and for other purposes.

On July 1, 1972:

H.R. 15390. An act to provide for a 4-month extension of the present temporary level in the public debt limitation, and for other purposes;

H.J. Res. 1234. Joint resolution making continuing appropriations for the fiscal year 1973, and for other purposes; and

H.J. Res. 1238. Joint resolution making a supplemental appropriation for disaster relief.